

FEELS LIKE HOME SUPPORT SERVICES

CORE MODULE: ZERO TOLERANCE

Legal name: Feels Like Home Support Services Pty Ltd

Business/trading name: Feels Like Home Support Services

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Website: www.flhss.com.au

ZERO TOLERANCE POLICY

POLICY

The purpose of this policy is to prevent and mitigate the effects of violence, abuse, and neglect on participants through training and implementing processes to inform Staff and protect participants who are at risk of significant harm.

Feels Like Home Support Services affirms the right of people with disabilities to live their lives free from neglect, abuse, and exploitation. The purpose of this policy is to:

- Promote the human rights of the people accessing supports and services provided.
- Create a service environment where risks to the rights and well-being of people receiving supports and services are minimised; and
- Ensure that if we become aware of an instance of abuse or neglect, we respond promptly, professionally, and compassionately to address the situation in accordance with the requirements of National Disability Services the rights (Rights) and NDIS Code of Conduct.

Feels Like Home Support Services recognises the right of all participants to feel safe and to live in an environment that provides protection from assault, neglect, exploitation, discrimination, or any other form of abuse. People with disabilities, children and young people are some of the most vulnerable groups in our society. It's essential that Feels Like Home Support Services identify, consult, and respond to instances where persons with disabilities, children or young persons are at risk of significant harm.

Abuse, neglect, and exploitation can take many forms. Being aware of common indicators may improve your recognition of and response to them. Although no single behaviour is an absolute indicator of abuse, neglect and exploitation, some examples have been provided in the table below.

Common reasons for people with disabilities, children, and young people to be at risk of significant harm include:

- Domestic and family violence
- Physical, sexual, and emotional abuse
- Neglect

The impact of violence, abuse and neglect can span across all domains of a person's development and life experiences. People who experience violence, abuse and neglect are more likely to have problems with:

- Learning and development
- Physical and mental health
- Behaviour

Feels Like Home Support Services is committed to ensuring the protection of our clients from human rights abuses and neglect, especially while in our care.

Feels Like Home Support Services will provide induction to all staff aligned to this policy. Completion date and staff name will be recorded in the Compliance Management System.

NDIS Registration Number: 4050096596



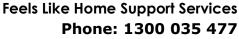
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Feels Like Home Support Services will encourage and support any person who has witnessed the abuse of a service user or, who suspects that abuse has occurred, to make a report and be confident of doing so without fear of retribution.

This policy relates to all Feels Like Home Support Services activities and applies to all employees, contractors, students, advocates, Directors, and others.

DEFINITIONS

Term	Meaning
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).
Abuse	In the context of this policy) – verbal, physical and/or emotional mistreatment and/or lack of care of a person. Abuse can include bullying, child abuse physical abuse, sexual abuse, emotional and psychological abuse, racial, cultural, and religious abuse, domestic violence.
Incident	 For the purpose of this Policy and Procedure: an act, omission, event, or circumstance that has, or could have, caused harm to a person with disability receiving supports or services. an act by a person with disability that happened in connection with the provision of supports or services and that caused serious harm, or a risk of serious harm, to another person; or a reportable incident that is alleged to have occurred in connection with the provision of supports or services.
Neglect	The failure to provide a person with the basic necessities of life, such as food, clothing, shelter, medical attention or supervision, to the extent that their health and development is, or is likely to be, significantly harmed.
Negligence	Doing, or failing to do something that a reasonable person would, or would not do in a certain situation, and which causes another person damage, injury, or loss as a result.
Discrimination	Treating, or proposing to treat someone unfavorably because of a personal characteristic protected by the law. Discrimination includes bullying someone because of a protected characteristic.
Exploitation	The action or fact of mistreating someone to benefit from their work. The action of making use of and benefiting from resources.





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Term	Meaning
Violence	Violent behaviour by a person towards another can include abusive behaviour that is physical, sexual, intimidating, and forceful. People with a disability are more likely to experience violence from a carer or family member.
Offender or Perpetrator	A person who mistreats and/or harms another person.
Procedural Fairness	A principal that requires a fair and proper procedure be used when making a decision.
Reportable Incident	 The death of a person with disability. Serious injury of a person with disability. Abuse or neglect of a person with disability. Unlawful sexual or physical contact with, or assault of, a person with disability. Sexual misconduct committed against, or in the presence of, a person with disability, including grooming of the person for sexual activity; or The use of a restrictive practice in relation to a person with disability, other than where the use is in accordance with an authorisation of a State or Territory in relation to the person.¹
Reasonable grounds	A person may form a belief on reasonable grounds that another person is in need of protection after becoming aware that their health, safety or wellbeing is at risk and the participant's parents/guardians are unwilling or unable to protect them.
Restrictive practice	Any practice or intervention that has the effect of restricting the rights or freedom of movement of a person with disability.

PRINCIPALS

- Take a preventative, proactive and participatory approach to participant safety
- Value and empower the participant to contribute to decisions which affect their lives
- Foster a culture of openness that supports all persons to disclose the risks of harm to participant safety
- Respect diversity in cultures and child-rearing practices, while keeping the participant's safety paramount
- Provide training to Staff on appropriate conduct and behaviour towards participants
- Engage only the most suitable people to work with participants and ensure
- Superior quality Staff, volunteer supervision and professional development
- Ensure participants know who to talk to if they're worried or feeling unsafe and that they're comfortable and encouraged to raise any issues



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- Report suspected abuse, neglect, or mistreatment promptly to the appropriate authorities.
- Share information appropriately and lawfully with other organisations where the safety and wellbeing of the participant is at risk
- Value the input of families and advocates and communicate regularly with them.

In the case that situation meets the criteria of a reportable incident, then the 'Reportable Incident, Accident and Emergency Policy and Procedure' will apply.

STATEMENT OF COMMITMENT TO SAFETY

Feels Like Home Support Services is committed to the safety and wellbeing of all participants. This commitment is the primary focus of our support and decision making. Feels Like Home Support Services is committed to providing a safe environment where participants are safe and feel safe; their voices are heard and included in decisions that affect their lives. Attention is paid to the cultural safety of participants from culturally or linguistically diverse backgrounds.

Staff members have a responsibility to understand the critical and specific role they play, both individually and collectively, to ensure the wellbeing and safety of all participants and young people are at the forefront of all they do and every decision they make.

SAFE CODE OF CONDUCT

Feels Like Home Support Services is committed to the safety and wellbeing of participants. Our business recognises the importance of, and responsibility for, ensuring our environment is a safe, supportive, and enriching environment that respects and fosters the dignity and self-esteem of all people, enabling them to thrive.

This code of conduct aims to protect both Staff and participants and to reduce opportunities for abuse or harm to occur. It also assists in understanding how to avoid, or better manage, risky behaviours and situations. It's intended to complement child protection legislation, disability legislation, policies and procedures and professional standards, codes, or ethics as these apply to Staff and other personnel.

Our management support the implementation and monitoring of the Code of Conduct. We will plan, implement, and monitor arrangements to provide inclusive and safe environments.

All Staff, volunteers, and any other community members involved in participant-related work are required to comply with the Code of Conduct by observing expectations for appropriate and acceptable behaviour (see Acceptable behaviors' below). The Code of Conduct applies in all situations, including planned activities and the use of digital technology and social media.

Acceptable behaviours

Staff or any other persons involved with participant-related work are responsible for supporting and promoting the safety of participants by:

• Upholding Feels Like Home Support Services' Statement of Commitment for the participant's safety



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- Treating the participant, their family, and advocates with respect within the environment and during outside activities as part of normal social and community activities
- Listening and responding to the views and concerns of the participant, particularly if they are reporting that they or another person have been abused; or that they're worried about their safety or the safety of another participant
- Promoting cultural safety, participation, and empowerment of Aboriginal and Torres Strait Islander people through interactions with their community leaders and members
- Promoting cultural safety, participation, and empowerment of people with culturally or linguistically diverse backgrounds through engagement with the community accessing the service
- Promoting the safety, participation, and empowerment of people with disabilities
- Reporting any allegations of abuse or any personal safety concerns to management
- Understanding and complying with all reporting or disclosure obligations (including state mandatory reporting), as they relate to protecting the participant from harm or abuse
- Maintaining the right to live in a safe environment by promoting and informing the participants of their rights
- Ensuring participants are safe and protected from harm, as quickly as possible, once abuse is suspected
- Identifying themselves to a participant upon entering premises and show any required identification.

Unacceptable behaviours

As front-line workers, volunteers and community members involved in participant-related work, we must not:

- Ignore or disregard any concerns, suspicions, or disclosures of abuse.
- Develop a relationship with any participant that could be viewed as favoritism or grooming behaviour, e.g., Offering gifts
- Exhibit behaviours, or engage in activities, with participants that can be interpreted as abusive and unjustifiable in an educational, therapeutic, or service delivery context.
- Ignore behaviours by other adults towards young participants when they're overly familiar or inappropriate
- Discuss content of an intimate nature or use sexual innuendo with participants, except where it occurs relevantly in the context of parental/advocate guidance or a therapeutic setting
- Treat a participant unfavorably because of their disability, age, gender, race, culture, vulnerability, sexuality, or ethnicity.
- Communicate directly with an underage participant, through personal or private contact channels, e.g., social media, email, instant messaging, or texting, except where that communication is reasonable in all the circumstances, related to work or activities, or where there is a safety concern or other urgent matter.

Screening, supervising, training, and human resource practices to reduce risk.

The Staff will be required to undertake checks including disability worker checks, relevant police, and working with children checks and the mandatory NDIS Worker Orientation Module. All records will be maintained in their personnel file.

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PROCEDURE

Feels Like Home Support Services is committed to all elements of the NDIS Code of Conduct. Feels Like Home Support Services will train staff in all elements of the Code of Conduct and ensure a Zero Tolerance approach is incorporated into practices.

Feels Like Home Support Services will follow the Code of Conduct and follow these guidelines as listed and ensure that Feels Like Home Support Services

- Does not tolerate any form of abuse of people with disabilities by workers or other people with disabilities and promotes zero tolerance for abuse.
- Provides staff with training and information to correctly apply the obligations of the Code of Conduct.
- Assists staff to undertake their role, such as keeping support plans up-to-date and provide training opportunities (such as formal training, mentoring or on-the-job supervision).
- Acts on all reported cases of abuse or suspected abuse.
- Never takes adverse action against any staff member or volunteer if they report abuse or neglect.
- Base all necessary disciplinary actions on the principle of procedural fairness if a Staff violates the obligations of the Code of Conduct.
- Respects, recognises, and values the diversity of people and cultures, and creates an inclusive environment where it is safe for people with disabilities to express their cultural identity.
- Actively maintains a working environment in which the risks of abuse are minimised
- Creates and maintains a positive complaints culture in which people are not afraid to 'speak up', and
- Fosters a culture of Zero Tolerance to abuse of people with disabilities.

Feels Like Home Support Services informs their staff that imposes the obligations as listed below:

Frontline workers must:

- Provide services without engaging in abuse, exploitation, harassment, or neglect.
- Report any form of abuse or suspected abuse.
- Not engage in sexual abuse or misconduct, and must report any such conduct by other workers, people with disabilities, family members, carers, or community members.
- Show respect for cultural differences when providing services.
- Act ethically, with integrity, honesty, and transparency.

Feels Like Home Support Services will train Staff to be able to understand and act on a Zero Tolerance approach and ensure that staff appreciates people with disabilities are people first, who have needs, aspirations, preferences, and feelings.

All staff is required to listen to all participants. So, they can determine their preferences, aspirations, needs and support where it is safe to do so.

- Feels Like Home Support Services acknowledges that reporting abuse is critical to prevent abusive situations from escalating and future incidents from occurring.
- All staff working with people with disabilities must report any form of abuse (Zero Tolerance).



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• Feels Like Home Support Services will ensure that Staff is informed that people with disabilities face significantly higher risks of sexual assault and exploitation than the general population. This is particularly true for women with a disability. In addition, there can be barriers to disclosure that make it difficult for a person with a disability to report sexual abuse and misconduct.

Strategies to identify and reduce or remove the risk of harm

Feels Like Home Support Services recognise that creating a safe organisation begins with a clear understanding of the potential risks to the participant and Staff in an organisation's setting. We will identify possible issues and problems and plan to reduce or remove these risks.

To reduce the likelihood of harm Feels Like Home Support Services will consider, define, and act against its organisational risks. These strategies include:

- Thinking about the organisation, its activities, and the services it provides to participants.
- Planning how to make all activities as safe as possible
- Developing a safety plan for participants who require additional supports
- Supporting participants with disabilities to understand plans and safety procedures using appropriate communication methods Informing participants that they have the right to live in a safe environment
- Acting proactively to reduce the likelihood of any risks.

Prevention

Feels Like Home Support Services will minimise the risk of our participants' rights being infringed, or them being subject to abuse and neglect.

- 1. Our recruitment procedures will be of a high standard, and we will ensure that the right staff are appointed through:
 - Pre-appointment screening of new staff, including national police clearances and Working with Children Check
 - Checking references.
 - Placing new staff on a minimum probationary period of three months.
 - Ensuring new staff go through an induction and orientation process and that their performance is regularly monitored during probation; and
 - Regular appraisal of the performance of all staff.
- 2. Staff orientation and induction will include information about participant rights, issues of abuse and neglect and the requirements of the rights.
- 3. Staff meetings will be used to remind staff of their responsibilities for safeguarding participants and to raise any matters of concern.
- 4. Following the initial onboarding induction (recorded in Compliance Management Register) we will offer refresher training at least once every year.
- 5. Posters and brochures will be displayed, to create an organisational environment that encourages awareness of the issues.



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- 6. We will work collaboratively with other organisations and establish referral practices and interagency policies and procedures with those that provide other services to our participants.
- 7. This policy and its procedures will be reviewed every two years in consultation via meetings with participants, families, and staff.

The Participant

- 1. Feels Like Home Support Services will ensure each participant is provided with information about rights and a flyer on how to find an advocate.
- 2. We will foster a safe, supportive environment which encourages everyone to raise concerns without fear of retribution.
- 3. We will display value statements, service principles and information about people's rights in our premises, through newsletters, our website and in written material sent to new clients. We will use information formats that make the information as accessible as possible.
- 4. We will identify resources that will assist and support us to empower our participants in relation to issues of human rights and self-advocacy and use them in participant training.

IDENTIFYING ABUSE, NEGLECT OR EXPLOITATION

Type of abuse	Physical indicators	Behavioural signs
PHYSICAL ABUSE	 Unexplained cuts, abrasions, bruising or swelling, in various stages of healing. Unexplained burns or scalds including cigarette burns, especially on soles, palms, back or buttocks. Rope burns on arms, legs, neck, torso Unexplained fractures, strains, or sprains, especially to skull, nose, or facial structure; dislocation of limbs Bite marks Dental injuries Ear or eye injuries Ligature marks Welts 	 Avoidance of particular staff Fear of a particular person Sleep disturbance Obvious changes in behaviour Changes in appetite Changes in daily routine Unusual mood swings Withdrawal Unusual passivity Out-of-character aggression Self-harm Inappropriate explanation of how an injury occurred. Excessive compliance



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PSYCHOLOGICAL/EMOTIONAL ABUSE	 Direct or indirect disclosure of abuse or assault Difficulty walking or sitting. Pain or itching in genital and/or anal area; bruising, bleeding, or discharge. Self-abusive/self-destructive behaviour Attempts at suicide. Torn, stained or blood-stained underwear or bedclothes. Sexually transmitted diseases Trauma to the breasts, buttocks, lower abdomen, or thighs Unexplained money or gifts Pregnancy Speech disorders In the case of a child, there may be lags in physical development or a non-organic failure to thrive. Injuries sustained from self-abuse or self-destructive behaviours. Suicide attempts Anxiety attacks 	 Sleep disturbances Changes in eating patterns Inappropriate or unusual sexual behaviour or knowledge Changes in social patterns Sudden or marked changes in behaviour or temperament. Anxiety attacks Refusal to attend usual places (e.g., work, school, respite) Depression Going to bed fully clothed Excessive compliance to staff Self-harm or self-destructive behaviour Challenging/extreme behaviours Excessive compliance Very low self-esteem Depression Feelings of worthlessness Marked decrease in interpersonal skills necessary for adequate
	•	Marked decrease in interpersonal
CHEMICAL ABUSE	 Prescribed medication withheld by a staff member, service provider, carer, or support person. Medication administered by a staff member, service provider, carer, or support person more frequently than prescribed or warranted 	 Persistent over-activity Unusual levels of confusion

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RESPONDING TO ABUSE IN AN NDIS SERVICE

Reporting violence, abuse, neglect, exploitation, and discrimination

A report must be made if:

- A participant shows a change in behaviour or mood which may indicate they're being abused
- Someone is observed behaving towards a participant in a way that makes others feel uncomfortable
- A participant advises they're being abused by another person
- A person advises that they're abusing another participant
- A participant or visitor informs that they've observed abusive acts
- A participant advises that they feel discriminated against, e.g., Language and actions
- A participant presents as unkempt or seeking food
- There is evidence of unexplained bruising or similar
- An action or inaction is witnessed that may be considered abusive
- When an individual, for any reason, believes a participant is being abused.

Failure to report an abusive situation may result in a criminal offence.

Reporting procedure below relates to:

- Abuse or neglect of a person with disability
- Unlawful sexual or physical contact with, or assault of, a person with disability
- Sexual misconduct, committed against, or in the presence of, a person with disability, including grooming of the person with disability for sexual activity
- Unauthorised use of restrictive practices in relation to a person with disability

Reporting Roles

The organisation will establish the following roles and ensure that allocated staff are aware of their responsibilities:

Approved Reportable Incident Approver responsibilities

- Have the authority to review reports prior to submission to the NDIS Commission.
- Submit new Reportable Incidents
- View previous Reportable Incidents submitted by their organisation.

Authorised Reportable Incidents Notifier responsibilities

- Supports the 'Authorised Reportable Incidents Approver' to collate and report the required information.
- Creates new Reportable Incident notifications to be saved as a draft for review and submission by the authorised approver.

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ABN: 5164695963



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IMPORTANT INFORMATION BELOW

Please watch this three minute Video

If a client's rights are infringed, or we have reason to believe that they have been abused or neglected, we will respond quickly, professionally, and compassionately.

- 1. It is the personal responsibility of all Staff, Contractors and Students on placement to communicate any concerns relating to an infringement of human rights, or the abuse or neglect of a participant to their supervisor within 24 hours of the concern arising, or immediately if it is believed that the participant is at imminent risk of harm.
- 2. The Director will determine how the matter should be managed in line with the code of conduct and reportable incident policy.
- 3. If the Director believes that the participant is at immediate risk, he or she will take whatever steps are required to mitigate the risk and ensure the clients safety while the matter is fully investigated.
- 4. Except for staff who have been given specific authority to do so, no staff member will undertake any level of investigation of a concern or allegation.
- 5. However, it is recognised that in some situations this might not be possible due to the participant's disability or the nature of the concern.
- 6. If the participant is not to be involved in decision-making about the concern, the reasons for this decision will be documented, and consideration given to the need to involve an advocate to represent their interests.
- 7. The Directors will jointly decide on the appropriate action to be taken according to the circumstances and generally taking into account the clients views and compliance obligations.
- 8. If the matter is assessed to involve any actions that are unlawful, the Director must report the incident to police and follow the incident management procedure if required.
- 9. Debriefing will be undertaken with all relevant individuals when the matter reaches a conclusion.
- 10. The Director will determine who the appropriate person is to conduct the debriefing.
- 11. When the matter is concluded, the Director will arrange for a review to be conducted, to evaluate the organisation's performance in responding to the matter, and to identify opportunities to develop strategies to prevent a future occurrence of a similar incident.
- 12. When the abuse or neglect is alleged to have been perpetrated by an employee or contractor the Director will meet with the client's family and/or person who registered the complaint in order to obtain all relevant information
- 13. The Director will meet with the employee or contractor against whom the complaint is lodged in order to obtain all relevant information and explanation for the alleged behaviour and meet with other potential witnesses as necessary.
- 14. They will then prepare a report for within 24 hours of the allegation with recommendations and an action plan to support the client and their family, and the staff member.
- 15. The Management team may then seek industrial/professional advice, plan further meetings, seek an external assessment or refer the matter to the police. The management team may immediately suspend the staff member or send them on leave pending the results of the investigation.



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How to report

Frontline worker will promptly and accurately complete an incident form and notify management.

Management Team will review the information and contact the police immediately to inform them of the suspected abuse.

Important note: To find out how to report abuse against children go to the 'Working with Children Policy and Procedure'.

Reportable Incidents are submitted via the NDIS Commission Portal, 'My Reportable Incidents' page.

- 1. Complete an Immediate Notification Form and submit within 24 hours
 - Approved Reportable Incident Notifier will create for approval
 - Approve Reportable Incident Approver will approve and submit

Note: Approved Reportable Incident may create and submit, as required by the circumstance of the incident.

- 2. 5-day form to be completed within 5 days of key stakeholders being informed
 - Approved Reportable Incident Notifier will create for approval
 - Approve Reportable Incident Approver will approve and submit

Note: Approved Reportable Incident may create and submit, as required by the circumstance of the incident.

- 3. Final Report will be submitted if requested by the NDIS Commission.
 - Approved Reportable Incident Notifier will create for approval
 - Approve Reportable Incident Approver will approve and submit

Note: Approved Reportable Incident may create and submit, as required by the circumstance of the incident.

Details to provide

Frontline worker and NOT to go to the authorities directly nor take actions into their own hands

The Management Team will give the following information to the authorities:

- Participant's name, age, date of birth and address
- Description of injury, abuse, and neglect (outline current and previous)
- Participant's current situation
- Location of the participant and alleged perpetrator, if known
- Explanation of when and how abuse was discovered and by whom.

Note: NDIS forms must be submitted to NDIS Commission. Required Police contact will use the above information.

NDIS Registration Number: 4050096596



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Investigating allegation or incident

Management Team undertakes a review of the allegation or incident by:

- Gathering data from relevant person/s
- Analysing the situation to determine what occurred, how it occurred, and the parties involved
- Determining the effect on the participant/s
- Consulting with relevant stakeholders; never seek information from children, as this requires a specialist, any questioning will be conducted by appropriate authorities once the incident is reported
- Informing the participant or their family that they have access to a support advocate
- Reviewing the outcome against practices
- Undertaking action to prevent the incident from being repeated.

Support the participant

Reported allegations or incidents require the Management Team to gather all the relevant information and make a report to the relevant authority such as the police or via each state's reporting process.

Support will be provided to the participant relevant to the allegation or incident. Participant will be provided an appropriate advocate, if required.

Documentation

- Record all allegations and incidents in the Incident Register.
- Complete Incident Investigation Form, if required.
- Reports to be included in the participant's file.
- Complete Immediate Notification Form and 5 Day Form and NDIS Report as required
- Maintain records for seven (7) years.

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ABN: 51646959631



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AUDIT INFORMATION:

RELATED DOCUMENTS

- Compliance Register
- Audit schedule
- Continuous Improvement Register
- Whistle-blower Policy
- Working with Children Policy
- Incident management policy
- Complaint management policy

REFERENCES

- Disability Discrimination Action 1992 (Commonwealth)
- Disability Amendment Act 2017
- Privacy Act (1988)
- Practice Standards NDIS

EXAMPLES OF EVIDENCE FOR AUDIT

- Documented procedures for assessing risk to clients and ensuring these are addressed
- Documented guidance to staff and volunteers on their duty of care obligations
- Incident and accident reporting procedures
- Police and (where relevant) 'working with children' checks for staff and volunteers for staff working with vulnerable people
- Documentation of prevention and control strategies for participant safety and wellbeing such as local safety procedures with police (where applicable)
- Policy and procedures include disclosure protection and sensitivity to young or vulnerable persons who report sexual abuse, discrimination, or exploitation.
- Policy and procedures for protection of clients against risk of injury or harm, including hygiene and infection control
- Duty of care policy or statement
- Incident and accident reporting procedure
- Procedure for police and other checks for staff and volunteers working with vulnerable people

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