

Summary

Life Without Barriers (LWB) upholds the rights of people to be treated with dignity and respect, and to be free from any form of violence, abuse, neglect, exploitation or discrimination.

LWB declares its organisational commitment to both a preventative and responsive approach to any practice or conduct that breaches individual protection from violence, abuse, neglect, exploitation or discrimination.

Our service delivery and governance systems are inclusive of objects and principles contained in:

- The United Nations Convention on the Rights of Persons with Disability which states that “a person with disability has the right to liberty, security and freedom from abuse and neglect, and where these rights have been violated, to have equal recognition by law and access to justice”. Access the Convention on the Rights of Persons with Disabilities, including Easy Read and Child Friendly versions, [here](#) (or via www.humanrights.gov.au).
- The NDIS Quality and Safeguards Commission’s **NDIS Practice Standards and Quality Indicators**, states “Each participant accesses supports free from violence, abuse, neglect, exploitation or discrimination” as an outcome. Access it via www.ndiscommission.gov.au.

Scope

This policy guideline consolidates the state-based arrangements into a single document suitable for the NDIS arrangements. The introduction of this policy is supported by the ‘[Stop it before it starts](#)’ materials. An Easy Read version of this policy guideline is also available [here](#).

Policy Guideline

LWB is proactive to ensure our clients are supported in safe environments and in ways that uphold their rights, dignity and individual needs.

We do this by embedding into organisational practice a preventative, developmental and corrective framework that seeks to prevent violence, abuse, neglect, exploitation and discrimination occurring.

If it occurs, we will respond with a person-centred approach and take quick action in line with policies and procedures relevant to the circumstances.

Our preventative, developmental and corrective approach includes:

1. Understanding abuse

- Understand violence, abuse, neglect, exploitation and discrimination
- Recognise risk factors and signs of abuse.

2. Primary prevention

- Practice and safeguards which can help prevent violence, abuse, neglect exploitation and discrimination occurring
- Implement safeguards that protect clients' safety
- Empower and enable clients to express their choice, understand and apply safety strategies and develop self-advocacy skills
- Embed workforce management systems and initiatives including probity screening
- Create an organisational culture of prevention, learning and correction, including communicating regularly regarding cultural norms and expectations.

3. Targeted prevention

- Identify and address risk factors for specific groups and specific settings
- Identify and develop targeted approaches for clients identified as being at an increased level of risk
- Understand behaviours of concern and the elimination or reduction of restrictive practices.

4. Secondary prevention

- Responding to incidents and allegations of abuse
- Intervene and respond early to incidents
- Support impacted clients based on contemporary, evidence-based person-centred approaches
- Conduct rigorous and accountable reporting and investigations
- Meet all organisational governance and legislated requirements, including the NDIS Quality and Safeguards Commission requirements.

5. Tertiary prevention

- Analysis, learning and rebuilding
- Record, maintain and analyse incident and complaint records and apply learnings
- Develop initiatives to reduce risk of violence, abuse, neglect, exploitation and discrimination
- Conduct internal and external audits and practice reviews
- Apply continuous improvement

How do we stop it before it starts?

1. By surrounding ourselves with a team that shares our LWB values – a team that is:
 - Respectful
 - Courageous
 - Responsive
 - Imaginative
 - Focused on building relationships.
2. By supporting people with disability in ways that protect their safety and wellbeing and empowering them to exercise choice and control in the supports and services they receive.
3. By speaking up and reporting something you believe is not right and by ensuring we deliver services for people free from violence, abuse, neglect, exploitation and discrimination.

Preventative Response

LWB ensures that all staff have the mandated probity checks prior to working with clients and that they are maintained throughout their employment. Ensuring that all new LWB staff working in disability are inducted in the human rights approach by undertaking the NDIS Orientation Module.

Corrective Response

Action will be taken against any staff who is violent toward, abuses, neglects, exploits or discriminates against a client or any staff who fails to immediately report witnessed or suspected violence, abuse, neglect, exploitation or discrimination. This could include disciplinary action, dismissal and or financial penalty. Where the conduct is a potential criminal matter, it will be reported to the police.

If a staff member withholds such information and disregards their reporting requirements, disciplinary action up to and including termination of employment will be considered. The disciplinary action taken will be proportional to the circumstances and any other relevant factors, including the severity of the conduct.

Staff will be made aware that any acts of violence, abuse, neglect, exploitation or discrimination, or a failure to report them, is a breach of:

- This policy guideline
- Relevant legislation
- LWB and NDIS Codes of Conduct
- NDIS Quality and Safeguards Commission reporting requirements.

LWB will investigate any complaint or incident in relation to the alleged violence, abuse, neglect or exploitation of a client and will ensure that all reporting obligations are followed.

External Oversight

All 'reportable incidents' are notified to the NDIS Quality and Safeguards Commission as part of LWB's reporting obligations. Refer to [NDIS LWB 923 Reportable Incidents – Procedure](#).

If anyone has concerns that LWB has not adequately addressed an issue of violence, abuse, neglect, exploitation or discrimination of a client, we encourage them to speak directly to us in the first instance to provide an opportunity to redress. Any allegations or concerns raised with LWB are managed subject to privacy, confidentiality and without fear of retribution.

LWB is committed to working in partnership with any client or their nominated Advocate to explore and address any issues of concern. Depending on the nature and severity this may include internal resolution, reporting to external regulators, and/or police.

Any person can choose to contact the NDIS Quality and Safeguards Commission (or for those in Western Australia, the Commonwealth Ombudsman is the contact until 30 June 2020).

Contact Details:

NDIS Quality and Safeguards Commission

Telephone: 1800 035 544

Website: www.ndiscommission.gov.au

National Relay Service: www.relayservice.gov.au then 1800 035 544