

1.0 POLICY PURPOSE AND SCOPE

We are committed to meeting the requirements of the Disability Abuse Prevention Strategy and National Principles for Child Safe Organisations. We will always endeavour to understand, promote and enhance safeguards to prevent harm or at risk of harm from occurring to all participants, including children and young people.

This policy is relevant to all staff, volunteers or stakeholders.

2.0 DEFINITIONS

aspiring futures SA – the trading name of Embry Care Services Pty Ltd ABN: 79 646 526 310

Harm – refers to physical or psychological harm (whether caused by an act or omission) and includes sexual, physical, mental or emotional abuse or neglect. Psychological Harm does not include emotional reactions such as distress, grief, fear or anger that are a response to ordinary life fluctuations.

At Risk – the Children and Young People (Safety) Act 2017 describes *at risk* as:

- the child or young person has suffered harm (being harm of a kind against which a child or young person is ordinarily protected); or
- a likelihood that the child or young person will suffer harm (being harm of a kind against which a child or young person is ordinarily protected); or
- a likelihood that the child or young person will be removed from the State (whether by their parent or guardian or by some other person) for the purpose of—
 - being subjected to a medical or other procedure that would be unlawful if performed in this State (including, to avoid doubt, female genital mutilation); or
 - taking part in a marriage ceremony (however described) that would be a void marriage, or
 - enabling the child or young person to take part in an activity or an action to be taken in respect of the child or young person that would, if it occurred in this State, constitute an offence or
- the parents or guardians of the child or young person
 - are unable or unwilling to care for the child or young person; or
 - have abandoned the child or young person, or cannot, after reasonable inquiry, be found; or are dead; or
- the compulsory school-age child or young person has been persistently absent from school without satisfactory explanation of the absence; or
- the child or young person is of no fixed address; or

any other circumstances prescribed by the regulations exist in relation to the child or young person.

Zero tolerance aims to provide an evidence-based, nationally applicable, and contemporary approach to preventing and responding to abuse of people with disabilities. The aim is to assist service providers in developing positive organisational cultures and practices and robust safeguarding mechanisms relevant to the National Disability Insurance Scheme (NDIS)

3.0 POLICY

aspiring futures SA is committed to all elements of the National Disability Insurance Scheme (NDIS) Code of Conduct. *aspiring futures SA* will train staff in all areas of the NDIS Code of Conduct, National Principles for Child Safe Organisations and relevant legislation and rights to ensure a zero-tolerance approach is adhered to across all practices.

To follow the Code and guidelines, we will:

- Promote a zero-tolerance approach with all paid and unpaid workers
- Refuse to tolerate any form of harm, abuse or neglect towards people with disabilities, children and young people by workers or other people with disabilities
- Provide paid and unpaid staff with training and information to correctly apply the obligations of the NDIS Code of Conduct
- Assist staff in undertaking their role e.g. keeping support plans up-to-date, providing training opportunities which will include formal training, mentoring and on-the-job supervision
- Act on all reported cases of harm, at risk of harm, abuse or suspected abuse
- Support workers, as mandatory reporters, to complete relevant reports and provide relevant support, such as debriefing, if required.
- Agree never to take adverse action against any staff member or volunteer if they report harm, risk of harm, abuse or neglect.
- Base all necessary disciplinary actions on the principle of procedural fairness if a staff member violates the obligations of the NDIS Code of Conduct
- Respect and value the diversity of people and cultures to create an inclusive environment where it is safe for people with disabilities to express their cultural identity
- Actively maintain a working environment that minimises the risks of harm, risk of harm, neglect and abuse
- Create and maintain a positive complaints culture where participants, children and young people are not afraid to speak up and can speak openly with paid and unpaid workers.
- Foster a culture of zero tolerance for harm, risk of harm, neglect and abuse towards people with disabilities, including children and young people

aspiring futures SA informs their front-line staff (who impose the obligations) that they must:

- Provide services without engaging in harm, risk of harm, abuse, exploitation, harassment, or neglect
- Report any form of harm, risk of harm, abuse or suspected abuse (see Working with Children Policy and Procedure and our Child Safe Environment Policy and Procedure for children and young people processes)
- Never engage in sexual abuse or misconduct and report any such conduct by other workers, participants, family members, carers, or community members as per our policies and procedures
- Show respect for cultural differences when providing services
- Act ethically, with integrity, honesty, and transparency

4.0 PROCEDURE

aspiring futures SA will train paid and unpaid workers to understand and act using a zero-tolerance approach and ensuring that they appreciate participants are people first, with needs, aspirations, preferences and feelings.

All staff must listen to participants, children and young people to determine their preferences, aspirations, needs, and supports (where it is safe to do so).

aspiring futures SA will ensure that staff are informed that people with disabilities tend to face significantly higher risks of sexual assault and exploitation than the general population. This is particularly true for women, children and young people with a disability. Also, there can be barriers to disclosure that make it difficult for a person with a disability to report sexual abuse and misconduct.

4.1 Reporting Abuse

aspiring futures SA acknowledges that reporting harm, risk of harm or abuse is critical to prevent abusive situations from escalating and abuse from recurring to participants.

aspiring futures SA staff who work with participants will report any form of harm and abuse (zero tolerance) following the reporting procedures outlined in the Violence, Harm, Risk of Harm, Abuse, Neglect, Exploitation and Discrimination Policy and Procedure and for children and young people refer to Working with Children Policy and Procedure. When reporting a reportable incident, staff will refer to the reporting procedures outlined in the Reportable Incident, Accident and Emergency Policy and Procedure.

5.0 POLICY REVIEW AND FEEDBACK

This policy and procedure will be reviewed at least every two (2) years by the Director (or their delegate) or in response to legislative triggers. Reviews will incorporate staff, participants, and other stakeholder feedback where relevant.

6.0 RELATED DOCUMENTS

Code of Conduct Agreement
Corporate Risk Log (Care Diary)
Incident Report (Care Diary)
Participant Notes (Care Diary)
Participant Risk Assessment Form
Risk Register
Staff Training Record (LMS)
Position Qualifications and Training Matrix
Training Attendance Register – In House
Violence, Harm, Risk of Harm, Abuse, Neglect, Exploitation and Discrimination Policy and Procedure
Reportable Incident, Accident and Emergency Policy and Procedure
Working with Children Policy and Procedure

7.0 REFERENCES

NDIS Practice Standards and Quality Indicators 2020
Disability Discrimination Action 1992 (Commonwealth)
Disability Services Act 1986 (Commonwealth)
Privacy Act 1988 (Commonwealth)

Version Control

Version No.	Summary of Changes	Date Approved	Approved By	Review Date
V0.1	Draft	Dec 2021		
V1.0	Initial Release	Feb 2021	Director	Feb 2024
V2.0	Changes based on ProviderPlus release V2.12	Aug 2022	Director	Aug 2024
V2.1	Review to link with SA Child Safe Environment requirements	Feb 2023	Director	Feb 2025