

# **1 Care and Protection Policy.**

## **1.1 Purpose.**

This policy explains the commitment of 360 Health + Community (360) to ensuring the highest levels of care and protection to people who access our services and how this will be achieved.

## **1.2 Policy Statement.**

360 aims to provide a safe environment for individuals and implements practices aimed at preventing any form of harm, maltreatment, neglect or abuse.

### **1.2.1 Zero Tolerance to Harm, Maltreatment, Neglect and Abuse.**

With regard to care and protection, 360 adheres to the following principles:

- Every person has the right to feel safe and receive services in an environment free from harm, maltreatment, neglect or abuse;
- The well-being and protection of the people that we support is crucial when dealing with concerns of harm, maltreatment, neglect or abuse;
- The people that we support are entitled to and receive the same legal and human rights as the rest of the community.

### **1.2.2 Prevention of Harm, Maltreatment, Neglect and Abuse.**

With regard to potential harm, maltreatment, neglect and abuse, 360 actively creates a culture of prevention by:

- Identifying and monitoring short and long-term issues that may lead to harm, maltreatment, neglect or abuse;
- Informing people who are at risk of harm, maltreatment, neglect or abuse of all available support;
- Encouraging the people that we support to raise concerns relating to potential and actual harm, maltreatment, neglect or abuse and to access support or complaint mechanisms;
- Educating workers on issues associated with harm, maltreatment, neglect or abuse including personal rights, sexuality and personal relationships, self-protective behaviours, and legislated provisions;
- Maintaining recruitment procedures to a high standard and ensuring that the right workers are appointed through:
  - Pre-appointment screening of new workers, including National Police checks and Working with Children Checks;
  - Contacting a minimum of two referees, one must be current or last employer;
  - Placing new workers on a minimum probationary period of six months;
  - Ensuring all new workers go through an induction and orientation process and that their performance is regularly monitored during the probation period;
  - Regular appraisal of the performance of all workers.

### **1.2.3 Responding to Concerns of Harm, Maltreatment, Neglect or Abuse.**

In response to any concerns about harm, maltreatment, neglect or abuse, 360 will:

- Determine the immediate risks, and if necessary act to ensure the safety of the person that we support and other family members;
- Report concerns to relevant staff within 24 hours, take responsibility for reporting the concerns to the relevant authorities according to our legal obligations, and for determining what actions are required;

- Provide the person we support, and their family members/friends where appropriate with information about how 360 handles concerns of harm, maltreatment, neglect or abuse;
- Support individuals to exercise their choice wherever possible in a way that meets their communication needs;
- Information will be withheld from the person we support or their family or carers or guardian, where there is significant risk to a person's safety and this action is in the best interest of the affected individuals involved. This decision will be made in consultation with the consumer's advocate, where identified.
- Maintain strict confidentiality at all times unless required by law.

#### **1.2.4 Reporting Concerns of Harm, Maltreatment, Neglect or Abuse.**

If anyone at 360 becomes aware of concerns for anyone that we support, through personal observation or information received, or if they have suspicion that possible harm or maltreatment of an individual has occurred, the following actions are taken:

- The appropriate staff members, such as managers, are immediately notified;
- An incident form is completed within 24 hours of notifying the appropriate staff (refer to Incident Management Policy and Procedure);
- Appropriate staff members will determine how to communicate concerns of harm, maltreatment, neglect or abuse to the person we support or their family where these concerns arise from observation or information from another person. As above, information may be withheld where the protection of the consumer might be compromised through disclosure to the family, carers or guardian.

The privacy and confidentiality of all clients of 360 is important, however where risk of harm, maltreatment, neglect or abuse are of concern, there are circumstances that legally require us to provide personal information to government agencies, other organisations or individuals. Where possible, this will only be done with consent of the consumer. Duty of care obliges us to pass on personal information if the information a consumer or other person submits to us tells us that:

- A consumer is being seriously hurt by someone else;
- A consumer is thinking of seriously self-harming;
- Someone else is being, or is likely to be, seriously hurt by a consumer or another person;
- It will prevent or lessen a serious and imminent threat to somebody's life or health.

## **2 Concerns of Harm, Maltreatment, Neglect or Abuse Procedure**

When a worker reports a concern of harm, maltreatment, abuse or neglect the CEO or delegate will:

- Determine with the worker the nature of the concern, risks and immediate action to be taken;
- Ensure the safety of the individual and contact the Police if an individual or family member is in immediate danger;
- Document the nature of the concern, consult with all parties regarding actions taken and outcomes;
- Notify the Chair of the Board of Management of any concern of harm, maltreatment, neglect or abuse immediately;
- Arrange for independent support for the person concerned;
- Consult with the Office of Public Advocate if the person concerned cannot make an informed decision or does not have a legal guardian;
- Oversee ongoing services for the person that we support;
- Discuss the need and strategies to debrief workers, the people that we support and their families with the Chair, or any other Board member if the Chair is unavailable;

- Respond to the complaint in accordance with the Incident Management Policy and Procedure (usually within **7 working days**).
- If the Chair of the Board of Management receives a concern about harm, maltreatment, neglect or abuse the Chair will:
  - Respond to the CEO within 3 working days;
  - Consider any recommendation to obtain a legal guardian through the office of Public Advocate;
  - Oversee the management of the concern.

### 3 Policy Connections.

National Standards for Disability Services Standard 1 Rights, Disability Services Act 1986 (Commonwealth), Disability Discrimination Act 1992 (Commonwealth), Guardianship and Administration Act 1990 (Commonwealth), Universal Declaration of Human Rights 1949 (Commonwealth), Clinical Governance Framework, Incident Management Policy and Procedure, Rights Policy, Service Delivery Policy.

### 4 Review.

<b>Care and Protection policy and procedure endorsement</b>			
<b>Frequency</b>	<b>Responsibility</b>	<b>Ratified</b>	<b>Next Review</b>
Every 2 Years	Executive Manager Clinical Development		April 2021