

ABUSE, HARASSMENT, ASSAULT OR NEGLECT

All staff and Service Users have the right to a workplace and / or service environment free from abuse, harassment, assault or neglect. The CEO and Service Managers are responsible for ensuring our work practices are consistent with a safe and healthy environment for all Service Users and staff.

While the CEO and Service Managers have an overall responsibility in this area, it is the responsibility of all staff to perform in a way which ensures:

- our workplace and service locations are free from abuse, harassment, assault and neglect,
- our corporate reputation as a fair and conscientious employer and service provider is maintained and complies with all relevant legislation,
- all complaints are dealt with quickly, sensitively and without fear of retribution
- service users will be supported to exercise choice over all stages of the process wherever possible,
- the management of the allegation does not compromise any investigation by the Police and/or other authority.

Definitions and explanation

- Physical abuse includes such examples as the infliction of pain or injury or physical coercion such as hitting, shoving, pushing, or burning and physical restraint.
- Psychological / emotional abuse includes the infliction of anguish through actions that lead to fear of violence, to isolation or deprivation, feelings of shame, loss of dignity or powerlessness.
- Financial abuse is the illegal or improper use of another person's property or finances.
- Neglect means the failure to provide the basic necessities of life such as food, clothing, shelter, health care, safety or security needed for the person's optimal growth and development or the failure to use the available resources to meet those needs.
- Sexually abusive or exploitative behaviour ranges from rape to indecent assault, sexual harassment and inappropriate touching.

Examples of Abuse, Harassment, Assault or Neglect of Service Users.

This list is indicative only and is not intended to be a complete description of all possible examples:

- Physical abuse - Non-accidental actions causing injuries, such as bruising, lacerations welts, burns, fractures or dislocations
- Threats of violence - Refusing Service Users a service or food because they haven't done what they were asked to do
- Hitting, smacking, biting or kicking
- Pulling arms, hair or ears
- Bending back fingers or bending an arm up behind the back
- Placing hot substances in the mouth for swearing
- Beatings or shakings
- Physically restraining a Service User without appropriate permission
- Psychological / emotional abuse
- Humiliating Service Users for losing control of their bladder or bowels
- Shouting orders to Service Users
- Using humiliating names when speaking to Service Users
- Treating adult Service Users as children
- Humiliation, emotional blackmail, blaming, swearing, intimidation, name calling or isolation from friends and relatives
- The use of isolation
- Locking Service Users in their bedroom
- Using other Service Users to provide physical control over another Service User
- Harassing Service Users to eat food they don't want to eat (or which is contrary to their cultural or religious beliefs)
- Sexual abuse and / or assault
- Voyeurism
- Displaying pornographic photography, literature or material
- Financial abuse
- Denying Service Users access to or control over their money or personal property, without consent of the Service User or of a duly appointed advocate.
- Taking money or other property of Service Users without their consent(which is likely to constitute a criminal offence)
- Misappropriation of money, valuables or property
- No inventory kept of significant purchases
- No records or intentional misuse of records of expenditure or purchases
- Forced changes to wills or other legal documents
- Staff assisting Service Users to eat or drink in an incorrect or hurried or rushed manner
- Failure to provide Service Users with adequate food, clothing or health and personal care needs
- Inappropriate administration of medication that is not in accordance with the current prescription

- Giving non-prescribed medication to a Service User without first checking with the Service User's doctor of any potential side effects
- Administering medication to a Service User after the expiry date
- Staff not utilizing a Service User's communication devices to allow the expression of needs
- Failure of staff to recognize or acknowledge non-verbal messages conveyed by Service Users who have limited communication abilities
- Staff leaving Service Users alone in a vehicle

Examples of Abuse, Harassment, Assault or Neglect of Management and Staff.

This list is indicative only and is not intended to be a complete description of all possible examples:

- Physical abuse
- Threats of violence
- Psychological / emotional abuse
- Shouting orders to staff members
- Humiliation, bullying, emotional blackmail, slander, blaming, swearing, intimidation and name calling
- Failure to respect other staff members cultural or religious beliefs
- Sexual abuse and / or assault
- Voyeurism
- Displaying pornographic photography, literature or material
- Misappropriation of money, valuables or property
- Failure to adhere to award standards

Staff responsibilities

- All staff have a responsibility to report any suspected abuse, assault or neglect of Service Users or staff.
- CASSI accepts the reporting of any suspected abuse is a valid action and staff should feel confident they will receive support and encouragement for their actions.
- In the first instance, staff should approach their Service Manager or the CEO where any abuse is suspected and request an investigation.
- It is CASSI policy that staff do not form an intimate relationship with a Service User and also be a member of the team supporting that Service User.

Procedure for reporting suspected abuse of a Service User

If any Service User, family member, advocate or staff member becomes aware of, or suspects, that a Service User has been or is being abused, the following procedure should be adopted:

- Immediately telephone the CEO to advise of the situation. If the CEO is not available, the Service Manager should be called.
- The CEO or the Service Manager will attend the support location to see the evidence of suspected abuse.
- the Service User must not be washed, changed or cleaned up in any manner, but is to be provided with comfort and support
- the physical situation or scene of the alleged incident should not be tampered with in any way
- the CEO should initiate contact with the police, if there is clear evidence of the suspected abuse
- in the event police are involved, all staff will take directions from the police as to the medical examination and welfare of the Service User, the provision of statements or information and all associated matters.
- the CEO will be responsible for making early contact with the family or advocate of the Service User involved, to inform them of the situation and of the action being proposed or taken
- at the earliest possible time and at the direction of the CEO, staff members will be required to prepare and submit written reports (independently and separately from each other) concerning the alleged event/s. The statements must be signed and dated by the staff member/s in the presence of a witness.
- the CEO will submit a summary report, together with the staff statements, to the management committee which will outline the actions and implications for the organisation.

CASSI Response to Suspected Abuse of a Service User by Staff

In the event that an allegation of abuse has been made against a CASSI staff member, the safety and best interests of the service user subjected to abuse must be paramount. In addition to the procedures listed above, the following action may be taken:

- The CEO will notify staff that they will be stood down immediately from their duties with or without pay until the investigation is completed or an outcome has been reached.
- CASSI will notify all necessary authorities of the abuse allegations. These authorities will conduct investigations that are independent and external from CASSI. Some examples of these authorities are funding bodies (ADHC-NSW, Dept of Communities-QLD), Police, Office of the Adult Guardian.

DOCUMENTATION

- Incident and hazard report
- Staff reports
- CEO report
- Service User file
- Staff file

CROSS REFERENCES

- Counselling
- Valued Status

OTHER USEFUL RESOURCES

- www.adhc.nsw.gov.au
- www.communities.gov.au