

## PROTECTING CLIENTS FROM HARM

ISP prioritises the safety and wellbeing of its clients and has a comprehensive policy regarding immediate response to situations in which a client experiences, is at risk of, or commits harm.

The aim of ISP's *Protecting Clients from Harm Policy and Procedure* is to:

- ensure timely and effective responses are taken to address immediate client safety and wellbeing;
- support clients who have experienced physical or sexual abuse/assault or neglect;
- be accountable to clients for actions taken immediately and planned in response to their experience of abuse, assault or neglect or unexplained absence;
- be accountable to clients of ISP's aged care services who have an unexplained absence by ensuring reporting responsibilities are upheld;
- ensure due diligence and responsibilities to clients are met; and
- hold perpetrators of physical and sexual abuse/assault and neglect accountable for their actions.

### Policy summary

ISP has a moral, ethical and legal responsibility to ensure that all clients are safe in their care, and will provide training, resources, information and guidance to support this. ISP is committed to:

- ensuring that the health, safety and wellbeing of clients using the service is protected at all times;
- fulfilling its duty of care obligations under the law by protecting clients from any reasonable, foreseeable risk of injury or harm;
- ensuring that all staff, students and volunteers caring for clients using the service act in the best interests of the client and take all reasonable steps to ensure the client's safety and wellbeing at all times;
- supporting the rights of all clients to feel safe, and be safe, at all times;
- developing and maintaining a culture in which clients feel valued, respected and cared for;
- encouraging active participation from parents, guardians, families and other stakeholders using the service, and ensuring that best practice is based on a partnership approach with shared responsibility for clients' health, safety, wellbeing and development; and
- ensuring it is proactive in educating clients of their individual rights by including personal safety education programs within ISP.

ISP is committed to the safety of all children and:

- has zero tolerance for child abuse;
- actively works to listen to and empower children;
- has systems to protect children from abuse, and will take all allegations and concerns very seriously and responds to them consistently in line with the organisation's policies and procedures;
- promotes the cultural safety of Aboriginal children and children from culturally and linguistically diverse backgrounds; and
- provides a safe environment for children with a disability.

ISP has a comprehensive procedure in place for responding to cases of harm or abuse. All concerns regarding the wellbeing of clients have an appropriate response procedure which ISP staff are obligated to follow in fulfilment of their Duty of Care. No concerns about client wellbeing will be ignored or go unattended.

This policy is in keeping with relevant legislation and all ISP staff undergo a thorough induction process to familiarise them with the procedure. This procedure has been informed by and checked against the following **legislation, standards, policy, and related documents**:

- *Crimes Act 1958*
- *Disability Act 2006 (Vic)*
- *Children, Youth and Families Act 2005 (Vic)*
- *Child Wellbeing and Safety Act 2005 (Vic)*
- *Charter of Human Rights and Responsibilities Act 2006 (Vic)*
- *Family Law Act 1975 (Cwth)*
- *Occupational Health and Safety Act 2004 (Vic)*
- *Working with Children Act 2005 (Vic)*
- *Working with Children Regulations 2006 (Vic)*
- *Aged Care Act 1997 (Cwth), and relevant amendments*
- *Australian Human Rights Commission Act 1986 (Cwth)*
- *Disability Discrimination Act 1992 (Cwth)*
- *Racial Discrimination Act 1975 (Cwth)*
- *Sex Discrimination Act 1984 (Cwth)*
- *Age Discrimination Act 2004 (Cwth)*
- *Privacy Act 1988 (Cwth)*
- *Child Safe Standards (Vic)*
- *Human Services Standards (Vic) – Empowerment*
- *4.4. Responding to Allegations of Physical or Sexual Assault (Departmental Policies, Procedures and Initiatives, Service Agreement Information Kit for Funded Organisations, Department of Health and Human Services)*
- *Responding to Allegations of Physical or Sexual Assault: Technical Update 2014 (Department of Health and Human Services)*
- *Critical Client Incident Reporting – Human Services (Victorian Department of Health and Human Services)*
- *Home Care Community Standards (Cwth) – Risk Management*
- *Compulsory reporting for approved providers of residential aged care services (Department of Health - Cwth)*
- *Guide for reporting reportable assaults (Department of Health - Cwth)*
- *Guide for reporting unexplained absences (Department of Health - Cwth)*
- *Guide for aged care staff – compulsory reporting (Department of Health - Cwth)*
- *Protecting the Safety and Wellbeing of Children and Young People – A Joint Protocol of the Department of Human Services Child Protection, Department of Education and Early Childhood Development, Licensed Children’s Services and Victorian Schools*

#### Relevant Organisational Documents

- *Incident Management Policy and Procedure*

- *Incident Report form*
- *Victorian Department of Health and Human Services' Client Incident Report form*
- *Aged Care Compulsory Reporting forms (Unexplained absence form and Reportable assault form)*

A full version of ISP's Protecting Clients from Harm Policy and Procedure is available in ISP's Policy and Procedures Manual, which can be viewed in person on ISP premises, or can be made available to clients through request to ISP management staff.

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**Last Review Date:**

**Next Review Date:** 31/01/2019

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*This policy and procedure will be reviewed at least annually and changes endorsed by the Management Team.*