

PURPOSE

AACA recognises the right of all participants to feel safe and to live in an environment that prioritises protection from assault, neglect, exploitation, discrimination or any other form of abuse. People with disability, children and young people are among the most vulnerable groups in our society.

This policy aims to prevent and mitigate the effects of violence, abuse, neglect, exploitation and discrimination on participants through training, implementing processes to inform staff, and protecting participants at risk of harm.

AACA will ensure that staff are supported and trained to identify and respond to circumstances where a person with disability is at risk of suspected or actual harm.

SCOPE

This policy applies to all AACA employees, directors, volunteers and contractors. AACA will encourage and support any person who has witnessed the abuse of a participant, or suspects that abuse has occurred, to make a report without fear of retribution.

DEFINITIONS

- **Abuse and Neglect** - Any behaviour that is outside the norms of conduct and entails a substantial risk of causing physical, psychological or emotional harm to a person. Such behaviours may be intentional or unintentional and can include acts of omission (neglect) and commission (abuse).
- **Physical Abuse** - Non-accidental incidents resulting in pain or injury, including hitting, slapping, pushing, punching and burning.
- **Psychological/Emotional Abuse** - A pattern of behaviour including intimidation, humiliation, harassment, threatening, sleep deprivation, withholding affection, and not allowing the person to maintain their decision-making powers.
- **Sexual Abuse** - Any unwanted or coerced sexual contact, including rape, indecent assault, sexual harassment, grooming, inappropriate touching, and sharing of inappropriate images.
- **Neglect** - Intentional or unintentional failure to provide basic life necessities including physical, educational, medical, supervisory, environmental or emotional needs.
- **Domestic and Family Abuse** - Any controlling, bullying, threatening or violent behaviour between people in a relationship, including emotional, physical, sexual, financial or psychological abuse.
- **Discrimination** - Treating or proposing to treat someone unfavourably because of a personal characteristic protected by law, including race, sexual orientation, gender, religion or disability.
- **Exploitation** - The action of mistreating someone to benefit from their work, resources or position.
- **Violence** - Violent behaviour by a person towards another, including physical, sexual, intimidating or forceful conduct.

POLICY

1. Commitment to Safety

AACA is committed to the safety and wellbeing of all participants. This commitment is the primary focus of support and decision-making. This policy aims to:

- Take a preventative, proactive and participatory approach to participant safety.
- Value and empower participants to contribute to decisions that affect their lives.
- Foster a culture of openness that supports all persons to disclose risks of harm to participant safety.
- Respect diversity in cultures and practices while keeping participant safety paramount.
- Provide Zero Tolerance training to staff and volunteers on appropriate conduct towards participants.
- Engage only the most suitable people to work with participants and ensure quality supervision and professional development.
- Ensure all staff and volunteers are subject to robust screening protocols prior to and during involvement with AACCA participants.
- Report suspected abuse, neglect or mistreatment promptly to the appropriate authorities.
- Share information appropriately and lawfully with other organisations where the safety and wellbeing of the participant is at risk.
- In circumstances that meet the criteria of a reportable incident, the AACCA Incident Policy and Procedure will apply, including all mandatory and organisationally authorised reporting.

2. Code of Conduct

All staff and volunteers are required to comply with the AACCA and NDIS Code of Conduct by observing expectations for appropriate and acceptable behaviour. These Codes of Conduct apply in all situations, including planned activities and the use of digital technology and social media.

3. Acceptable Behaviours

Staff, volunteers and all persons involved with participant-related work are responsible for supporting and promoting the safety of participants by:

- Upholding the AACCA and NDIS Codes of Conduct.
- Treating participants, their families and advocates with respect at all times.
- Listening and responding to the views and concerns of participants, particularly reports of abuse or safety concerns.
- Promoting the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander people.
- Promoting the cultural safety of people with culturally or linguistically diverse backgrounds.

- Promoting the safety, participation and empowerment of people with disability.
- Reporting any allegations of abuse or safety concerns to management.
- Understanding and complying with all reporting and disclosure obligations, including mandatory reporting requirements.
- Identifying themselves to participants upon entering the premises and showing required identification.

4. Unacceptable Behaviours

Staff, volunteers and community members involved in participant-related work must not:

- Ignore or disregard any concerns, suspicions or disclosures of abuse.
- Develop a relationship with any participant that could be viewed as favouritism or grooming behaviour, including offering gifts.
- Exhibit behaviours or engage in activities with participants that can be interpreted as abusive.
- Ignore inappropriate behaviours by other adults towards participants.
- Discuss content of an intimate nature or use sexual innuendo with participants, except in the context of therapeutic support or the person's right to sexual expression.
- Treat a participant unfavourably because of their disability, age, gender, race, culture, vulnerability, sexuality or ethnicity.
- Communicate with participants through personal or private channels except where related to work activities or safety concerns.

5. Screening and Training

- All staff and volunteers are required to undertake NDIS Worker Screening Checks, relevant police checks, and Working with Children Checks, as well as the mandatory NDIS Worker Orientation Module.
- All check records will be maintained in personnel files.

PROCEDURE

AACA recognises that promoting safe conditions begins with a clear understanding of potential risks. AACA will analyse risks related to the supports provided, plan to make all activities as safe as possible, and develop safety plans for participants who require additional support. Participants will be supported to understand their safety plans and their right to feel safe at all times.

All staff and volunteers are required to report immediately to management if they observe, suspect, or become aware of any form of violence, abuse, neglect, exploitation or discrimination involving a participant. Failure to report may constitute a criminal offence. Where an incident meets the criteria of a reportable incident, AACA will notify the NDIS Quality and Safeguards Commission as required.

Participants who are affected by violence, abuse, neglect, exploitation or discrimination will receive appropriate support from AACCA, including access to advocacy services, their family or guardian, and relevant authorities where applicable.

RELEVANT LEGISLATION

This policy should be read in conjunction with the following legislation.

- National Disability Insurance Scheme Act 2013 (Commonwealth)
- NDIS (Incident Management and Reportable Incidents) Rules 2018 (Commonwealth)
- NDIS (Practice Standards) Rules 2018 (Commonwealth)
- NDIS (Code of Conduct) Rules 2018 (Commonwealth)
- Privacy Act 1988 (Commonwealth)
- Disability Discrimination Act 1992 (Commonwealth)
- Human Rights Act 2019 (Qld)
- Disability Services Act 2006 (Qld)
- Child Protection Act 1999 (Qld)
- Criminal Code Act 1899 (Qld)

REFERENCES

- NDIS Quality and Safeguards Commission – Reportable Incidents: www.ndiscommission.gov.au
- National Framework for Protecting Australia’s Children: www.dss.gov.au
- Queensland Department of Child Safety: www.cyjma.qld.gov.au
- AACCA Code of Conduct — available upon request
- AACCA Incident Register (AB017) — available upon request
- AACCA Accident/Incident/Hazard Report Form (S019) — available upon request
- AACCA Zero Tolerance Policy and Procedure (PP026) — available upon request
- AACCA Privacy Policy (PP020W) — available on our website