

Preventing and Responding to Harm, Abuse, Neglect and Exploitation

1. Purpose:

The purpose of this policy is to provide directions to members, employees, volunteers and visitors to:

- Promote a safe environment
- Implement effective measures to prevent, identify and respond to harm, abuse, neglect and/or exploitation
- Provide appropriate supports, referrals and information in response to incidents of harm, abuse, neglect and/or exploitation

Related documents	
Related Policies, Procedures, How-to Task Lists, forms, registers and/or other organisational documents of The Junction	<ul style="list-style-type: none"> • Workplace Health and Safety Policy • Complaints Policy • Feedback Policy • Staying safe at The Junction • Member's Handbook • Privacy & Confidentiality Policy
Other standards	<ul style="list-style-type: none"> • National Mental Health Standards • The International Standards for Clubhouse programs • HSQ • NDIS Practice Standards • Human Rights Standards • Human Services Quality Standards
Legislation or other requirements	<ul style="list-style-type: none"> • Work Health & Safety Act 2011 • Privacy Act 1988 • Disability Discrimination (DDA) Act 2006 • NDIS Act (2013) • QLD Disability Act (2006) • Department of Communities, Child Safety and Disability Services Policy – Preventing and Responding to the Abuse, Neglect and Exploitation of People with Disability • Human Rights Act 2019 (QLD)

2. Scope

This policy applies to all employees, members, contractors, volunteers and visitors involved in the operations of The Junction Clubhouse Cairns Ltd.

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3. Definitions

What constitutes the terms harm, abuse, neglect, and exploitation throughout this Policy are defined as follows.

- **Harm** – refers to physical or mental damage; an act or instance of injury; or a material and tangible loss to a person.
- **Abuse** – is the violation of a person's human rights through an act, action or omission by another person or persons. Abuse includes, but is not limited to the following:
 - **Physical abuse** – any non-accidental physical injury to a child or adult, such as inflicting pain of any sort, causing bruises, burns, fractures, electric shock or unpleasant sensation (e.g. taste, heat or cold) as well as restrictive practices which are not contained in an individual's positive behaviour support plan.
 - **Sexual abuse** – any sexual contact between an adult and a child 16 years of age or under; or any sexual activity with a person with impairment of the mind (as defined under 'Definitions' in the Queensland Criminal Code). Sexual activity includes intercourse, genital manipulation, masturbation, voyeurism, sexual harassment and inappropriate exposure to pornographic media.
 - **Psychological or emotional abuse** – verbal communication that is threatening or demeaning, threats of maltreatment, harassment, humiliation, intimidation, failure to interact with a person or to acknowledge the person's presence or denial of cultural or religious needs or preferences
 - **Financial abuse** – refers to the illegal or improper use of a person's property or finances, or the withholding of another person's resources by someone with whom the person has a relationship implying trust
 - **Chemical abuse** – refers to any misuse of medications and prescriptions, including the withholding of medication
 - **Abuse through denial of access to legal remedies** – denial of access to justice or legal systems that are available to other citizens and denial of informal or formal advocacy support requested by the individual or their substitute decision-maker
- **Neglect** – is the failure to provide the necessary care, aid or guidance to dependent adults or children by those responsible for their care. Neglect includes but is not limited to the following:
 - **Physical neglect** – Failure to provide adequate food, shelter, clothing protection, supervision and medical and dental care, or to place person/s at undue risk through unsafe environments or practices
 - **Passive neglect** – the failure to fulfil caretaking responsibilities because of inadequate caregiver knowledge, infirmity, or the failure to implement prescribed services
 - **Wilful deprivation** – wilfully denying a person access to medication, medical care, shelter, food, a therapeutic device or service or other physical assistance; thereby exposing that person to risk of physical, mental or emotional harm

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- **Emotional neglect** – the failure to provide the nurturing or stimulation needed for the social, intellectual and emotional growth or wellbeing of a person
- **Crimes of omission** – negligence, i.e., the failure to act with the appropriate duty of care
- **Exploitation** – is taking advantage of the vulnerability of an individual to use them or their resources for another’s profit, gain or advantage (e.g., financial abuse)

4. Policy Statement: Our Commitment

The Junction is committed to providing an environment that responds to the health, safety and wellbeing of our members. We promote an organisational culture that proactively seeks to respond to safeguarding against harm, abuse, neglect and exploitation, by reducing isolation and enhancing social connectedness:

- We promote, build and nurture relationships that support a sense of safety and respect, that have the ability to support suspected or alleged harm, abuse, neglect and/or exploitation
- We will respond to suspected or alleged harm, abuse, neglect and/or exploitation in a timely manner
- We will regularly review incidents to ensure best practice in responding to harm, abuse, neglect and/or exploitation
- We will employ and train staff where needed to identify and respond to harm, abuse, neglect and/or exploitation risk factors
- We will promote a “no retribution” culture

The rights, needs and dignity of the person experiencing harm, abuse, neglect and/or exploitation will be upheld and respected by all people involved in the response. The response to harm, abuse, neglect and/or exploitation will be in accordance with the *Privacy and Confidentiality Policy* (JQS.P1.19).

5. Procedures

5.1 Informing members about harm, abuse, neglect and exploitation rights and responsibilities

Members are informed about rights and responsibilities of staff, volunteers, visitors, contractors and other members as they relate to harm, abuse, neglect and/or exploitation, through induction, house meetings and ad-hoc/as needed. This is supported by:

- *Staying Safe at The Junction* section of the *Member’s Handbook* (JQS.F1.33)

Supporting the safety and wellbeing of members is understanding how, where and when they may be at risk of harm, abuse, neglect and/or exploitation. They may be, but not necessarily:

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- Exposed to the incident (i.e., seeing it occur)
- Through a complaints/grievance form
- Through a verbal report from employees, members, contractors, volunteers and visitors
- Through Workplace Health and Safety audit checks

5.2 Assessing and responding to harm, abuse, neglect and/or exploitation

1. Prevention:

As part of their Plan process, members are supported to identify and develop goals that aim to reduce isolation and encourage relationships that promote a sense of safety and trust and enhance social connectedness. Opportunities are taken to support members to engage in activities and education that aim to build their knowledge and skills in improving personal safety and capacity for safe participation in their community.

Participants who receive personal support in their own home may experience a level of risk if the support is provided by the same worker for any extended period. Where a participant lives alone and receives person support from a single employee of The Junction, a personalised assessment will be undertaken with the participant (and/or their appointed representative) to determine whether any risks are identified with this arrangement.

Members, staff and volunteers work together to identify and implement strategies that aim to prevent the occurrence or recurrence of harm, abuse, neglect and exploitation within The Junction Clubhouse, e.g., ongoing education, individual skill-building and individual plan development.

3. Effective Response:

Staff and volunteers are supported to undertake required training and are committed to reporting and openly disclosing any suspected or alleged incidents of harm, abuse, neglect and/or exploitation.

Any suspected or alleged incident/s of harm, abuse, neglect or exploitation will be reported to the Director of Operations (or delegate) immediately.

All **suspected or alleged** incidents **must** be recorded on an Incident Report Form and entered into the Incident Register within **24 hours** of notification, except for **critical incidents**, which must be recorded and registered within **4 hours** of notification (in line with the Department of Communities, Child Safety and *Disability Services Critical Incident Reporting Policy*).

The Director of Operations and/or delegate will respond to allegations of harm, abuse, neglect and/or exploitation in a manner that observes the principles of natural justice.

The Director of Operations and/or delegate will respond to any individual associated with the suspected or alleged incident, outlining the responsibilities to support people or make referrals to appropriate supports where required.

Guardians or substitute decision-makers will be informed of allegations or suspicions of harm, abuse, neglect and/or exploitation unless they are named as involved in the harm, abuse, neglect and/or exploitation.

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Debriefing will be available to any member, employee, or volunteer who may need support. Specific consideration will be given to individual, organisational and systemic issues related to member-to-member abuse.

Members who experience harm, abuse, neglect or exploitation have the right to:

- Complain about the service they receive, or any form of harm, abuse, neglect or exploitation experienced within The Junction provided services without fear of retribution
- Pursue grievances, complaints and fair and equitable access to the criminal justice system without fear of their services being discontinued or recrimination from service providers; and
- Access support services to assist with the effects of harm, abuse, neglect and exploitation where appropriate

Any person who reports suspected or alleged incidents of harm, abuse, neglect or exploitation has the right to have their safety and rights respected and safeguarded.

Families and carers who have identified and reported incidents of harm, abuse, neglect, or exploitation have the right to be provided with supports for the response to these reported incidents.

The Junction will regularly review its approach to responding to harm, abuse, neglect and/or exploitation, particularly following the occurrence of any critical incident/s.

The Junction Clubhouse Cairns Ltd (The Junction) – Preventing & Responding to Harm, Abuse, Neglect or Exploitation		
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