

SUBJECT:	CLIENT PROTECTION - PREVENTION OF ABUSE		
Functional Area	Client Services	Document Ref:	PS CS02(13)
Applicable From:	14/01/2014	Revisions No:	1
Responsibility:	Chief Executive	Review Date	2015

REVISION SCHEDULE:

Effective Date	Authorised By	Alterations
14/01/2014	Judy Curran	Document created

1. Introduction

1.1 Policy Statement

Can:Do Group is committed to providing a safe and secure environment for all its employees, clients, visitors, volunteers, contractors and particularly to children, aged and vulnerable people. Can:Do Group's Client Protection Policy aims to reduce the risk of Abuse occurring, and to ensure that a caring and appropriate response is taken should Abuse occur.

1.2 Scope

This Client Protection Policy applies to:

All departments or subsidiary bodies authorised by or under the control of Can:Do Group. All employees, clients, visitors, volunteers within Can:Do Group or engaged by Can:Do Group.

Can:Do Group is committed to implementing the Client Protection Policy and to training our employees, clients, volunteers and contractors in its content and application.

1.3 Definitions

Abuse- refers to sexual assault, physical, emotional, financial and systemic abuse, constraints and restrictive practices, and to neglect.

Neglect- characterised by the failure to provide for basic needs. Any serious omission or commission which jeopardises or impairs a person's health or development.

Child- any person under the age of 18.

Employee- any paid person over the age of 18 who is responsible for the control and safety of clients placed in their care whilst holding a formal position with Can:Do Group.

Client- any person, including children, who attends or participates in the Can:Do Group's activities, objectives or strategic plan.

Line Manager- for reporting purposes in this policy, this is the person that is identified on Can:Do Group's position descriptions that the employee reports to. Line Managers receive a report of abuse from employees and/or take action on supporting the allegation of abuse.

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Reasonable Suspicion- means fair and practical reason to believe an incident involving abuse has occurred based on either verbal communication, hearsay, rumour or observed behaviour.

Volunteer- any unpaid person over the age of 16 who is invited to assist with client services or any activity with Can:Do Group.

Vulnerable Personnel- any individual who is or may be in need of therapy, early intervention, educational or community support and is a client of Can:Do Group.

2. Obligations

2.1 Responsibility

The core expectations of any responsible Organisation require us to treat all people with fairness and dignity and to care for those who are less powerful and in need of nurture and protection.

2.2 Legal

All relevant organisations within Australia are bound by Federal and State legislation and principles established through common law. Can:Do Group is committed to adhering to all relevant legislation.

2.3 Ethical

Can:Do Group will ensure that high standards of conduct are maintained at all times.

Each client of Can:Do Group has the right:

- To full and effective use of his or her personal, civil, legal and consumer rights;
- To quality care which is appropriate to his or her needs;
- To full information about his or her own state of health, assessment outcomes and about available therapies and services;
- To be treated with dignity and respect and to receive services without exploitation, abuse or neglect;
- To receive services without discrimination or victimisation, and without being obliged to feel grateful to those providing his or her care and/or therapy;
- To personal privacy;
- To be treated and accepted as an individual, and to have his or her individual preferences taken into account and treated with respect;
- To continue his or her cultural religious practices and to retain the language of his or her choice, without discrimination;
- To select and maintain social and personal relationships with any other person without fear, criticism or restriction;
- To freedom of speech;
- To maintain his or her personal independence, which includes a recognition of personal responsibility for his or her own actions and choices, even though some

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actions may involve an element of risk which the client has the right to accept, and that should then not be used to prevent or restrict those actions;

- To maintain control over, and to continue making decisions about, the personal aspects of his or her daily life, financial affairs and possessions;
- To have access to information about his or her rights, care, and any other information which relates to him or her personally;
- To complain and to take action to resolve disputes;
- To have access to advocates and to other avenues of redress; and
- To be free from reprisals, or a well-founded fear of reprisal, in any form for taking action to enforce his or her rights.

Some actions may not be regarded as Abuse, but are unacceptable behaviour for Can:Do Group. These include:

- Inappropriate conversation of a sexual nature.
- Coarse language, especially that of a sexual nature.
- Suggestive gestures or remarks.
- Jokes of a sexual nature.
- Inappropriate touching.
- Inappropriate literature, media or internet content.
- Recording or filming without prior consent.
- Acts of violence committed by an employee, client, visitor, volunteer or contractor in the course of an activity.

3. Selection & Screening

3.1 Employees, Agency Staff, Contractors & Volunteers

Employees, agency staff, contractors and volunteers involved in activities or programs with children, aged and/or vulnerable people must be carefully selected and screened in line with the Can:Do Group HR Policies. Where Can:Do Group has identified, or it has been identified to us by a government department that an applicant has previously committed a violent or sexually related offence, they will not, under any circumstances, be considered for employment or engaged with by Can:Do Group.

4. Training

All new employees, including agency staff, contractors and volunteers will be issued with a copy of this policy and receive formal training in this policy and the reporting procedures and the associated legal requirements.

Refresher training courses based on current "best practice" and changes to legislation will be provided on a biannual basis.

5. A Safe Environment

Incidents of Abuse are often unlikely to take place in front of another person however the presence of a witness can assist in clarifying questionable allegations. For these reasons, working while someone else is present is the preferred method.

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Wherever possible, employees will not visit aged or vulnerable persons in their homes unless a friend or relative is present. When transporting people under their care, Employees will take them directly to and from arranged venues and will not spontaneously detour or make additional arrangements.

All personal counselling is to be carried out within sight of another person if possible.

Employees will respect a client's feelings and privacy when engaging in physical contact of any kind.

Adults and children are expected to respect each other's privacy during times that require undressing, dressing or changing clothes. Employees will set an example by protecting their own privacy in similar situations. No employee, client, visitor, volunteer, or contractor will be alone in a room with a child or an elderly or vulnerable person while any/either is changing.

Initiations and secret ceremonies are prohibited. All aspects of every program related to children, aged and vulnerable people will be open to observation by family, friends or guardians.

Employees have the right to ask people who do not have a valid reason to be present at such activities to leave. Police may be contacted if such persons refuse to comply with any reasonable request to leave.

6. Disciplining Children

It is not the responsibility of Can:Do Group or its employees, clients, visitors, volunteers, or contractors to discipline a child. If a child does not abide by the rules set down by Can:Do Group, or becomes an obstruction, and may cause harm, the child will be removed and referred back to their parent or guardian.

At no time will employees, clients, visitors, volunteers, or contractors administer any form of physical, emotional, financial or mental discipline.

7. Reporting

Can:Do Group actively encourages the reporting of all abuse including Sexual Abuse.

Can:Do Group is committed to building an environment where both a victim or employee, client, visitor, volunteer, or contractor feels able to report such abuse.

Employees, volunteers and contractors must report reasonable suspicions of abuse to their line manager or the senior management of Can:Do Group.

The CEO of Can:Do Group will appoint a person with the specific duty of dealing with any allegations of harm or abuse that may arise. The details of those reporting abuse will be kept private and confidential. If there is reasonable suspicion that a client has been or is suffering abuse, the Police and the organisation's insurer will be contacted immediately. The reporting of Abuse is the responsibility of the CEO or delegate. The Police will also be notified if a client discloses an incident of Abuse that has occurred somewhere other than Can:Do Group premises e.g. on an outing.

If a disclosure of abuse is made, the person who receives the disclosure will maintain appropriate pastoral care to the one making the disclosure.

This will include:

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- Treating each allegation seriously and not attempting to deny the allegation or minimise its impact on the alleged victim. The matter should not be swept under the carpet.
- Not pushing the client to disclose details of the alleged assault or attempting to investigate the allegation.
- Assuring the client that they are understood: that their disclosure is being taken seriously; that what has happened is not their fault, and that they are correct in disclosing the incident.
- Not making contact with the alleged perpetrator. If the employee is already providing counsel to the alleged perpetrator, it may be advisable for another person to assume this responsibility for the duration of any investigation.
- If the alleged assault has taken place recently, clothing worn by the client should be, if reasonably practical, retained and handed to the police for forensic examination.
- Maintaining confidentiality.

Any disclosures by a Client, reports of suspected abuse and all details of the subsequent investigation will be documented promptly and the documents will be held in a secure location where a breach of privacy cannot occur.

8. Consequential Documents

9. Related Documents

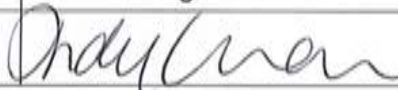
- PS CS03(13) Duty of Care Policy Statement
- PS CS01(13) Individual Service Plan Policy Statement
- OP CS01-18(13) Client Rights Operating Procedure
- PS WHS01(13) Work Health and Safety Policy Statement
- PS HC03(13) Our Code of Conduct
- PS HC01(13) Our People Management Principles Policy Statement
- OP HC01-15(13) Recruitment and Selection Operating Procedure
- OP HC01-18(13) Termination and Resignation Operating Procedure
- OP HC01-04(13) Disciplinary Action Operating Procedure
- PS EXE02(13) Risk Management Policy Statement
- EXE.PRO Commendation and Complaints Procedures
- EXE.FOR Commendation and Complaints Form
- IT POL Information Technology Policy Statement
- R EXE03(13) Delegation of Authority schedule
- Aged Care Act 1997
- Children's Protection Act 1993
- Disability Services Act 1993 and the National Standards for Disability Services
- Criminal Law Consolidation Act 1935 (SA, as amended)
- The Convention on the Rights of Persons with Disabilities (2006)
- Department of Community and Social Inclusion Documents
 - Guideline for reporting incidents to SA Police by non-government organisation
 - Safeguarding People with Disability- Overarching Policy
 - Guideline 271, People with Disability, Decision Making and Consent
 - A worker's Guide to Safeguarding People with Disability from Abuse

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**CAN:DO GROUP POLICY STATEMENT CLIENT PROTECTION- PREVENTION OF ABUSE
PS CS02(13)**

APPROVED BY CHIEF EXECUTIVE

This Policy Statement supersedes all other Policies relating to Client Protection (Prevention of abuse) and is applicable across the Can:Do Group from the authorising date below.

Approved By	Position	Date	Signature
Judy Curran	Chief Executive	14/01/2014	

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