

<b>POLICY</b>	<b>ZERO TOLERANCE POLICY</b>
Related Quality and Safeguards Pillar	Service Delivery
<b>STATEMENT</b>	
<p>Alkira promotes and commits to zero tolerance for assaults, abuse and neglect of any kind to ensure people with a disability are respected, safeguarded and not exposed to any form of emotional, mental or physical mistreatment.</p>	
<b>PURPOSE</b>	
<p>This policy ensures the rights of participants are respected, their well-being is safeguarded, and they are not exposed to any form of abuse, exploitation and/or neglect during their participation at Alkira.</p> <p>The objective is to promote zero tolerance for assault, abuse and neglect of participants, and outline the processes followed should we become aware of an allegation, whether reported to, witnessed and/or actual events of assaults, abuse and neglect.</p>	
<b>SCOPE</b>	
<p>It is expected everyone who is associated with our organisation, and involved in providing services to our participants, will share our commitment to maintaining an organisational culture free from assault, abuse and neglect which:</p> <ul style="list-style-type: none"> <li>• upholds the value and dignity of the participants,</li> <li>• builds trusting relationships with our participants, their families and carers,</li> <li>• provides services in an environment which is safe and welcoming for everyone,</li> <li>• empowers our participants by helping them to understand their rights,</li> <li>• makes everyone feel safe to raise concerns,</li> <li>• responds proactively to concerns and complaints when they arise,</li> <li>• fosters collaboration with other organisations in upholding participants human rights and preventing abuse and neglect.</li> </ul> <p>All staff, including volunteers, must have and maintain a clear NDIS Worker Screening to remain employed or engaged with Alkira.</p> <p>Where the term participant is used, this can include any participant/ person under the age of 18 who may be attending or receiving support through Alkira. Staff members working with participants under the age of 18 are required to have a current Working with Children check in addition to the NDIS Worker Screening check.</p> <p>Incidents and alleged incidents must remain confidential at all times, and only information directly related to the incident are shared with the appropriate people, authorities and/or involved parties. It is not the responsibility of staff to make judgments about the validity of an alleged event or incident.</p> <p>It is an obligation under legislation that staff are required to protect a person receiving services and have a mandatory obligation to report incidents to the NDIS Quality and Safeguards Commission and as relevant, the police. Under these circumstance staff should always discuss with their Senior Manager or CEO before reporting to any authorities. Mandatory reporting of abuse and neglect is a legal requirement NOT a duty of care decision. Making a notification DOES NOT breach professional ethics. The Senior Manager or CEO will provide support and guidance to go through the reporting process.</p>	

## DEFINITIONS

**Abuse** – The indicators below are provided as a guide only and are not limited to the examples below:

- **Emotional and social abuse** refers to harm caused as a result of being subjected to behaviours such as severe verbal abuse, continual rejection, physical or social isolation such as punishment, threats of abuse (which may also constitute physical abuse), harassment, frightening, dominating or bullying actions.
- **Financial abuse** refers to the illegal or improper use of a person's property or finances by someone with whom the person has a relationship of trust.
- **Physical abuse/ assault** is any reckless or intentional act that causes another person to think they may be subjected to immediate and unlawful violence. Battery is a separate offence to abuse and refers to the injuries that result from the abuse, though the term 'assault' generally includes a battery.
- **Sexual abuse** occurs when a person is subjected to any sexual activities without their consent. Sexual abuse includes any person engaging in any sexual activity with a person with a disability with the intention of taking advantage of their vulnerability for sexual exploitation.

There are situations involving sexual abuse in which the notion of consent is not relevant. These are when the behaviours are perpetrated by:

- Any person, in the case of a person with an intellectual disability who does not understand what they are consenting to or does not have the capacity to consent,
- A paid/ volunteer worker, where the worker provides care for a person with a disability.

In these instances, sexual abuse has occurred whether or not consent of any form was sought or obtained from the person on whom the abuse was committed.

**Neglect** – refers to the harm caused as a result of failure to provide adequate support, food, shelter, clothing, hygienic living conditions, information and education.

## DETAILS

If we have reason to believe a participant's rights have been infringed upon and they have experienced abuse or neglect, we WILL respond quickly, professionally and compassionately.

It is the personal responsibility of all staff, volunteers and Board members to communicate any concerns relating to an infringement of human rights, or the abuse or neglect of a participant to the Chief Executive Officer (CEO) and/or Senior Manager, as soon as practicably possible, especially if the participant is at imminent risk of harm. Any matters brought to the CEO and/or Senior Management will be managed in a confidential and professional manner.

Management will assist the person raising the concern or allegation to factually and non-judgementally document an account of the situation. This should be done within 24 hours of Alkira being made aware of the concern and consistent with Reportable Incident processes the NDIS Quality and Safeguards Commission notified with an incident report completed and submitted as per the incident management procedure.

Management, or a competent staff member who the participant trusts (determined by management) will discuss with participant/ nominee the concern, reassure them and support their involvement in deciding the course of action. However, it is recognised, in some situations this might not be possible due to the participant's disability, the nature of the concern and/ or mandatory reporting requirements. If the participant is not to be involved in decision-making about the concern, the reasons for this decision will be documented, and considerations given to engaging an advocate to represent their interests. The CEO with Management will consider the appropriate action to be taken according to the circumstances, the participant's views and any legal/ mandatory reporting requirements.

The procedures for Allegations, Assault & Abuse and Incident Management outline the process, tasks and actions to be taken- please refer to these for the process.

ALL EVENTS AND/OR ALLEGATIONS OF ASSAULT, ABUSE AND NEGLECT WILL BE REPORTED AND MANAGED ACCORDING TO THE ALLEGATIONS OF ASSAULT, ABUSE & NEGLECT AND INCIDENT MANAGEMENT PROCEDURE.

## REVIEW

Alkira at its own discretion reserves the right to change the policy and procedure in line with relevant legislation, organisational needs and review schedule. This document remains current until next reviewed.

If this policy can be improved, please submit a suggestion for improvement to the Quality Department or your manager.

## VERSION CONTROL

Approved by:	Hugh Stern- Manager Quality, Risk & Support Coordination
Endorsed by:	Julia Canty-Waldron, Chief Executive Officer
Endorsement Date:	24/02/2023
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Next Review Date:	2025