

Retirement Living Abuse Prevention and Response Policy

Whiddon

Document Control

Title	Retirement Living Abuse Prevention and Response
Document Number	Retirement Living Abuse Prevention and Response
Version	V.2.0
Effective Date	1.6.2023
Review Date	05.05.2024
Next Review Date	01.05.2026
Initiating service area	QCC & RL
Release Authority	Clinical Governance & GMWERL

Document Review

Date	Description of review	Initiated by	Version
1.6.2023	Abuse Prevention and Response Initial Policy	QCC	V 1.0
05.05.2024	Reviewed and updated	GMWERL	V 2.0

Abuse Prevention and Response

Our organisation recognises the prevalence and impact of abuse to vulnerable people and those that trust Whiddon to provide care and services, including consumers living in Retirement Living. This policy aims to prevent or minimise it when this is within its power and respond to known or suspected instances in a manner that protects and supports those impacted. Abuse can occur to:

- consumers by family members or others in a position of trust (elder abuse)
- consumers by others e.g. care workers, visitors or other people they interact with
- workers by consumers, other workers, family members or other parties they engage with through their employment or
- visitors and other people by consumers or workers.

Forms of abuse include:

Physical abuse: bodily harm or pain caused by hitting, slapping, scratching, cutting, burning, rough handling, inappropriate physical restraints or confinement and/or intentional injury with a weapon or object.

Financial and material exploitation: the illegal or improper use of a person's property or finances including withholding finances through deceit or theft, misappropriation or misuse of funds or property, forced sale of home or possessions, forced change of will or abuse of trusteeship or power of attorney.

Psychological or emotional abuse: any act that diminishes the person's sense of identity, dignity and self-worth and includes the use of threats, humiliation, intimidation, forced social isolation, treating an older adult like a child [infantilising] or inappropriate removal of decision-making power.

Sexual abuse: any sexual behaviour directed toward an individual without that person's full knowledge and consent or where consent has been obtained through coercion. It includes sexual assault, sexual harassment or use of pornography.

Neglect: a form of abuse where a person responsible for the care of someone who is unable to care for themselves, fails to do so. It can be intentional or unintentional e.g. as a result of a lack of information, skill or interest and includes self-neglect when this reflects a change in cognition and is not a lifelong pattern. Examples of consumer neglect include:

- inadequate food and drink resulting in malnutrition, weight loss, wasting or dehydration
- isolation due to lack of mental, physical, social or cultural contact/stimulation
- inadequate supervision particularly when caring for someone with dementia

- inadequate or inappropriate use of medication e.g. where the consumer is over-sedated
- unmet physical needs, including decaying teeth or overgrown nails
- lack of necessary aids such as spectacles, dentures, hearing aids or walking frame
- clothing in poor repair or inadequate for the occasion
- poor hygiene or inadequate skin care e.g. the consumer is dirty or smells strongly of urine and/or
- lack of appropriate care leading to development of pressure injuries.

Applicability

Retirement Living:

- all categories of employees
- governing body
- all volunteers
- students on placement
- contractors and consultants, whether or not they are employees
- all other service providers

Consumer outcome

I am confident the organisation is well run. I can partner in improving the delivery of care and services.

Organisation statement

Our organisation's governing body is accountable for the delivery of safe and quality care and services.

Policy Commitment

Our organisation commits to:

- having a zero tolerance of any form of abuse against or by those within the organisation's responsibility e.g. against consumers by members of the workforce including sub-contractors or vice versa
- understanding risk factors that may lead to abuse and implementing strategies to prevent occurrences or minimise harm when instances are identified
- educating all workers and informing consumers and visitors on risk factors and abuse prevention strategies, recognising abuse and actions to take if they witness or experience abuse or suspect it has occurred

- implementing effective workforce management practices to support this policy including recruiting workers with appropriate attitudes, qualifications and experience and providing ongoing supervision and development and support should they experience abuse
- managing the risk of abuse in the workplace in consultation with workers refer
- supporting those at risk of or who have experienced abuse by focusing on their needs and interests, informing them about available options and services, encouraging them to make their own decisions about further actions and respecting those decisions including if this is to take no action (as long as the abuse is not a criminal offence)
- making every effort to ensure the views of the person at risk of or who has experienced abuse are sought and considered even when they cannot make their own decisions
- respecting the confidentiality of those at risk or who have experienced, witnessed or reported abuse except where this cannot be granted under law
- striving to ensure all consumers, staff and visitors feel safe to raise their concerns about abuse or possible abuse without fear of retaliation or retribution and can trust those concerns are dealt with appropriately
- treating all abuse suspicions and concerns seriously and promptly responding to, documenting, investigating and reporting any known or suspected instances in line with the Incident Management Process
- cooperating and sharing information with related agencies when appropriate to protect vulnerable people and informed consent has been given
- understanding the legal options and obligations related to abuse including mandatory reporting and criminal offences and complying with all requirements when known or suspected instances are identified and
- regularly reviewing and evaluating strategies and processes to prevent, recognise and respond to abuse including using incident management data to identify ways to prevent or minimise the impact of future occurrences.

Roles and Responsibilities

Governing Body

The Governing Body is responsible for providing leadership and fostering a culture that treats all individuals with dignity and respect and keeps them free from abuse, encourages the reporting of known or suspected instances of abuse and responds appropriately. The Governing Body will identify appropriate systems and processes to monitor, review and continuously improve this policy.

Management

Management is responsible for ensuring the workforce (whether employed or contracted) follow this policy and take all appropriate action to prevent and respond to abuse.

Management is also responsible for monitoring implementation and compliance with this policy including ensuring completion of education and training and providing feedback and performance review where required.

All staff including volunteers and contractors

All staff, contractors, students and volunteers are responsible for understanding and following this policy and completing all education and training as directed.

Reporting of Elder Abuse

All Whiddon team members, volunteers and contract partners acting on behalf of Whiddon have a duty and responsibility to take reasonable care to prevent a resident from being abused. It is important that all Whiddon team members consider consent, capacity, confidentiality, and reporting obligations when determining the appropriate response and support for older people who are being abused.

The internal reporting of any acts of abuse is compulsory, whereby the following procedure must be followed:

Team members must:

1. **Immediately inform their manager of abuse** or suspicion of abuse and in consultation with the manager, should the behaviour be deemed as elder abuse contact the **NSW Elder Abuse Helpline and Resource Unit (EAHRU) for advice on 1800 628 221** www.elderabusehelpline.com.au.

This organisation will provide best practice support, referral, and notify the police in a timely manner (within 24 hours)

Reportable Assaults can include:

- The abusive situation results in personal injury being inflicted on a victim; and/or
 - The perpetrator is carrying a weapon, such as a knife or gun, and is behaving in a manner that is threatening and likely to cause harm or reasonable fear to a person.
2. All suspected or witnessed cases of abuse must then also be immediately reported to the ARP Director, on 0412 411 325. The Director will implement the counsel received from the Elder Abuse Helpline and Resource Unit, and will conduct further assessment of the situation, in consultation with the reporting team members the resident and / or their support representative (providing they are not the suspected abuser, and the resident has given permission to contact such a person).
 3. In reporting, team members must lodge an incident report within eQstats, including the provision of a factual account of their concerns recording the specific words the resident used, and details such as who was present, the date and time of the abuse, what actions were observed and/or heard.

The interest, safety and protection of the resident victim will take precedent over those of the victim's family or other members of the community.

The resident will be encouraged to make their decisions based on information about all relevant intervention options available to them to address the situation of abuse.

Incidents involving physical and or sexual assault, theft or fraud are criminal offences, and the Village Team members must ensure that all residents understand the seriousness of these crimes and of the need to protect the rights of residents.

Appropriate support and assistance from both team members resources and external agencies will be provided to residents who have experienced abuse. This may include intervention by the police, advocacy agencies, the Elder Abuse Hotline, counselling organisations, the guardianship tribunal and other relevant bodies during investigations into alleged client abuse.

The right of the resident to nominate an advocate to represent their interests in any abuse assessment or intervention shall be respected. In the instance where a resident may have diminished capacity and has no nominated substitute decision maker it may be prudent to seek guardianship with the Public Trustees and Guardian.

Failure of team members to respond to suspected or witnessed resident abuse will be considered negligence and legal liability and employee dismissal may apply if injury or damage is caused by this negligence.

Team members will receive information on the identification and management of resident elder abuse situations as part of ongoing training and education.

See Appendix A for flow chart of elder abuse response process.

Suggested Evidence

- Consumer files
- Incident reports
- Consumer feedback
- Worker training records
- Risk register
- Worker consultation records

References

Elder Abuse Concerns	My Aged Care
Elder Abuse Toolkit	Seniors Rights
Preventing and Responding to Abuse of Older People NSW	NSW Department of Family and Community Services
NDIS Safeguards	NDIS Quality and Safeguards Commission
<ul style="list-style-type: none"> • Retirement Villages Act 1999 (NSW) 	Retirement Villages Amendment (Rules of Conduct for Operators) Regulation 2019 [NSW]
<ul style="list-style-type: none"> • Schedule 1 Amendment of Retirement Villages Regulation 2017 	<ul style="list-style-type: none"> • Whiddon Elder Abuse Strategy

Appendix A: Flow chart reporting responsibilities

