

Protection of Human Rights and Freedom From Abuse and Neglect Policy

Controlled Document

Purpose

The purpose of this policy is to ensure Activ recognises and upholds clients'/supported employees' legal and human rights and acts to prevent abuse and neglect.

Scope

This policy applies to all of Activ's services and all staff (including supported employees) students, volunteers, advocates, Board Members, contractors and others who may act on behalf of Activ from time to time.

Policy Statement

Activ commits to:

- protecting its clients/supported employees by empowering them to exercise the same legal and human rights as the rest of the community;
- providing a safe environment for clients/supported employees and implementing work practices aimed at promoting human rights and preventing any form of abuse and/or neglect; and
- responding promptly and ensuring the well-being and protection of its clients/supported employees, according to the requirements of Disability Services Standard 9, the Commonwealth Disability Service Standard 12, and Standard 1 of the National Standards for Disability Services (NSDS): rights, when dealing with all allegations of abuse.

Definitions

Client/Supported Employee: *is defined as a person with a disability who receives disability support/supported employment services from Activ Foundation.*

Abuse: *Abuse refers to emotional, financial, physical and sexual abuse and/or neglect.*

Emotional Abuse: *Emotional abuse refers to harm caused as a result of being subjected to behaviours such as severe verbal abuse, continual rejection, physical or social isolation (i.e. punishment), threats of abuse (which may also constitute physical abuse) and harassing, frightening, dominating or bullying behaviour.*

Financial Abuse: *Financial abuse refers to the illegal or improper use of a service recipient's property or finances.*

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

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Physical Abuse: *Physical abuse is any non-accidental physical injury or injuries to a client/supported employee that includes inflicting pain of any sort or causing bruises, fractures, burns, electric shock, or any unpleasant sensation (unpleasant taste or extremes of heat and cold). Physical abuse includes unauthorised restraint (physical or chemical).*

Sexual Abuse: *Sexual abuse is defined as any unwanted sexual-related behaviours towards a client/supported employee or beyond a client/supported employee's understanding.*

Allegation: *An allegation refers to a written or verbal statement made by any person to a staff member of Activ Foundation that a client/supported employee has been abused and/or neglected.*

Key Related Policies and Documents

[Chief Executive Officer Delegation Policy \(CEODP\) \(AQuA: 2010\)](#)

[Code of Conduct for Board Members \(AQuA: 141\)](#)

[Code of Conduct and Ethics \(AQuA: 1867\)](#)

[Employee Code of Conduct \(AQuA: 1508\)](#)

[Duty of Care Policy \(AQuA: 488\)](#)

[Discrimination and Harassment Policy \(AQuA: 196\)](#)

[Discrimination and Harassment Procedure \(AQuA: 1553\)](#)

[Indicators of Abuse \(AQuA: 685\)](#)

[Transport Manual \(AQuA: 803\)](#)

[Complaints Policy \(AQuA: 1588\)](#)

[Complaint Handling Procedure \(AQuA: 1589\)](#)

[Managing Challenging Behaviours Policy \(AQuA: 258\)](#)

[Std. 9 Protection of Human Rights and Freedom from Abuse and Neglect Procedure for use by Staff \(AQuA: 1455\)](#)

[Procedures for the Management of Sexual Abuse Allegations \(AQuA: 686\)](#)

[The Charter of Rights and Responsibilities for Service Recipients \(AQuA: 99\)](#)

[Guardianship – A Quick Guide on the Guardianship and Administration Board and the Appointment of a Guardian \(AQuA: 689\)](#)

Consultation Process

Consumer Liaison and Policy Development Officer
Board Administrator
Transitional Leadership Team