

<b>The Junction Club House Cairns Ltd</b>		
<b>Policy: Preventing and Responding to Harm, Abuse, Neglect and Exploitation</b>		
Policy number: JQS.P4.3		Date adopted: 28/08/2019
Authorised by: Awaiting approval		
Date last reviewed: 07/06/2019	Reviewed by: Quality Review Panel	Date of next review: 28/08/2020

Refer to Section 6 below for information on the process for policy review.

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

## 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, information in response to incidents of harm, abuse, neglect and/or exploitation.

## 2. Scope

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

## 3. Definitions

What constitutes the term harm, abuse, neglect and exploitation throughout this Policy is 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 or actions of commission or omission, by another person, or persons. Abuse includes, but is not limited to the following:
  - **Physical abuse** – any non-accidental physical injury or injuries to a child or adult, such as inflicting pain of any sort, or causing bruises, fractures, burns, 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 behavior 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 also inappropriate exposure to pornographic media etc.
  - **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 and over-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 persons at undue risk through unsafe environments or practices.
    - **Passive neglect** – the failure to fulfil care-taking responsibilities because of inadequate caregiver knowledge, infirmity, or the failure to implement prescribed services.
    - **Willful deprivation** – willfully denying a person access to medication, medical care, shelter, food, a therapeutic device or other physical assistance, thereby exposing that person to risk of physical, mental or emotional harm.
    - **Emotional neglect** – the failure to provide the nurturing or stimulation needed for the social, intellectual and emotional growth or wellbeing of an adult or child.
    - **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 in order to use them, or their resources, for another’s profit 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 has 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 culture of no retribution.

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 to the *Privacy and Confidentiality Policy*.

## 5. Procedures

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

Members are informed about rights and responsibilities of harm, abuse, neglect and/or exploitation through induction, house meetings and as needed. This is supported by:

- *Staying Safe at The Junction* section in the *Members Handbook*

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

- Physically seeing the incident occurring
- Through a complaints/grievance form
- Through a verbal report from employees, members, contractors, volunteers and visitors.
- Through the Workplace Health & Safety audit checks

### 5.2 Assessing and responding to Harm, Abuse, Neglect and/or Exploitation

#### 1. Prevention:

As part of their SRS 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.

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.

## **2. Identification:**

Early intervention approaches are implemented for the identification of the harm, abuse, neglect and exploitation of members, with a particular focus on known risk factors both within the Junction environment and individually.

Members, staff and volunteers work together to promote the importance of respectful relationships which allow transparency and a safe-space for early intervention focusing on potential or known risk.

## **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 and/or exploitation of individuals will be reported to the Director of Operations and/or delegate immediately.

All suspected or alleged incidents are to be recorded on an *Incident Report form*; and entered in to the *Incident Register* within 24 hours of notification with the exception of critical incidents which are to 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.

De-briefing will be available to any member, employee or volunteer who may need support.

Specific consideration will be given to individual, organisation 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 Junction Clubhouse provided services without fear of retribution.
- pursue grievances and complaints and fair and equitable access to the criminal justice system without fear if the services being discontinued or recriminations from service providers; and
- access appropriate 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 and exploitation of a member 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 and exploitation have the right to be provided with supports for the response to incidents of harm, abuse, neglect and exploitation.

The Junction will regularly review our approach to responding to harm, abuse, neglect and/or exploitation, particularly after any critical incident occurs.

## 6. Review processes

Policy review frequency: Annually	Responsibility for review: The Director
Review process: The Director as Chair of the Quality Review Panel convenes the panel to conduct review.	
Documentation and communication: All policy decisions will be documented and communicated using the Quality Review Panel observing the Document control HTTL. Note: add version number after review.	

