

Quality Update No . 31

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Client abuse or assault during Service Delivery

Introduction:

Client abuse is a complex challenge and our responsibilities as staff vary according depending on **who** is the suspected abuser (whether a carer at home, a spouse, another client, or a staff member or volunteer), the **nature and seriousness** of the abuse (e.g. physical, sexual, psychological, financial), and **when** the abuse happened (eg. in Baptistcare's care at the time).

What rights do clients have in circumstances where abuse has or is suspected to have occurred?

- ❖ To receive immediate emergency services or health care if required
- ❖ To receive support and protection from further harm
- ❖ To be free from prejudice or insinuation about the incident
- ❖ To have confidentiality and privacy respected
- ❖ To have the assault or alleged assault reported and investigated
- ❖ To choose not to participate in any Police investigation where Police report has been made
- ❖ To be offered confidential specialist counselling related to trauma experienced
- ❖ To be assisted by an independent advocate of their choice
- ❖ To have the matter recorded appropriately in client records
- ❖ To have access to an interpreter or an independent third party where required.

What steps are required if it is alleged or suspected that a client has been physically or sexually abused or assaulted during service delivery?

- Immediately reported to the Operations or Program Manager
- Any serious allegation of assault is to be reported to Police. Client consent is desirable.
- The Operations or Program Manager must evaluate the info regarding the incident to
 - Determine how it should be reported (e.g. Police, DHS, QoC, ODSC, CASA etc) by considering *age and vulnerability of the victim, the harm that may have been inflicted and whether the incident may be a criminal offence*
 - Determine if the General Manager and HR Advisor should be consulted (this is mandatory if the alleged perpetrator is a staff member or volunteer)
 - Failure to report externally where an assault or sexual crime against a client has been committed within an organisation, is an offence!
- If it is possibly a crime and has been reported to Police, the staff member who observes or suspects abuse or assault SHOULD NOT investigate and the area in which alleged assault or abuse occurred SHOULD NOT be disturbed or interfered with.
- For any serious incident occurring during service delivery Baptistcare will conduct an incident review, including implementing improvement actions to reduce the risk of future incidents.
- Staff members who have been involved in detection and responding to client abuse or assault should be offered additional support and debriefing.

Further Information?

Procedure: Assault during service delivery – Physical and Sexual – involving staff, carers or others

Other related documents include -

Procedure: Client Abuse or Neglect – People with Disabilities

Procedure: Positive Behaviour Approaches

Procedure: Duty of Care

WIV: Child Abuse and Reports to Child Protection Work Instruction

WIV: Restrictive Interventions

If you have any queries please contact Jennifer Ganci.

