

# Preventing and Responding to Abuse of a Participant

**Who should read this policy:** *All Araluen employees & stakeholders*

Araluen does not tolerate abuse, neglect, or any form of mistreatment toward a participant.

This policy will explain:

- How Araluen aims to prevent abuse
- The types, indicators, and signs of abuse
- How Araluen responds to abuse

## How does Araluen prevent abuse?

Araluen aims to prevent the abuse of participants by:

- Having safe recruitment, selection, and screening practices for new staff.
- Considering the individual needs of participants and matching them with skilled staff.
- Enforcing our Code of Conduct.
- Conducting internal audits.
- Training staff in a Zero Tolerance approach.
- Immediate reporting of incidents to the NDIS Quality and Safeguards Commission.

## What are the signs of abuse?

There are different types of abuse.

The next pages are a list of common types of abuse and their signs.

This list may not cover everything. If you are unsure about something you have seen or heard, you must speak to your Practice Leader or Manager.

If they are not available, you can contact the Quality Team:

- General Manager, Quality Safety & Practice – (03) 8457 3040
- Quality, Safety & Practice Lead – (03) 8457 3051

## Physical abuse

**Physical abuse** is any intentional physical act toward a person with disability with intent to cause harm.

Physical indicators:

- Unexplained cuts, bruises, or swelling
- Unexplained burns, including rope and carpet burns
- Unexplained fractures, strains or sprains
- Bite marks
- Teeth, ear, or eye injuries

Behavioural signs:

- Avoiding staff or fear of a person
- Trouble sleeping
- Unusual mood swings, uncharacteristic aggression
- Withdrawal
- Self-harm
- Unusual explanations of how injuries happened
- Excessive compliance with staff

## Psychological and emotional abuse

**Psychological and emotional abuse** is when a person is exposed to behaviour that may cause them psychological trauma.

Physical indicators:

- Speech disorders
- Injuries from self-harm or abuse
- Suicide attempts
- Anxiety attacks

Behavioural signs:

- Self-harm
- Extreme behaviours
- Excessive compliance with staff
- Low self-esteem
- Extreme attention seeking behaviour
- Change in usual behaviour

## Sexual abuse

**Sexual abuse** is any forced or unwanted sexual activity. This could include:

- Sexual insults or jokes
- Unwanted touching or exposure to pornography
- Rape

Physical indicators:

- Trauma to the breasts, buttocks, lower abdomen, or thighs
- Difficulty walking or sitting
- Pain, itching, bruising, bleeding, or discharge in genital or anal area
- Self-harm or suicide attempts
- Torn, stained, blood-stained underwear or bed clothes
- Sexually transmitted infections or pregnancy
- Unexplained money or gifts

Behavioural signs:

- Changes in social, eating or sleeping patterns
- Sudden changes in behaviour or temperament
- Going to bed fully clothed
- Refusal to attend usual places
- Unusual sexual behaviour or knowledge
- Excessive compliance to staff

## Financial abuse

**Financial abuse** can include withholding money, controlling all spending, and restricting someone's financial decisions.

Physical indicators:

- No access or restrictions to personal money
- No records or incomplete records of spending
- Person controlling finances without legal authority
- Misuse of money, valuables, or property
- Forced changes to a persons will
- Failure to produce receipts
- Receipts showing unusual or inappropriate purchases

Behavioural signs:

- Person cannot meet normal expenses
- Person is consistently denied outings and activities due to lack of funds

## Chemical abuse

**Chemical abuse** is when medication is deliberately used incorrectly, to control a person's behaviour.

Physical indicators:

- Withholding prescribed medication
- Over administration of medication

Behavioural signs:

- Persistent over-activity
- Unusual under-activity
- Unusual levels of confusion or disorientation



## Systemic abuse

**Systemic abuse** is a failure to recognise, provide or attempt to provide adequate or appropriate services.

Physical signs:

- No activity, or inappropriate activity developed for participants
- Not attempt to, where possible, use same gender staff to perform personal care duties
- Providing staff with insufficient training in duty of care policies and practices to prevent abuse

Behavioural signs:

- Person is consistently provided support that does not meet the requirements of their needs
- Person refuses part of their service, due to feeling uncomfortable with staff

## Neglect

**Neglect** is when someone who is responsible for caring for another person, fails to do so.

Physical indicators:

- Unhealthy weight levels
- Poor dental health
- Dirty, unwashed body or face
- Unwashed or ill-fitting clothes
- Always wearing the same clothes
- Person always over or under dressed for the weather
- Missed or wrong medication administration
- Consistently failing to bring a person to appointments, events, or activities
- Person is constantly denied opportunities to socialise with others in the community

Behavioural signs:

- Constant tiredness
- Persistent hunger
- Unexpectedly poor social skills
- Loss of communication skills

## How to respond to abuse

If you witness or become aware of any abuse, even if you only suspect it, you must immediately:

- Notify your practice leader, manager, or general manager
- Ensure the participant is not left alone with the perpetrator
- Ring 000 for emergency assistance, if necessary

If you do not respond immediately, you are in breach of your duty of care and may face disciplinary action.

You must aim to preserve all physical and written evidence that could be important in an investigation.

## Management responsibilities

Once alerted to any potential or actual abuse, the practice leader, manager, or general manager must:

- Notify next of kin, guardians, or key support person where appropriate
- Report to Victoria police if it is believed a crime has been committed
- Consider whether staff should be stood down pending an investigation
- Ensure supports are in place for the victim and others affected, including counselling
- Ensure participants are aware of their right to access an advocate or support person and work with participants to obtain one where necessary
- Complete or instruct staff to complete an internal incident form as soon as possible
- Complete an online report to NDIS Quality & Safeguards Commission.

## Investigating abuse

All instances of abuse will be investigated.

Any employee accused of abuse will have the opportunity to respond to the allegations made against them. They may be stood down with pay during an investigation.

If the Victoria police are not involved, Araluen's Chief Executive will choose a General Manager to conduct an internal investigation.

The General Manager conducting the investigation will not be the General Manager of the service area where the abuse happened.

The General Manager will:

- Gather evidence from everyone involved
- Work with the People & Culture team to make sure employment rights are upheld
- Provide a written report of the investigation to the Chief Executive within 10 working days

## Investigating abuse

Once a written report is submitted, the Chief Executive will:

- Consider the recommended actions
- Recommend different actions if appropriate
- Determine whether the investigator has remained impartial
- Sign off on the report if they are satisfied

## Privacy

All information related to investigations is kept confidential.

Only the Chief Executive and those involved in the investigation will have access to this information.

Araluen may need to share this information to the Police if required by law.

Please read Araluen's Privacy Policy for more information about this.

## More information

For more information, you can read:

- Araluen's Code of Conduct
- Privacy Policy
- Incident Management Policy
- [NDIS Incident Management System Guidance](#)
- [NDIS Reportable Incidents Guidance](#)

This policy will be reviewed every year.

The Quality Team, in collaboration with the Chief Executive will be responsible for reviewing and where necessary updating this policy.