

## Policy Statement

The United Nations' Convention on the Rights of Persons with Disabilities (the Convention) (2018) operates on the principle that a person with disabilities has the right to make choices about all aspects of life and that others are to respect that right. The Relationships, Intimacy and Sexuality policy (the policy) is founded on this principle.

The policy is also consistent with the objectives of the National Disability Insurance Scheme's (NDIS) Practice Standards (NDIS Quality and Safeguards Commission) (2021), which state that each 'person's' autonomy is respected, including their right to intimacy and sexual expression.

This policy demonstrates Life Without Barriers' (LWB) unreserved commitment to the human rights of the people we support to engage in positive intimate relationships based on consent, respect and safety, to explore and express their sexuality and control decisions which affect their sexuality and relationships. LWB fosters a culture that equally respects, includes and empowers all individuals.

It is a requirement for all LWB Disability and Mental Health (DMH) staff to implement this policy and the Relationships, Intimacy and Sexuality procedure (**available in 2024**). LWB staff will provide the appropriate level of guidance (support), assistance and be genuinely open and responsive to enabling the people we support to explore their thoughts, feelings and needs regarding personal relationships to achieve the best possible outcomes.

## Who needs to read this Policy?

All staff providing DMH services, individuals receiving supports, families and authorised decision makers, advocates and supporters.

## The meaning of the terms used in this Policy

**Relationships** are the interconnected ties we choose to form with other people throughout our lives. These connections could range from casual interactions to deep, long-lasting bonds. They are shaped by shared experiences, mutual respect, and emotional exchange. The nature and depth of a relationship depend on how we communicate, empathise, support, and understand one another.

**Intimacy** is the deep, meaningful closeness we choose to share with someone else. It is a mutual exchange of genuine understanding and acceptance, a process of knowing and being known on a profound level. This intimacy may manifest emotionally, involving shared feelings and thoughts that lead to a sense of safety and understanding, or physically, characterised by touch and closeness. Regardless of its form, intimacy is a powerful bonding force in relationships, rooted in trust, vulnerability, and deep connection.

**Sexuality** is a fundamental part of our human experience that goes beyond just sex. It is the unique blend of our desires, attractions, experiences, and expressions. It includes who we are attracted to (sexual orientation), how we see and present ourselves (gender identities and roles), and how we experience and choose to express desire and pleasure. It is also about the ability to have safe, consensual, and enjoyable sexual experiences, free from any coercion, discrimination, or violence.

## Safeguarding and LWB Values

Everyone has the right to be respected and safe, regardless of their race, ethnicity, religion, gender, sexual orientation, disability, or age. These rights, and others, are captured in LWB's [Rights Statement, Nothing About Me Without Me](#).

LWB fosters environments that are passionate, supportive and protect a person's right to live safely. This includes providing, or facilitating access to information and education on intimacy, sexual health and reproduction, appropriate to individual need, culture and diversity. The people we support have the right to make decisions about relationships, intimacy and their own bodies, including having pleasurable and safe sexual experiences.

Staff must prevent 'abuse, neglect or exploitation' in all forms including physical and psychological abuse, financial abuse and exploitation, coercion, or ill-treatment. Examples of abuse include:

- sexual criminal offences and serious sexual criminal offences.
- threats of, or actual violence, verbal, emotional or social abuse.
- cultural or identity abuse, such as racial, sexual or gender-based discrimination or hate crime.
- abuse of power.

While all people must be protected from harm, there are added legislative and ethical considerations for protecting people most at risk, such as:

- [Universal Declaration of Human Rights \(1948\)](#)
- [United Nations Convention on the Rights of Persons with Disabilities](#)
- [NDIS Quality and Safeguarding Indicators 2021](#)
- [National Disability Insurance Scheme Act 2013](#)
- [National Disability Service Standards](#)
- [Disability Discrimination Act \(1992\)](#)
- [Australian State and Territory Criminal Codes and/or Acts](#)

Research has demonstrated that relationships are integral to our physical and emotional wellbeing. At LWB, individuals are supported to understand their rights, to assert them to enjoy intimacy and sexual experiences and to have their privacy and dignity respected. LWB empowers individuals to engage in safe consensual relationships regardless of their sexual or gender identity. This is reflected in our values. The basic concepts of sexuality education are about private and public behaviours and places, safety, consent and pleasure.

## LWB supporting people's relationships, intimacy and sexuality

With LWB's person centred approach, the people we support are at the centre of decision making, with appropriate and tailored supports to enhance their ability to make decisions. This approach also includes balancing dignity of risk and the freedom to make decisions and choices that may expose them to a level of risk.

LWB acknowledges that for many people, support to form or engage in intimate relationships is not needed. Where support is requested, LWB staff will have a positive attitude towards personal relationships of the people we support and a willingness to learn more about the area of relationships, sexuality and disability. LWB staff will uphold the rights of people we support to engage in intimate relationships and to be safe from the risk of harm, abuse, and neglect, while maximising the choice and control they have over their lives.

Overly protective measures that prevent people from taking risks to explore their sexuality or to engage in intimate or physical relationships can deny the individual the opportunity to learn decision-making skills, aspire to develop their own relationships, sexual goals and enjoy the dignity of exercising choice, including the right to make poor choices.

LWB staff will provide the people we support with opportunities to make their own choices, based on the values, attitudes and needs held by the person, with respect and without judgement. LWB staff will reduce obstacles so that the people we support have the opportunity to develop intimate and rewarding relationships, explore and express their sexuality. While people's values differ, all LWB staff understand they must respect, uphold and promote the people we support's right to engage in sexual expression by:

- enabling people to form, pursue, and maintain relationships with person/s of their choice.
- listening and allowing person-led opportunities for people to explore their values, feelings, desires, and choices about intimacy and sexuality.
- listening to the needs and wishes of people about the type of support they would need with sexual relations or expression and discussing strategies to provide aid if needed.
- respectfully listening and being open to the views of family members while recognising that the views of the person with disabilities is of highest priority.
- supporting people to understand that they need to ask for and give consent to sexual activity and that it is okay to change their mind before or during any sexual activity, even if previously agreed. This also applies to relationships and intimacy.
- supporting people's safety, wellbeing and providing all people involved with access to education, information, services and resources to support their knowledge of relationships, intimacy, their sexuality, and present individuals with options for assistance and guidance.
- facilitating ongoing engagement of professionals about sexual and reproductive health information, including contraceptives and safe sex practices, as well as access to health professionals.
- facilitating professional support and assistance from specialist service providers for the person to better explore and understand relationships, intimacy and their sexuality.

- facilitating the engagement in sexual activity or expression in a way that is comfortable for the person as directed and with their informed consent.
- facilitating appropriate assistance for the person to access aids for self-pleasure, based on their requirements.
- facilitating access to a safe and private space where the person can engage in building relationships, intimacy or sexual activity where they are not interrupted by staff or other household members.
- being open to discussing flexible arrangements for visitors including staying overnight and how and when this might happen in consideration of other residents.
- maintaining the person's privacy, unless it is a duty of care issue, or the activity is not legal and then only telling the people that need to know.

### **Staff Guidance**

When staff provide support or facilitate a person's right to sexual expression, intimacy or a relationship, they must take the following steps:

- confirm the preferences of the person, ensuring their voice is central to the decision making process
- seek support or guidance from their direct supervisor or line manager;
- advise the person's nominated decision/supporter in this area, should that be required;
- seek support from an external specialist already engaged by the person or assist in engaging a specialist; as required;
- with the person's consent, provide their Support Coordinator with information in order to discuss the person's wishes to enable funding to be sourced, as appropriate;
- seek the support and engagement of external professional education and therapeutic specialists;
- contact LWB's Disability Staff Support Centre (DSSC) or local Centre for Practice Excellence (CPE) representative for guidance and direction.
- **Important:** The role of the support worker is to provide assistance to the people we support, as required and without judgement, so that they can enjoy the same fulfilling experiences as other people. This includes relationship support, access to sex services and also preparation support for sexual activity. The person and their needs will determine the level of assistance. A low level of support may simply involve providing access to a private space or facilitating the opportunity for connection. Or a person may need more assistance, such as support to undress and be positioned in a location (on a bed for example) and the setting up of aids and equipment. If the person needs physical help during sexual activity, with self-pleasuring or with the placement of a contraceptive device, a sex worker or sex facilitator is required.
- **Note:** staff are to maintain professional boundaries at all times, including not providing or sharing pornography or adult material.