

# Abuse and Neglect Procedures

Summary: The Abuse and Neglect Procedures aim to provide paid or unpaid workers of ADHC operated and funded non-government disability support services, with the means to respond quickly and appropriately to allegations of abuse and neglect.





# Abuse and Neglect Procedures

<b>Document name</b>	Abuse and Neglect Procedures
<b>Policy</b>	Abuse and Neglect
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<b>Policy manual</b>	Safeguarding Policy and Practice Manual
<b>Approved by</b>	Deputy Secretary, ADHC
<b>Summary</b>	The Abuse and Neglect Procedures aim to provide paid or unpaid workers of ADHC operated and funded non-government disability support services, with the means to respond quickly and appropriately to allegations of abuse and neglect.
<b>Replaces document</b>	Abuse and Neglect Policy and Procedures 2014
<b>Authoring unit</b>	Contemporary Residential Options
<b>Applies to</b>	People who are being supported in ADHC operated and funded non-government disability support services.
<b>Review date</b>	2017

## Version control

The first and final version of a document is version 1.0.

The subsequent final version of the first revision of a document becomes version 1.1.

Each subsequent revision of the final document increases by 0.1, for example version 1.2, version 1.3 etc.

## Revision history

<b>Version</b>	<b>Amendment date</b>	<b>Amendment notes</b>
V1.0	January 2016	The Procedures are one of three documents (Policy, Procedures, and Prevention Guidelines) that replaces the Abuse and Neglect Policy and Procedures December 2014.

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# 1 Response procedures for ADHC operated services

The types and definitions of abuse and neglect are outlined in the Abuse and Neglect Policy (the Policy). These Procedures should be read in conjunction with the Policy as the types and definitions of abuse and neglect inform the response to be taken.

Sources, risk factors, early intervention and prevention strategies for abuse and neglect are discussed in the Abuse and Neglect Prevention Guidelines.

The Abuse and Neglect Procedures (the Procedures) provides paid and unpaid workers of ADHC operated and funded non-government disability support services, who have contact with adults and children with disability, with the means to respond quickly and appropriately to allegations of abuse (including neglect).

The **Procedures are mandatory for paid workers of ADHC operated disability support services**. ADHC funded non-government disability support services may adopt or adapt the Procedures to meet the organisation's needs.

## 1.1 Receiving a report of abuse or neglect

Some people with disability can be vulnerable and susceptible to abuse and neglect by others. Abuse may be perpetrated by a member of staff, another person with disability, family, friends or strangers.

A report of abuse may be received from:

- **A person with disability** using any communication method.
- **Another person with disability, member of staff** or any other person, who may witness abuse of the person and make a report or
- **Staff, a family member or others who know the person well** upon observing one or more indicators of abuse, suspects that a person or people with disability have been or are being abused or neglected.

## 1.2 Abuse and neglect of a child or young person

[The Child Protection Guidelines: What ADHC staff need to know about child protection, May 2014](#) describes the circumstances and procedures that staff must be aware of in relation to the abuse or neglect of children (0-15 years) and young people (16-17 years).

The Mandatory Reporters Guide (MRG)<sup>1</sup> assists frontline mandatory reporters to determine whether a report is to be made to the Child Protection Helpline.

## 2 Immediate response

When abuse and neglect is identified or disclosed, the immediate response is to protect the person and others from further harm. The following procedures **must be followed** when abuse of any sort towards a person is known or suspected. Refer the flowchart below (section 2.2) for immediate response procedures to a report of abuse and neglect.

Failure to act immediately on knowledge of abuse and neglect, or identified risks to the welfare and safety of a person, is a breach of duty of care. Failure to act can lead to disciplinary action, and the involvement of external authorities such as the NSW Police or NSW Ombudsman.

It is paramount that the person's dignity is upheld prior to and during an investigation of an allegation or suspicion of abuse and neglect.

### 2.1 Contact emergency services – dial 000

#### 2.1.1 Ambulance

If the person sustains an injury as the result of an assault, the **NSW Ambulance Service** is called on 000 which can be dialled from any fixed or mobile phone, pay phones and certain Voice over Internet Protocol (VoIP) services. Call 106 for the text-based emergency relay service for people who have a hearing or speech impairment.

If the person is injured apply first aid until the Ambulance arrives.

#### 2.1.2 NSW Police

Sexual and physical assaults of a person are serious offences and **must** be reported to the **NSW Police**. When a person has been assaulted or is in immediate danger of an assault the NSW Police must be called on 000.

A report of domestic violence that doesn't involve a sexual or physical assault must be reported to a manager as soon as possible. For instance, reporting to a manager abuse by neglect, the use of unauthorised restricted practices, emotional, financial and systems abuse. Depending on the circumstances however, it may be appropriate to report abuse other than sexual or physical assault to the NSW Police as well as a manager.

**If in doubt about whether the abuse needs to be reported to the NSW Police, contact FACS Legal ([FACS.LegalInbox@facs.nsw.gov.au](mailto:FACS.LegalInbox@facs.nsw.gov.au) or 9716 2307) or the NSW Police for advice. For non urgent matters, contact the Police Assistance line on 131 444.**

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<sup>1</sup> Mandatory Reporters Guide [http://www.keepthemsafe.nsw.gov.au/reporting\\_concerns/mandatory\\_reporter\\_guide](http://www.keepthemsafe.nsw.gov.au/reporting_concerns/mandatory_reporter_guide)

### 2.1.3 Contact with the NSW Police

A person with disability may come in contact with the NSW Police as a witness, victim or suspect. When dealing with the Police, refer to the [Criminal Justice Resources Manual 2009](#)<sup>2</sup> for direction:

- With providing information to the NSW Police.
- When supporting an alleged offender with disability.
- When a staff member is a witness to an allegation of abuse and neglect.
- When forensic procedures are required.

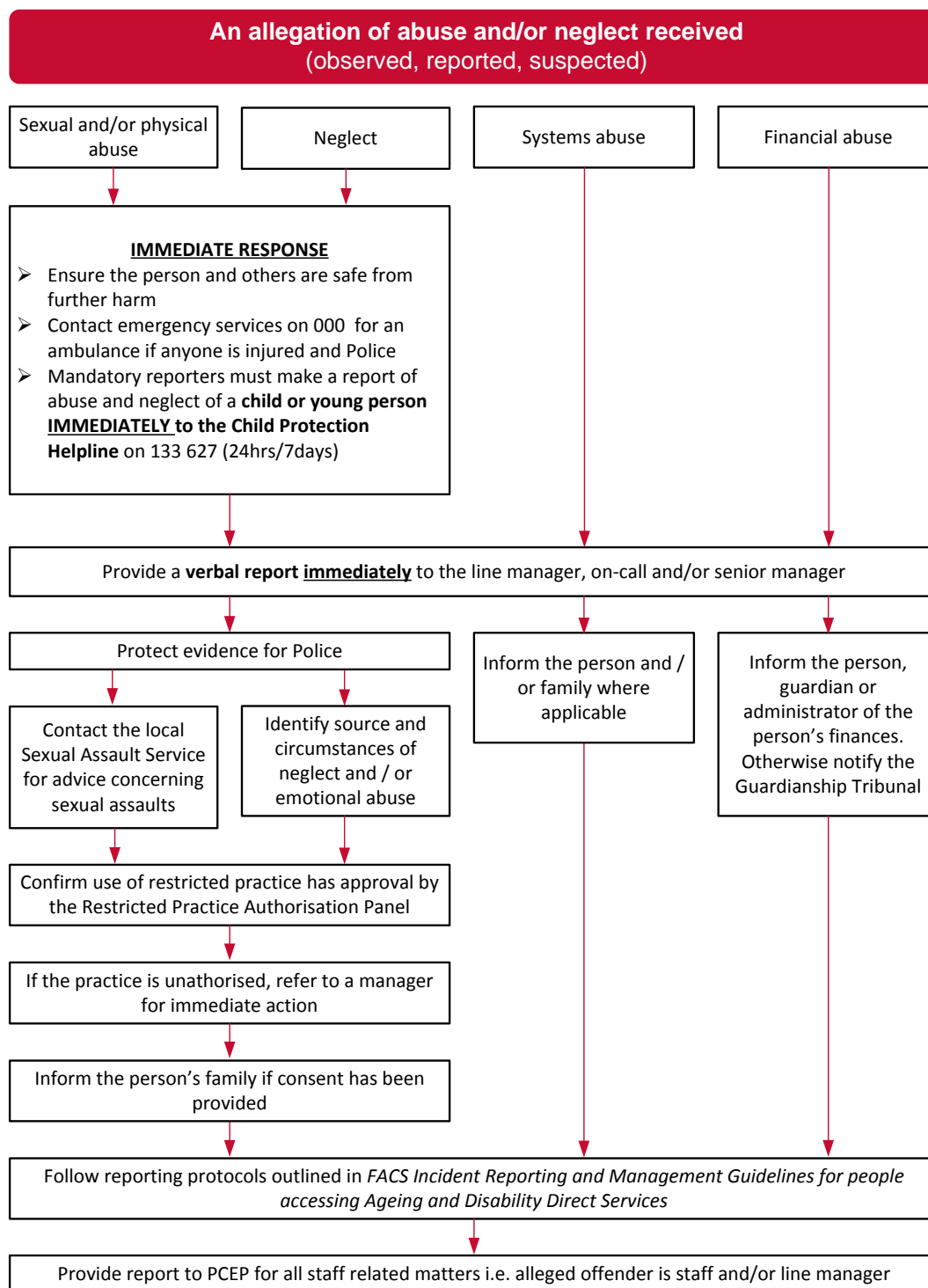
### 2.1.4 Protecting evidence for NSW Police

- Staff or line managers at the scene must use their best endeavours to ensure that any evidence the NSW Police may require in their investigation is not disturbed.
- Evidence may be lost if a victim of sexual assault bathes soon after the assault. Try and delay bathing until the NSW Police arrive if the victim is not distressed by the delay.
- If possible, preserve the victim's clothing as evidence following an assault of any type.
- If possible, isolate the area where the incident occurred and do not allow anyone to enter the area until the NSW Police arrive.
- Apart from ascertaining their physical condition and state of mind, avoid questioning the person and others about the incident to reduce contamination of their recall and confusion about the events.

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<sup>2</sup> ADHC Criminal Justice Resource Manual [http://dadhc-intranet.nsw.gov.au/documents/client\\_services/office\\_of\\_senior\\_practitioner/criminal\\_justice\\_services\\_policy\\_and\\_resource\\_manual/CJRM\\_Final\\_June\\_09.pdf](http://dadhc-intranet.nsw.gov.au/documents/client_services/office_of_senior_practitioner/criminal_justice_services_policy_and_resource_manual/CJRM_Final_June_09.pdf)

## 2.2 Immediate response flowchart





## 3 Roles and responsibilities

### 3.1 Support worker

- Staff or line managers at the scene must ensure that the person (the victim) is protected from any further harm or contact with the person who caused the harm (the alleged offender).
- Staff who are present at the time of an assault should take appropriate measures to maintain their own safety, and that of others.
- Staff or line managers at the scene must contact the NSW Police immediately if a person has been physically or sexually assaulted or dies as the result of an assault. Inform the Police that the person, whether the victim or alleged offender, is to be treated as a 'vulnerable person' as per the *Law Enforcement (Power and Responsibilities) Regulation 2005*. The Police are obliged to arrange a support person to be present prior to an interview taking place<sup>3</sup>.
- Staff or line managers at the scene must also contact the local Sexual Assault Service if a person has been sexually assaulted (see Other Resources for a list and contact details of Sexual Assault Services in your area).
- Staff or line managers at the scene must notify the doctor or ambulance if the person and others are injured.
- Mandatory reporters (frontline staff) must follow the NSW Mandatory Reporter Guide<sup>4</sup> if they suspect a child or young person is at risk of significant harm from abuse or neglect.
- Mandatory reporters must make a report of abuse and neglect of a child or young person **immediately** to the Child Protection Helpline (the Helpline) on **133 627** (24 hours/7 days).
- Non mandatory reporters, including the general public, make a report to the Helpline on **132 111** if they are concerned that the child or young person is at risk of serious harm (ROSH)<sup>5 6</sup>.
- Contacting the Helpline initiates the process of assessing whether statutory child protection is required.
- If it is witnessed or suspected that a member of staff has abused a person or a group of people, the line manager or 'on call' line manager must be informed immediately.
- If it is suspected that the line manager is involved in the abuse the matter must be reported immediately to the next level manager.

<sup>3</sup> clause 24 of *Law Enforcement (Power and Responsibilities) Regulation 2005*

<sup>4</sup> Mandatory Reporters Guide [http://www.keepthemsafe.nsw.gov.au/reporting\\_concerns/mandatory\\_reporter\\_guide](http://www.keepthemsafe.nsw.gov.au/reporting_concerns/mandatory_reporter_guide)

<sup>5</sup> A child or young person is at risk of significant harm if the circumstances that are causing concern for the safety, welfare or wellbeing of the child or young person are present to a significant extent [Keep Them Safe – Making a child protection report fact sheet](#).

<sup>6</sup> [http://dadhc-intranet.nsw.gov.au/client\\_services/community\\_access/keep\\_them\\_safe\\_a\\_shared\\_approach\\_to\\_child\\_wellbeing](http://dadhc-intranet.nsw.gov.au/client_services/community_access/keep_them_safe_a_shared_approach_to_child_wellbeing)

- If a manager is not available, a report can be made directly to FACS Professional Conduct, Ethics and Performance Unit<sup>7</sup> (PCEP) on:
  - (02) 9716 2073
  - (02) 9716 2700
  - secure email [pcep@facs.nsw.gov.au](mailto:pcep@facs.nsw.gov.au)
  - TTY 1800 555 630 and/or [helpdesk@relayservice.com.au](mailto:helpdesk@relayservice.com.au) (for people with a sensory impairment)
- Reports of abuse and neglect can also be made to the National Disability Abuse and Neglect Hotline on 1800 880 052. The Hotline provides guidance to callers on ways of dealing with reports of abuse or neglect through referral, information and support. It is not a crisis service. Anyone can contact the Hotline including the person with disability, family, friends, carers, advocates and staff from government and non-government service providers.
- When one person with disability is the suspected or known source of abuse towards another, staff must ensure that the rights of both people are observed during the response and reporting processes.
- The line manager refers reports of historical abuse to the NSW Police by calling the **Police Assistance Line** on **131 444**. Give the person the option of counselling, and provide support if accessing support services, as talking about past incidents may be traumatic for the person.
- Staff of ADHC operated services are required to comply with the ADHC reporting processes if they suspect irregularities in the management of the person's finances, and report them to the line manager for immediate attention.
- Staff must follow the incident reporting requirements of the FACS Incident Reporting and Management Guidelines for people accessing Ageing and Disability Direct Services 2014.
- Any decisions made in relation to managing the incident must be fully documented for future reference, along with the reason for the decision and the name and contact details of the person making the decision (see section 5).

### 3.2 Line manager

- The line manager should ensure that all emergency procedures have been followed and the appropriate emergency services have been called.
- Where management believes that a member of staff is the source of abuse of a person the matter must be referred to the NSW Police.
- A member of staff who is suspected of abusing a person with disability must not be permitted to have any unsupervised contact with the person,

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<sup>7</sup> PCEP: [http://dadhc-intranet.nsw.gov.au/corporate\\_services/pcep](http://dadhc-intranet.nsw.gov.au/corporate_services/pcep)

and may be immediately transferred to alternative duties following the allegation and until the matter is resolved.

- Any cases of suspected abuse and neglect by a member of staff must be reported to PCEP.
- If a manager believes that an incident of abuse or assault between two people with disability has occurred, the matter must be referred to the NSW Police. The manager must inform the Police that the victim and alleged offender with disability should be treated as a 'vulnerable person' .
- It is the role of the line manager to follow up with any reports of abuse and neglect made to the NSW Police to ensure the matter is progressing and the rights of the person are upheld.
- The line manager must ensure that the wishes of the victim and the alleged offender are followed in relation to advising family, guardian or other support person about the incident, where they are capable of making this known. When the victim or the alleged offender lacks capacity to make their wishes known, the line manager reports the incident to the appropriate person as soon as possible and within 12 hours of the incident occurring.
- The line manager facilitates access to appropriate support for the victim and the alleged offender, their families and staff, and ensures they have information about available services (see Other Resources).
- When there is an allegation of financial abuse, the manager must notify the person, family, guardian or the administrator of the person's finances. The matter may be reported to the NSW Police.
- The line manager must follow the incident reporting requirements of the FACS Incident Reporting and Management Guidelines for people accessing Ageing and Disability Direct Services 2014.
- The line manager must complete a Notification Form to the Children's Guardian<sup>8</sup> for any allegation of sexual misconduct or serious physical assault towards a child or young person in out-of-home care, attach this to the incident report surrounding the allegation for endorsement.
- A report of the death of a person with disability is provided in accordance with the Death Procedures in the Health and Wellbeing Policy and Practice Manual, Volume 2.
- The line manager is responsible for ensuring that documentation of the incident is completed and all communication kept private (see Section 4).
- The line manager encourages support workers to keep their own notes in relation to the allegation or suspicion of abuse and neglect.
- The line manager is responsible for ensuring reports are forwarded to the appropriate levels of management.

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<sup>8</sup> [http://www.kidsguardian.nsw.gov.au/ArticleDocuments/453/Notification\\_allegation\\_sexual\\_misconduct-physical\\_assault.docx.aspx](http://www.kidsguardian.nsw.gov.au/ArticleDocuments/453/Notification_allegation_sexual_misconduct-physical_assault.docx.aspx)

- As far as possible, the line manager will ensure a support worker reporting an allegation of abuse is safe from retribution.
- As far as possible, the line manager will ensure the principles of procedural fairness are applied when a decision is being made<sup>9</sup>.
- The line manager encourages and provides information to staff who would benefit from informal and formal debriefing services through the Employee Assistance Program.

### 3.3 District

#### 3.3.1 Each District:

- Is responsible for adopting a protocol for making referrals to the NSW Police and for managing the referral process locally
- Will follow the incident reporting requirements of the FACS Incident Reporting and Management Guidelines for people accessing Ageing and Disability Direct Services 2014
- Will report the death of a person with disability in accordance with the Death Procedures in the Health and Wellbeing Policy and Practice Manual, Volume 2
- Will report incidents of abuse and neglect by a member of staff to PCEP
- Will endorse and forward to the FACS Executive, a completed Notification Form to the Children's Guardian<sup>10</sup> for any allegation of sexual misconduct or serious physical assault towards a child or young person in out-of-home care.
- Will conduct an investigation into incidents of abuse and neglect and inform relevant areas of FACS about the outcome of the investigation, including lessons learnt
- Is responsible for recording the incident of abuse and neglect on the Client Information System (CIS) and/or SAP-HR Workplace Safety
- Will ensure criminal record and reference checks are completed every four years for paid and unpaid workers who have contact with adults and children receiving direct support services through ADHC
- Will ensure paid and unpaid workers have a Working with Children Check prior to working with children or young people under the age of 18
- Will ensure frontline staff and managers are familiar with policies and procedures relevant to Abuse and Neglect

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<sup>9</sup> Refer to the NSW Ombudsman's Fact Sheet on Natural Justice/Procedural Fairness for Public Sector Agencies [http://www.ombo.nsw.gov.au/\\_data/assets/pdf\\_file/0017/3707/FS\\_PSA\\_14\\_Natural\\_justice\\_Procedural\\_fairness.pdf](http://www.ombo.nsw.gov.au/_data/assets/pdf_file/0017/3707/FS_PSA_14_Natural_justice_Procedural_fairness.pdf)

<sup>10</sup> [http://www.kidsguardian.nsw.gov.au/ArticleDocuments/453/Notification\\_allegation\\_sexual\\_misconduct-physical\\_assault.docx.aspx](http://www.kidsguardian.nsw.gov.au/ArticleDocuments/453/Notification_allegation_sexual_misconduct-physical_assault.docx.aspx)

- Is responsible for regular qualitative reviews of support systems, and for ensuring mandatory support documentation is implemented for people receiving direct support services through ADHC.

### 3.4 FACS and ADHC Executive

- The ADHC Deputy Secretary and Northern Cluster Deputy Secretary will follow the incident reporting requirements of the FACS Incident Reporting and Management Guidelines for people accessing Ageing and Disability Direct Services 2014.
- The Secretary or head of funded services must notify the NSW Ombudsman of a Part 3C reportable incident<sup>11</sup> as soon as is practicable and no later than 30 days of becoming aware of a reportable incident.
- The Secretary or head of funded services must notify the NSW Ombudsman of the outcome of investigations including relevant and appropriate risk management actions.
- The Secretary of FACS is required to notify the Children's Guardian in writing when the agency receives an allegation of sexual misconduct or serious physical assault towards a child or young person in out-of-home care, committed by a child-related worker (inclusive of employees, authorised carers, adult household members and board members)<sup>12</sup>.

### 3.5 ADHC Reportable Incidents Team

There are four types of reportable incidents which must be reported to the NSW Ombudsman (refer to Section 6 of the Abuse and Neglect Policy):

- **Employee-to-client incidents** of sexual assault, sexual misconduct, assault, fraud, ill-treatment or neglect,
- **Client-to-client incidents** of sexual and physical assault (causing serious injury or involving the use of a weapon), or that form a pattern of abuse,
- **Contravention of an Apprehended Violence Order (AVO)** taken out to protect a person with disability,
- **Serious, unexplained injury** of a person with disability.

Whilst PCEP retains responsibility for employee to client incidents, the Reportable Incidents Team is responsible for supporting FACS operated accommodation support services to report and review the remaining reportable incidents categories. Managers must complete a Category 1 – Incident Executive Briefing within 24 hours if an incident is assessed as being reportable to the NSW Ombudsman. The Category 1 is to be forwarded concurrently to Strategic Change and the ADHC Reportable Incidents team:

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<sup>11</sup> An incident that must be reported to the NSW Ombudsman under Part 3C of the *Ombudsman Act 1974*. Refer to the [NSW Ombudsman's Guide for services: Reportable incidents in disability supported group accommodation](#) for types and definitions of Part 3C reportable incidents (Other Resources)

<sup>12</sup> <http://www.kidsguardian.nsw.gov.au/ArticleDocuments/542/FactSheet6PrincipalOfficers.pdf.aspx?Embed=Y>

- [ADHC.ReportableIncidents@fac.s.nsw.gov.au](mailto:ADHC.ReportableIncidents@fac.s.nsw.gov.au)
- [ADHC.AllocationsOCE@fac.s.nsw.gov.au](mailto:ADHC.AllocationsOCE@fac.s.nsw.gov.au)

Managers are required to provide the ADHC Reportable Incident team with all documentation relevant to the reportable incident and the person(s) involved within five business days of the incident occurring.

### 3.6 Professional Conduct Ethics and Performance Unit (PCEP)

PCEP will offer advice and assistance to Districts in the investigation and management of suspected abuse by staff, alleged misconduct and significant performance management matters.

Staff can report a matter to PCEP by:

1. Telephone on (02) 9716 2073,
2. fax on (02) 9716 2700
3. completing a PCEP notification form and either emailing [pcep@fac.s.nsw.gov.au](mailto:pcep@fac.s.nsw.gov.au), faxing or mailing the form to:

Professional Conduct Ethics and Performance Unit  
 Department of Family and Community Services  
 4-6 Cavill Avenue  
 Ashfield NSW 2131  
 DX 21212 ASHFIELD

For people who are deaf, or have a hearing impairment or speech impairment, TTY 1800 555 630 or email [helpdesk@relayservice.com.au](mailto:helpdesk@relayservice.com.au)

## 4 Person centred support

### 4.1 Support for the victim of abuse and neglect

- The line manager appoints a primary contact person to communicate with the victim and family, guardian or other support person, to ensure that information relating to the incident is provided through one coordinated source.
- Information provided to a person with disability, guardian or other support person, about legal rights, options and support services, must be provided in a format that suits their individual communication needs. The line manager must ensure a support person is available who knows the victim's communication requirements.
- Staff must ensure that the victim is adequately supported by an independent person, who could be a relative, friend, advocacy service or legal practitioner.
- When the victim is unable to make decisions about any aspect of the incident, a family member or guardian must be present to make decisions

on the victim's behalf. Where this relates to medical treatment or forensic examination consent must be provided by a person responsible in accordance with the *Guardianship Act 1987*.

- The victim and family, guardian or other support person should be assisted to access any debriefing, counselling, legal or other support services if that is their wish.
- Victims of abuse and their families or guardians should be referred to Victims Services and Support<sup>13</sup> on **1800 633 063** and be advised of their rights and the support services that are available to them (see Other Resources).
- Managers will facilitate access for victims of violent crimes and their families who may be eligible to apply for counselling with the Approved Counselling Service provided by Victims Services and Support.
- The victim, family, guardian or other support person will have the choice of pursuing the matter through the legal system and must be supported to access the services and advice they require. The Abuse and Neglect Other Resources contains a list of organisations that provide legal advice and services.
- Where the person is vulnerable, and unable to manage their personal finances, this may be done informally by the family, guardian or other support person. In the absence of a suitable informal financial manager, application is made to the NSW Civil & Administrative Tribunal (NCAT) to appoint a formal financial manager.
- The Charter of Victims Rights outlines 18 rights for victims of crime in NSW. The Charter applies to all NSW government agencies, non-government agencies and private contractors funded by the State. Refer to the FACS Victim Support Policy<sup>14</sup> for guidance when supporting a person who is the victim of a crime.

## 4.2 Support for an alleged offender with disability

- Information provided to a person with disability, guardian or other support person about legal rights, options and support services, must be provided in a format that is understandable to the person. This includes having a support person available who understands the alleged offender's communication requirements.
- Staff must ensure that the alleged offender is adequately supported by an independent person, who could be a relative, friend, advocacy service or legal practitioner.
- When the alleged offender is unable to make decisions about any aspect of the incident, a family member or guardian must be present to make

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<sup>13</sup> [http://www.victimsservices.justice.nsw.gov.au/Pages/vss/Hidden/VS\\_specificneeds1.aspx](http://www.victimsservices.justice.nsw.gov.au/Pages/vss/Hidden/VS_specificneeds1.aspx)

<sup>14</sup> [http://www.facs.nsw.gov.au/\\_data/assets/file/0020/301907/Victims-Support-Policy.pdf](http://www.facs.nsw.gov.au/_data/assets/file/0020/301907/Victims-Support-Policy.pdf)

decisions on the alleged offender's behalf. Where this relates to medical treatment or forensic examination consent must be provided by a person responsible in accordance with the *Guardianship Act 1987*.

### 4.3 Support for Aboriginal and Torres Strait Islanders

- Be aware that sexual assault is not uncommon in Aboriginal communities, and it has an impact on individuals in the community. A high degree of sensitivity is required to support the person and family with a history of sexual assault.
- Certain issues are personal and sensitive, and are only for discussion with the appropriate family member. The person, family or carers should be consulted to learn what matters are sensitive, and which family member or carer to speak to about the matter. The information is recorded in the person's records. Certain types of abuse, for example sexual abuse, may only be discussed within gender groups.
- Shame can be a barrier to people accessing services. People face other barriers such as location of services, issues of confidentiality, and willingness to access health services to discuss these matters, especially in small remote communities.
- Determine if the person and family would prefer an Aboriginal identified worker, or service, to communicate with the identified family spokesperson. It may be in breach of cultural protocol for a non-Aboriginal person to approach the spokesperson.
- Learn what services the person or family want to use, as they may prefer to use services operated by Aboriginal providers.
- Understanding cultural sensitivity includes understanding the person's individual history, experiences and choices. For example, a person who identifies as one of the Stolen Generation has experienced trauma as a child and possibly sexual abuse. If this is the case, supporters should contact the Aboriginal Health Service for advice, and offer a referral to a counsellor if the person is interested.

### 4.4 Support for people from Culturally and Linguistically Diverse (CALD) backgrounds

The person and family or carer's cultural and religious beliefs about abuse and neglect should be established. Demonstrate respect and sensitivity to the person's culture by considering:

- the person and the family or carer's views about abuse and neglect
- the role of spiritual and religious beliefs about abuse and neglect
- how the person and the family or carer communicate, for instance, through an interpreter
- the person's own role in problem solving and decision making.



## 4.5 Support for women with a disability

- Ensure access to services specifically for women, including women's health and counseling supports<sup>15</sup>, is available if this is the person's preference (see Other Resources).
- Ensure support networks are chosen by the person (enabling the person to choose female or male supporters).
- Involve and encourage contribution of natural supports<sup>16</sup> where the person wants this. People who are isolated from the community and have limited natural supports are at greater risk of abuse and exploitation.
- Ensure access to information and supports about reproductive health and sexuality, intimate relationships and self-protective strategies is available. Refer to the Sexuality and Relationship Guidelines in the Lifestyle Policy and Practice Manual.

## 4.6 Support for children and young people

- Services must take reasonable care to protect children and young people from risks of harm that can and should be foreseen. All staff are to make a report to the Child Protection Helpline on 132 111 if they suspect a child or young person is at risk of significant harm (see section 1.2).
- The types, use and consent for Restricted Practices for children and young people differs to the requirements required for adults. For instance certain restricted practices are prohibited for children and young people including seclusion, any form of corporal punishment, any punishment that takes the form of immobilisation, force-feeding or depriving of food, any punishment that is intended to humiliate or frighten the person. Refer to the Behaviour Support Policy for further information.
- Vulnerable children, young people and families at risk of statutory child protection intervention can be referred for support services through Keep Them Safe Family Referral Services<sup>17</sup>.
- Staff working with children must read and understand their obligations and responsibilities in protecting children from abuse and neglect as outlined in the [FACS Child Protection Guidelines: What ADHC staff need to know about child protection](#)

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<sup>15</sup> Women's Health and Counselling Services [http://www.whnsw.asn.au/PDFs/WHNSW\\_Brochure.pdf](http://www.whnsw.asn.au/PDFs/WHNSW_Brochure.pdf)

<sup>16</sup> Natural supports are relationships that occur in everyday life. They include family, friends and other trusted people, neighbours, acquaintances, and people with shared interests. Natural supports enhance a sense of security and quality of life for people. Refer to 'Mapping Natural Supports' [http://www.ndis.gov.au/sites/default/files/documents/mapping\\_natural\\_supports\\_full\\_report.docx](http://www.ndis.gov.au/sites/default/files/documents/mapping_natural_supports_full_report.docx)

<sup>17</sup> Keep Them Safe <http://www.kidsfamilies.health.nsw.gov.au/current-work/programs/programs-and-initiatives/keep-them-safe/>

## 4.7 Support for staff

- The line manager must ensure all staff under their responsibility are provided with training on the Abuse and Neglect Policy, Procedures and Prevention Guidelines and any resources that inform and support the Abuse and Neglect Procedures.
- Individual counselling or group debriefing may be beneficial, and gives support workers the opportunity to talk about how they feel immediately after the event and over time. Staff should be offered a debriefing session within 24 hours of the incident occurring<sup>18</sup>.
- Debriefing can be done by managers as an informal discussion with the team in a supportive, safe and accepting environment, or by formal debriefing with a skilled counsellor.
- In ADHC operated services, formal debriefing or individual counselling is available for individuals and teams through the Employee Assistance Program (1300 687 327). This is a free service provided by registered psychologists.
- Refer to the Death Procedures in the Health and Wellbeing Manual Volume 2 for advice and support if the person has died.

## 5 Privacy and confidentiality

- All staff members who are in contact with the victim or the alleged offender will maintain confidentiality of information relating to the incident.
- Confidentiality must be maintained when making a report to external agencies. Failure to do so could prejudice any subsequent investigation and cause unnecessary hurt or embarrassment to individuals.

## 6 Record keeping

Comprehensive and accurate documentation is to be maintained in the interests of all parties to ensure accountability and transparency in decision-making.

Records are maintained to comply with the standards published under the authority of the *State Records Act 1998* that also requires records of disciplinary proceedings in relation to employees to be retained indefinitely.

Sensitive and confidential records must be stored securely in TRIM and only accessed by persons with a legitimate reason for viewing the documents. Refer to the Records Management Procedures for Supported Accommodation Services 2015 for further information.

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<sup>18</sup> Refer to the Fact Sheet: [Requesting and approving EAP on-site serious incident counselling support](#)

Refer to the FACS Incident Reporting and Management Guidelines for people accessing Ageing and Disability Direct Services 2014<sup>19</sup>. It provides direction on reporting and managing incidents, in particular, the seven step incident management process to guide decision making and action.

A detailed written report should be completed as soon as possible to ensure it is an accurate record of the incident. The report should include:

- the nature and extent of the incident and an Incident Reporting Category
- a description of the incident completed as soon after the event as possible and being an exact record of the events
- additional reports written by other witnesses or persons present at the time the incident occurred
- the name and contact details of all those involved, particularly in relation to decisions that are made as a result of the incident
- the response provided to the person making the allegation
- the date and signature of the person making the report
- ongoing actions required to resolve the matter and
- the outcome, although, depending on the nature of the incident an outcome may be delayed.

## 7 Managing risk

- The line manager and staff must assess the risk of further incidents and update any risk management plans pertaining to the event and the people involved.
- The line manager and staff must review the My Safety Plan<sup>20</sup> of any person with disability involved in the incident to assess and manage the risk of further incidents of abuse. Refer to the Risk and Safety Policy, Procedures and Guidelines for identifying and managing risk.
- Refer to the Abuse and Neglect Prevention Guidelines for information around early intervention and prevention of abuse and neglect.

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<sup>19</sup> Refer to FACS [Incident Reporting and Management Guidelines for people accessing Ageing and Disability Direct Services](#) for a guide to incident reporting categories.

<sup>20</sup> [ADHC Risk and Safety](#) Policy, Procedures and Guidelines

## 8 Policy and Practice Unit contact details

You can get advice and support about this Policy from the Policy and Practice Unit, Contemporary Residential Options Directorate.

Policy and Practice, Service Improvement Contemporary Residential Options Directorate ADHC <a href="mailto:policyandpracticefeedback@facs.nsw.gov.au">policyandpracticefeedback@facs.nsw.gov.au</a>
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If you are reviewing a printed version of this document, please refer to the Intranet to confirm that you are reviewing the most recent version of the Policy. Following any subsequent reviews and approval this policy will be uploaded to the internet/and/or intranet and all previous versions removed.