

Preventing, Identifying and Responding to Abuse, Harm & Neglect Policy - Victoria

Approving Authority	General Manager
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Policy Owner	General Manager
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Document Location	Sharepoint, Policies & Procedures
Description	This policy sets out the principles, objectives and responsibilities for Therapy Pro's prevention of, identification and response to incidents of abuse, harm or neglect of clients in Victoria.

Related Documents

- *Therapy Pro Preventing, Identifying and Responding to Abuse, Harm & Neglect Procedure – Victoria;*
- *Therapy Pro Statement of commitment to child safety;*
- *Therapy Pro Privacy and Information Management Policy and Procedure;*
- *Incident report form;*
- *Incident investigation report;*

1. Definitions

Abuse: the infliction of injury, unreasonable confinement, intimidation or cruel punishment resulting in physical harm, pain or death, psychological or emotional anguish, sexual abuse or exploitation, the wilful deprivation of essential needs, or denial of financial, legal and civil rights against adults or children.

Harm: to cause physical injury, emotional or sexual violence to another person.

Neglect: an act or omission that threatens a person's health or welfare by placing them at risk of physical or mental injury or impairment, deprivation of essential needs or lack of protection from these.

2. Preamble

Therapy Pro upholds the principle that every person has a right to live a life free from the fear of abuse, assault and neglect, and is committed to ensuring the health, safety and wellbeing of clients receiving therapy services is a paramount consideration. Therapy Pro promotes an abuse-awareness service culture and supports client safe practices and attitudes, so staff prevent, respond to and report potential or actual client harm and

exploitation. Any event or circumstance that has occurred during service delivery and resulted in abuse, harm or neglect of a client is to be treated as a critical incident in accordance with the Victorian Governments Department of Health and Human Services, Critical Incident Management System

3. Policy Statement

Therapy Pro has an obligation to respond to and report actual or suspected abuse, assault or neglect of a client receiving our services. If Therapy Pro staff become aware of such an incident where abuse, neglect or harm has occurred, or where they reasonably suspect abuse, harm or neglect, they must ensure that the safety and best interests of the client are upheld in any action taken and report the matter immediately to the Director of Service Delivery and/or the General Manager who will follow up with the appropriate external agency, including emergency services and report such occurrence to the Managing Directors for reporting to the Board for oversight. Failure to report client injuries, incidents or signs and indicators of abuse and neglect constitutes a breach of duty of care and may reasonably be regarded as negligence.

4. Policy Objective

This policy aims to ensure that timely, adequate and appropriate responses are undertaken by Therapy Pro staff to report actual, suspected or alleged incidences of abuse, harm or neglect. Procedures to support this policy will promote a proactive approach of Therapy Pro in the prevention, identification and response to abuse, harm and neglect of clients. Therapy Pro staff and clients have the right to raise concerns without fear of retribution or services being discontinued. This policy is intended to be consistent with the *Client Feedback Policy and Procedure*.

5. Responsibilities

It is the responsibility of all Therapy Pro staff to:

- Provide services to clients in a manner consistent with the policy by with an understanding of what denotes harm, abuse and neglect, demonstrating appropriate behaviour and conduct when working with clients, treating clients with respect and dignity always;
- Assess a situation to ensure the safety and security of the environment where services are provided and remove the source of danger in an incident or the client from the source of danger, if safe to do so;
- Where a crime is suspected or alleged to have occurred, or where there is ongoing danger, contact 000 and other relevant emergency services immediately;
- If the client, another person or staff member needs immediate medical attention as a result of an incident, contact 000 or other relevant emergency services;

- If a client sustains injuries not requiring immediate attention, support them to access a doctor or health professional to treat injuries, including psychological trauma;
- Report all alleged or suspected incidents where a client has sustained or is suspected of sustaining injuries due to abuse, harm or neglect to the Director of Service Delivery, and/or the General Manager as soon as practically possible after responding to an incident;
- Assure clients who have been involved in an incident of abuse, harm or neglect or who have alleged abuse, harm and neglect that the matter will be taken seriously;
- Discuss with the client what their options are, for example assisting clients with information about the services such as the Centre against Sexual Assault (CASA) and Commission for Children and Young People and how Therapy Pro can further support them;
- Provide appropriate support to Therapy Pro staff members or clients in reporting abuse, harm or neglect including supporting their right to pursue the incident through the legal system;
- Support the creation of a service culture with no retribution upon staff or clients for reporting of suspected abuse, harm or neglect;
- Cooperate with investigations of alleged, or suspected incidents reported in the provision of therapy services;

The General Manager is responsible for:

- Ensuring checks and clearances are undertaken (reference checks, identity/police checks, DWES clearance) during recruitment of Therapy Pro staff;
- Ensure staff are trained to recognise, prevent or minimize the occurrence or recurrence of abuse, harm and neglect of clients within a service delivery context, annually;
- Ensuring staff are compliant with and implement the policy and procedures on preventing, identifying and responding to the abuse, harm and neglect of clients;
- Provide proactive support and guidance to staff to create an appropriate service culture in accordance with the policy, including identifying and responding to suspected abuse, harm and neglect of a client;
- Where instances of suspected or alleged abuse, harm and neglect of a client are raised by staff, investigate the matter and contact the appropriate authorities (for example the police and/or Child Protection Services) and guardians or substitute decision makers of clients unless the guardian or decision maker is the alleged or suspected perpetrator;
- Where actual incidents of harm, abuse or neglect have been raised, ensure that that staff member has met the client's immediate safety needs, contacted relevant service for medical attention and notified police, next of kin, guardians or other key contacts of the incident;
- Ensure that all reporting obligations as per the Client Incident Management Guide and System have been met;
- Where the client is an adult with disability or mental illness, the General Manager may also refer to Office of the Public Advocate for response;

- Where the client is a child, the General Manager will also refer to DHHS Child Protection intake or Child Protection emergency service for response by contacting:
 - After Hours Emergency Contact: 13 12 78;
 - North Division Intake: 1300 664 977;
 - South Division Intake: 1300 655 795;
 - East Division Intake: 1300 360 391;
 - West Division Intake (Rural and Regional Only): 1800 075 599;
 - West Division Intake (Metro Only): 1300 664 977;
- Removing any staff member accused or suspected of harming a client, pending an investigation. In these matters, Therapy Pro would also consider the requirement to report the matter under the Reportable Conduct Scheme to the Commission for Children and Young people and following an investigation into staff conduct, consider whether the staff member is reported to the Disability Worker Exclusion Scheme;
- Report the matter to the Managing Directors for on-reporting to the Board within 24 hours for oversight.

The Managing Directors are responsible for:

- Reporting to the Board within 24 hours of occurrence of Critical Incident Report being made;
- Where instances of suspected or alleged abuse, harm and neglect of a client are raised by staff, investigate the matter and contact the appropriate authorities (for example the police and/or Child Protection Services) and guardians or substitute decision makers of clients unless the guardian or decision maker is the alleged or suspected perpetrator;
- Where actual incidents of harm, abuse or neglect have been raised, ensure that that staff member has met the client's immediate safety needs, contacted relevant service for medical attention and notified police, next of kin, guardians or other key contacts of the incident;
- Ensure that all reporting obligations as per the Client Incident Management Guide and System have been met;
- Provide proactive support and guidance to staff to create an appropriate service culture in accordance with the policy, including identifying and responding to suspected abuse, harm and neglect of a client;

The board are responsible for:

- Ensure that all reporting obligations as per the Client Incident Management Guide and System have been met;
- Provide proactive support and guidance to the Leadership Team to create an appropriate service culture in accordance with the policy, including identifying and responding to suspected abuse, harm and neglect of a client;

6. Monitoring and Reporting

- All Therapy Pro staff are responsible for fostering best practice through an ongoing system review to promote an integrated, evidence-based approach to the prevention and identification of and response to abuse, harm and neglect;
- This is supported by continuous and appropriate workforce development and training, a clear understanding by staff and clients of what is acceptable and unacceptable behaviours (which are documented and promoted) and informing clients and their families, guardians or advocates are informed of their ability to make a complaint, raise concerns or report incidents where a Therapy Staff member is involved;
- The General Manager will report any incidents where suspected harm, abuse and neglect has occurred following talking with staff involved in raising the matter, involving the relevant authority or agency as soon as possible;
- All incidents where suspected harm, abuse and neglect have occurred involve raising the matter with and involving the relevant authorities or agencies as soon as possible;
- The General Manager will report any incidents where suspected harm, abuse and neglect has occurred following talking with staff involved in raising the matter, involving the relevant authority or agency as soon as possible;
- The General Manager will report all incidents of suspected harm or actual harm to a client that has been investigated and responded to on the Victorian Government Department of Health and Human Services, Client Incident Management System (CIMS).

Related Documents:

- *Department of Health and Human Services Client Management Incident Management Guide November 2017;*
- *Child Safe Standards Reportable Conduct Scheme Information Sheet 6;*
- *Disability Worker Exclusion Scheme Information Sheet for Disability Workers;*