



JUMBUNNA COMMUNITY PRESCHOOL AND EARLY INTERVENTION CENTRE INC.

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Jumbunna is committed to taking all steps possible to prevent and respond to abuse, neglect, racism, exploitation, violence, and discrimination of its service users, particularly toward people with a disability and older people.

Jumbunna understands and acknowledges that freedom from abuse, neglect, racism, exploitation, violence, and discrimination is a human right, and is committed to upholding the rights of service users. Jumbunna will promote and adhere to the human rights of all service users and empower them to exercise their rights.

Jumbunna is committed to creating a culture where service user safety is essential to service delivery, and service users and workers feel empowered to speak up and report abuse. Jumbunna will outline the processes to:

- Assess the risks of abuse;
- Prevent abuse from occurring; and
- Respond to abuse.

Record of policy development		
Version	Date approved	Date for review
1		30/6/2025

Responsibilities and delegations	
This policy applies to	Board Members, Staff, Volunteers
Specific responsibilities	
Policy approval	Senior Management Team

Policy context – this policy relates to:	
Standards	NDIS Practice Standards
Legislation	Disability Services Act
Contractual obligations	National Disability Insurance Agency
Organisation policies	
Forms, record keeping, other documents	

Definitions

Exploitation: is taking advantage of someone's vulnerabilities for your personal gain, to steal, use or profit. Exploitation often occurs with vulnerable groups such as people with a disability and older people. Exploitation is a form of abuse.

Abuse: is any form of violence, coercion, exploitation, discrimination, harm or neglect which causes another person psychological or physical pain or suffering. Abuse can be emotional, physical, financial, chemical or sexual.

Procedures

Assessing risks of abuse

Workers will be trained to identify and respond to factors which may heighten the risk of service users being a victim of abuse. Workers will consider, for each service user, the factors that can contribute to service user vulnerability, such as social and geographical isolation, insecure accommodation, dependency on carers, not having the means or capacity to advocate for themselves, fragility and dysfunctional family lives.

Preventing abuse

Organisational commitment to prevention

Jumbunna has preventative measures in place to ensure that individuals are free from discrimination, exploitation, abuse, harm, neglect and violence. This includes policy and practice that protect people's rights, and a commitment to empowering individuals by informing them about the rights that they possess.

Jumbunna will take a holistic and system-wide approach to preventing abuse in all services and activities. Jumbunna's system to prevent abuse, neglect, racism, exploitation, violence, and discrimination includes incident management systems, worker training and encouraging the reporting of incidents by both workers and clients. In this way, Jumbunna will ensure that children, young people, carers and/or staff, feel supported and their wellbeing is looked after.

Workforce recruitment, training, supervision and retention

The organisation will foster a culture where all workers are committed to preventing abuse. All workers will undertake training in abuse prevention and service user rights.

Jumbunna will ensure the staff recruitment and screening process is thorough and includes, at a minimum:

- Conducting reference checks.
- Querying gaps in employment history; and
- Involving service users or their supporters in interviews and assessment.

Jumbunna will ensure that workers are appropriately trained to reduce the risk of harm to service users. This training will include recognising the potential indicators of abuse, neglect, racism, exploitation, violence and discrimination. In this way, Jumbunna ensures that workers have professional, respectful and trusting relationships with clients.

Workers will receive regular supervision to ensure that they are appropriately carrying out their role. Supervision processes will include:

- Regular site visits from senior staff or manager.
- The appointment of a specialised supervisor to oversee operations; and/or
- Periodic quarterly reviews throughout their employment.

Culture of reporting and transparency

Jumbunna will create a culture where workers and service users feel supported to speak up if they witness or become aware of information about an alleged abuse, and that they feel they can do so without fear of punishment or retribution. Barriers to both service user and worker disclosure of incidents of abuse will be addressed and mitigated. Jumbunna will develop clear whistle-blower protections to encourage transparency and prevent abuse from going unreported.

Feedback

Jumbunna will ensure there are adequate feedback and complaints mechanisms in place and all service users and workers are aware of how to lodge a complaint or provide feedback.

Official feedback processes will not act as the sole mechanism for service users and workers to raise issues around abuse, exploitation, violence, neglect, and discrimination.

Restrictive practices

Jumbunna will ensure policies and processes are in place to minimise and work towards eliminating the use of restrictive practices and understands that misuse of restrictive practices can constitute a form of abuse. Jumbunna will adhere to relevant guidelines and reporting requirements when using restrictive practices.

Responsibilities

The General Manager will:

- Ensure service users understand their rights and are aware of how they can exercise them; Refer to Listen to and validate a service user's experience when they report suspected abuse;
- Talk to the service user about what is most important to them when responding to abuse;
- Involve the service user as much as they would like in the investigation and decision-making processes;
- Ensure the service user and their family, where appropriate, are informed on all measures being taken;
- Give regular updates on the progress of the investigation;
- Arrange access to counselling or support for both the service user and workers who may be suffering as a result of the incident;
- Analyse and identify what went wrong to allow the abuse to occur, and what changes can be made in organisational policies and procedures to combat abuse; and
- Ensure that all workers sign a Code of Conduct, which requires workers to respect and maintain the dignity of service users.
- Staff will ensure that participants have access to an advocate where allegations of abuse, neglect, violence, exploitation and discrimination are made.

Responding to abuse

Jumbunna will apply the following principles when responding to abuse:

- Service user safety is paramount to all procedures;
- Service users will be treated with dignity and respect;
- Service users will have the right to self-determination;
- Workers understand and enact their duty of care;

- Workers have undertaken cultural competency training and are considerate of individual service user cultural differences;
- A holistic approach will be taken when responding to abuse;
- All options (legal/police) are considered when responding to abuse;
- Service users' confidentiality is respected, however will not be a barrier to action; and
- Every allegation of abuse, neglect, harm, discrimination, and exploitation will be considered and taken seriously.

Five step approach to responding to abuse

Jumbunna will adopt the following five-step approach to responding to abuse:

1. Identification of suspected, witnessed, or disclosed abuse;
2. Assessment of service user safety;
3. Providing service user support;
4. Informing the manager and documenting abuse and/or neglect; and
5. Responding and referring the abuse to management.

1. Identification

Early intervention and responses are essential for effectively handling incidences of abuse. Jumbunna will ensure that all workers undertake training in identifying whether a service user has or is suffering from abuse. Workers will be able to identify the signs of different types of abuse (physical, financial, neglect, psychological, sexual, and chemical).

2. Assessing service user safety

All workers will ensure that in the follow up of an abuse or alleged abuse, the service user's safety and security is protected. This may involve seeking urgent medical assistance, providing counselling or seeking out the service user's family or guardian. Jumbunna will contact emergency services immediately if the service user requires urgent medical assistance and if the General Manager suspects criminal activity was involved. Jumbunna will not use service user consent as a barrier to contacting emergency services.

3. Providing support

Jumbunna will ensure workers are trained and aware of the processes for when an assault has occurred and will provide immediate service user support. Jumbunna will ensure victims are supported with their access to medical and recovery services as well as with their access to justice.

Jumbunna will ensure the service user is given any aids they require to assist them when giving their account of the abuse. Jumbunna will ensure service users are offered a translator if their proficiency in English is limited. The General manager will make the service user comfortable by:

- Allowing them plenty of time to give their version of events of the abuse;
- Actively listening;
- Speaking clearly;
- Eliminating background noise; and
- Repeating the question if the service user requests to hear it again.

4. Informing and documenting

The General Manager will ensure workers and service users make all attempts possible to maintain the scene of the alleged abuse.

The General Manager will ask the service user what they would like to do about their situation. If they require support in decision-making, they will be provided with access to the support necessary for them to make, communicate and participate in decisions regarding the abuse.

Jumbunna will ensure that service users and their supporters receive adequate communication related to the incident before, during and after the investigation.

Criminal acts and deaths will be reported to NSW Police.

The General Manager who witnessed or were disclosed the details of the incident, will report to The Board immediately or as quickly as possible.

(For NDIS providers, abuse, neglect, sexual misconduct, or unauthorised restrictive practices are defined as *reportable incidents* under the Section 73Z (4) of the *National Disability Insurance Scheme Act 2013*.)

Reportable incidents will be reported as soon as possible to:

- A member of the provider's key personnel;
- A supervisor or manager of the service user;
- The person specified in the incident management system who is responsible for reporting incidents to the NDIS Commission;
- A member of the Jumbunna's key personnel responsible for reporting to the NDIS Commission will take all reasonable steps to notify the NDIS Commission within 24 hours of becoming aware of the incident; and
- Unauthorised restrictive practices will be reported to the NDIS Commission within five days.

Reportable incidents include;

- Death of a person with a disability;
- Serious injury;
- Abuse or neglect;
- Unlawful sexual or physical contact with, or assault of, a person with a disability;
- Sexual misconduct committed against or in the presence of, a person with disability, including grooming of such a person for sexual activity; and
- The use of restrictive practice in relation to a person with disability that is unauthorised use or not in accordance with a behaviour support plan.

Reportable incidents are covered by the Serious Incident Response Scheme. A reportable incident can include:

- Unreasonable use of force;
- Inappropriate use of restrictive practices;
- Abuse, whether physical, psychological or emotional;
- Unlawful sexual contact or inappropriate sexual conduct;
- Unexpected death;
- Theft or financial coercion;
- Neglect; or

- Unexplained absence from care.

Staff will:

- Report the incident to their supervisors, unless the supervisor/s or the service provider are allegedly involved in the abuse, or the reporter has reason to believe the matter won't be taken seriously by the organisation;
- Report the incident to the police, where there are reasonable grounds to do so. Reasonable grounds may include where the incident could involve a crime or there is an ongoing threat to other persons or the wider community;
- Determine whether the incident is a Priority 1 incident, i.e:
 - if it resulted in any physical or psychological injury requiring medical or psychological treatment, or reasonably could have resulted in an injury requiring treatment;
 - if it involved any unlawful sexual contact or inappropriate sexual conduct;
 - if the incident involved the unexpected death of a person;
 - if there was an unexplained absence of a person receiving care; or
 - if there are reasonable grounds to report the incident to police.
- If the incident is a Priority 1 reportable incident:
 - report the incident to the Commission within 24 hours using the [MyProvider portal](#);
- If the incident is a priority 2 (i.e. non-Priority 1) reportable incident:
 - report the incident to the Commission as soon as possible within 30 days using the MyProvider portal.

5. Responding and record keeping

- Jumbunna will conduct a thorough investigation into the alleged abuse, neglect, exploitation, violence, and discrimination and identify, who was responsible and what organisational policies allowed the incident to happen. All possible measures will be taken to mitigate the risk of a similar incident occurring again. Jumbunna will follow approved records management procedures.

The organisation will:

- Have a documented incident management system;
- Provide copies of the documented system to:
 - persons with a disability receiving supports;
 - employees of the provider; and
 - family, carers, advocates for the person with a disability receiving supports; and
- Jumbunna will adhere to section 12(2) of the *National Disability Insurance Scheme 2018* on further information on what needs to be included in an incident management system.

Redress

Jumbunna will ensure that any necessary redress will follow a fair and just process. Jumbunna will ensure flexible and constructive engagement with the service user.

Service users will be advised of their right to access independent advocates in relation to redress processes.

Learning and improvement

Jumbunna is committed to ensuring that continuous improvement is made to policy and action surrounding abuse. In order to do this, Jumbunna ensures that effective methods are used to keep record of all incidents and any violations of human rights. This allows for analysis of the incidents to identify further risks.

Co-design of this policy

This policy will seek the input and engagement of service users to ensure that it aligns with the expectations of participants, their families, and carers. Service users, their families, their supporters and employees of Jumbunna's are invited to raise concerns about this policy at any date.

Review of this policy

This policy will be reviewed and updated by Jumbunna every two (2) years to ensure it is up to date with relevant legislation, standards and is responsive to feedback from service users and workers.

DOCUMENTATION

Documents related to this policy	
Related policies	
Forms, record keeping or other organisational documents	

Policy Name:	Safeguarding	Policy Number:	
Date Approved:	November 2024	Approved By:	Senior Management Team
Date Issued:	November 2024	Review Date:	30 June 2025
Version 1			