



Vulnerable Adult – Client Safeguarding Policy and Procedures

STATEMENT

The Paraplegic & Quadriplegic Association of South Australia Ltd (PQSA) is committed to providing a safe and secure environment for all our clients and to ensure safeguards are in place to protect vulnerable adults.

PQSA has no tolerance for violence, abuse, neglect and exploitation of our people with disability, but we will respond immediately to support affected individuals where this has occurred or is alleged to have occurred and ensure appropriate investigation and actions are taken.

<p>Approved by:</p>  <p>Chief Executive Officer</p>	<p>Date: May 2021</p>
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In this policy, 'us' 'we' or 'our' refers to The Paraplegic & Quadriplegic Association of South Australia Ltd ACN 644 670 977, which is a Company Limited by Guarantee and conducts its business through Lifestyle Support and HomeCare+ services

Please note that printed copies are not able to be controlled and the Shared Drive should always be referred to for the most current version.

SCOPE

Compliance with this policy is a condition of appointment for all workers engaged to provide services on behalf of PQSA.

DEFINITIONS

Refer to the PQSA Policy and Procedure Definition Glossary

RESPONSIBILITIES

It is our responsibility to communicate our policies and procedures to all workers on a systematic basis. Individual Directors and Supervisors are responsible for monitoring the workers' understanding of their obligations and need for compliance with policies and procedures. Workers are responsible for complying with our policies and procedures.

Chief Executive Officer is responsible for ensuring:

- PQSA maintains a culture which delivers a high standard of behaviour and conduct and which is consistent with a comprehensive framework of client safeguarding activities, policies and procedures
- Leadership Team peer reviews are conducted in relation to all reportable incidents and that systemic issues or trends are identified and incorporated into our quality improvement plans

Directors/Supervisors are responsible for ensuring:

- all workers are informed, understand and apply the principles of this policy
- all incident reports of actual or alleged violence, abuse, neglect and exploitation are immediately actioned, investigated and followed up per our policies and procedures
- accurate and confidential records of all incident reports are maintained
- person/s who have reported incidences of violence, abuse, neglect and exploitation are given appropriate feedback, which will include the outcomes of any outcomes determined by funding and statutory bodies (such as the National Disability Insurance Scheme (NDIS) Quality and Safeguarding Commission) or SA Police (SAPOL).

Director, People and Culture is responsible for ensuring:

- monitoring (in conjunction with the Leadership Team) compliance with state and federal statutory and legislative requirements
- informing PQSA's insurer regarding any reports relating to violence, abuse, neglect or exploitation of our clients
- this policy is reviewed and updated on a scheduled basis
- all workers are informed and trained in the application of this policy and associated procedures
- PQSA procedures are followed to protect the confidentiality of all parties concerned.

Workers are responsible for ensuring:

- client safeguarding at all times
- any concerns in relation to a client's wellbeing and safety are reported in accordance with this and associated PQSA policies
- they follow instructions established to protect all clients, particularly vulnerable adults in their care
- accurate and confidential records of all reported cases of violence, abuse, neglect and exploitation of our clients are maintained at all times.

POLICY

All clients have the right to be safe and protected from violence, abuse, neglect and exploitation. We have additional responsibility/duty of care to protect vulnerable adults and to promote their best interest and wellbeing.

PQSA has zero tolerance for violence, abuse, neglect and exploitation of people with disability and will ensure all of our systems contribute to the optimisation of client safeguarding and protection.

We will also not knowingly directly or indirectly engage any person who poses a risk to our clients, particularly vulnerable adults.

Any incidences of or allegations of violence, abuse, neglect and exploitation of our clients will be appropriately investigated and may result in disciplinary action or termination. Workers who are subject to such allegations may also be suspended from duties, with or without pay, based on a risk assessment conducted by the Director of People and Culture in consultation with the relevant Director.

PROCEDURES

PQSA adopts a comprehensive range of policies and procedures that promote the safeguarding of all clients. These include specific activities and actions that are aimed at protecting our clients, including those who are vulnerable adults:

Recruitment and screening processes

PQSA's internal recruitment processes for workers employs stringent screening measures to ensure inappropriate persons are not employed. These include:

- legislated and mandatory worker screening per PQSA's *Worker Screening – Client Safeguarding Policy and Procedures*
- verbal reference checks of at least two professional referees, carried out on all short-listed applicants before they are offered employment.

Safe environment

In addition to PQSA suite of Work Health, Safety and Environment, and Client Safeguarding policies and procedures, and within the principles of person-centred supports and service agreements, we will further promote a safe environment for vulnerable adults by:

- ensuring, wherever practicable, that two people are present when working with or supervising a vulnerable adult
- ensuring our workers do not visit a vulnerable adult in their homes without the prior knowledge and consent of PQSA Management (and as part of PQSA service delivery)
- ensuring those workers who are transporting vulnerable adults take that person directly to and from arranged venues; there must be no spontaneous detours.

The privacy of both workers and clients is to be respected during activities that may require undressing, dressing or changing clothes. A worker must not be alone in a room with a vulnerable adult while they are dressing or undressing, unless there is a specific need for assistance as documented in the client's Support Plan.

PQSA workers may have the right to ask people who do not have a valid reason to be present at an activity involving a vulnerable adult to leave. Police may be contacted if such persons refuse to comply with any reasonable request to leave.

Ensure appropriate use of communication systems

PQSA expects all workers to comply with our policy relating to email and internet usage. Serious breaches of this policy, including accessing or promoting pornographic, sexual and/or illegal activities will not be tolerated and will be dealt with promptly, including reporting to police.

Disciplining vulnerable adults

It is not the responsibility of any worker to discipline a vulnerable adult. If a worker has any concern in relation to a vulnerable adult's behaviour, including the obstruction of supports of other vulnerable adults or potential to cause harm to other vulnerable adults, this will be reported via an Incident Concern Report and appropriate action based on assessment and in discussion with key stakeholders, including clients, will be taken. Rather workers need to follow the Positive Behaviour Support Plan to deal with challenging behaviour. In the event a positive behavior support plan does not exist then please notify the appropriate supervisor.

Workers must not administer any form of physical, emotional or psychological discipline or unauthorised restrictions; restrictive practices are only to be used if authorised and included in a Positive Behaviour Support Plan.

Identifying where violence, abuse, neglect or exploitation of a vulnerable adult may have occurred

Any suspicion or concern that this may have occurred must be reported immediately, no matter what has triggered a worker to be concerned. A worker may have reasonable grounds to suspect a vulnerable adult has experienced violence, abuse, neglect or exploitation where:

1. a vulnerable adult discloses it
2. someone close to the vulnerable adult (e.g. sibling, relative or close friend) discloses on behalf of the person
3. there are grounds for serious concern as judged by a professional
4. there are obvious signs of injury and/or poor health of the vulnerable adult.

Notifying actual or alleged incidences of violence, abuse, neglect or exploitation:

PQSA workers will immediately contact their Director/Supervisor and complete an Incident Concern Report; any such reports are defined as Reportable Incidents and will be treated as such per PQSA policies and procedures.

If the vulnerable adult is in immediate danger of a criminal offence or physical safety/security or there is a need to preserve physical evidence, SAPOL must be contacted immediately on 131 444 (or 000 in the event of an emergency).

Workers making the report to SAPOL should obtain details of the Police Officer to whom the report is made and of Officers attending the scene (e.g. name, identification number and rank).

As soon as an incident is reported to SAPOL, the SAPOL investigation takes precedence over any organisational process. No further investigation should be undertaken by PQSA until clearance to do so has been sought from SAPOL by a Director.

PQSA workers should not attend SAPOL interviews of other PQSA workers or clients conducted by SAPOL unless there is a direct and reasonable request for such advocacy, and which does not present a conflict of interest for PQSA.

Other incidents of concern which, after consideration and investigation are felt to require SAPOL intervention, should be reported as soon as it is reasonably practicable to do so.

Disclosure of violence, abuse, neglect and exploitation by a vulnerable adult

If a disclosure of abuse is made, the recipient of the report must contact their Director/Supervisor immediately who will ensure, in addition to our reporting requirements, that appropriate support is provided to the person making the disclosure.

This will include:

- ensuring the alleged victim has immediate access to appropriate professional support and counselling
- the disclosure is treated seriously and the person's concerns are appropriately heard and acknowledged
- not trying to minimize or 'downplay' the impact on the vulnerable adult
- not pushing/forcing/coercing the vulnerable adult to disclose details of the allegation
- not making contact with the alleged perpetrator, unless it is a worker who must be stood down from duties pending investigation; if PQSA workers are already providing counsel to the alleged perpetrator, it may be advisable for another person to assume this responsibility for the duration of any investigation what if the alleged perpetrator is another PQSA client? If this is the case a separate PQSA worker should support the alleged perpetrator
- if the alleged abuse has taken place recently, clothing worn by the vulnerable adult should be retained and handed to the police for forensic examination

Advocacy services in South Australia

Vulnerable adults can access local principal advocacy service providers with the assistance and support of PQSA as detailed in PQSA's client complaint policies and procedures.

<https://www.sa.gov.au/topics/care-and-support/carers/complaints-and-advocacy>

South Australians who are seeking support to navigate the NDIS, including help to understand their rights and resolve issues, can call the Disability Advocacy Service on **1300 886 220**.

Delivered by Uniting Communities, the Disability Advocacy Service, provides free legal representation for people to challenge NDIS decisions, as well as educating and empowering people with disability to advocate for themselves. Further details about this service can be found on the [Disability Advocacy Service website](#).

Anyone with concerns that an adult with disability, including themselves, is at risk of or is being neglected or abused can call the South Australian Abuse Prevention phone line on **1800 372 310**. Further information about the role of the Adult Safeguarding Unit can be found on the [SA Health website](#).

Clients of PQSA who receive funding and supports under the National Disability Insurance Scheme (NDIS) in particular, or who need access to effective disability advocacy that promotes their human rights can also seek this support through the Department of Social Services National Disability Advocacy Program:

<https://www.dss.gov.au/our-responsibilities/disability-and-carers/program-services/people-with-disability/national-disability-advocacy-program-ndap>

PQSA recognizes that it can be difficult for Indigenous/Torres Strait Islander people and people from culturally and linguistically diverse backgrounds to report cases of abuse and neglect in their communities.

All reports of abuse and neglect of Indigenous persons should be made to the **Yaitya Tiramangkotti** (24 hours every day) 13 14 78.

Other interpreting services available through the **SA Government Interpreting and Translation Services** - 8226 1990

The National Disability Abuse and Neglect Hotline – is a free, independent and confidential service for reporting abuse and neglect of people with a disability. - **1800 880 052**

Training

All workers will undertake training in Protecting Children and Vulnerable Adults before commencing work with PQSA. This training is renewed every two (2) years.

RELATED LEGISLATION

- Aged Care Act 1997
- Children's Protection Law Reform (Transitional Arrangements and Related Amendments) Act 2017
- Criminal Law Consolidation Act 1935
- DHS Guidelines – Reporting of Incidents to SA Police by Non-Government Organisations (NGOs)
- Disability Services Act 1993
- National Disability Insurance Scheme Act 2013
- National Standards for Disability Services
- National Disability Insurance Scheme (Code of Conduct) Rules 2018
- National Disability Insurance Scheme (Incident Management and Reportable Incidents) Rules 2018
- NDS Guidelines – People with Disability and Supported Decision-Making and the NDIS
- The United Nations Convention on the Rights of Persons with Disabilities (CRPD) 2007

SUPPORTING PQSA DOCUMENTATION

- Bullying in the Workplace Policy and Procedures
- Child and Young Person Protection Policy and Procedures
- Client – Advocacy Policy and Procedures
- Client – Decision Making and Choice Policy and Procedures
- Code of Conduct and Ethical Behaviour
- Complaint/Concern Management Policy and Procedures (Client Complaints)
- Confidentiality Policy
- Discipline & Termination of Employment Policy and Procedure
- Documenting and Recording Client/Worker Concerns
- Documenting and Recording Client/Worker Incidents
- HomeCare+ Support Planning Policy and Procedures
- NDIS Worker Orientation Module Training
- Person Centred Policy and Procedures
- Recruitment Policy and Procedures
- Restrictive Practices Policy and Procedures
- Risk Management Policy and Procedure
- WHS&E – Documenting and recording Incident Concern Reports Policy
- WHS&E – Duty of Care Policy and Procedures
- Worker Health and Wellbeing Statement
- Worker Screening –Client Safeguarding Policy

BREACHES OF THIS POLICY

A **breach** of this policy is grounds for disciplinary action, up to and including termination of employment. Ignorance of these procedures will not generally be accepted as an excuse for non-compliance. Only in extreme circumstances and where such ignorance can be demonstrated to have occurred through no fault of the individual concerned will PQSA accept such an argument.

DISTRIBUTION AND REVIEW

PQSA will ensure all persons engaged to provide services either paid or unpaid will be aware of this policy and will have easy access to it in an appropriate format. All policies are to be reviewed on a periodic basis or when legislation or government policy determines.