

Abuse and Neglect Policy

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| Policy Type | Risk Management |
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| Person/Body Responsible | Board |
| Approved By | Board |

1. Purpose and Scope

The purpose of this policy is to ensure that:

- Mental Health Foundation ACT (MHF) participants are safe and receive services in environments free from all forms of abuse, injury and neglect.
- where abuse or neglect does occur, MHF responds promptly and sensitively to protect participants from further harm, and to coordinate appropriate responses in line with their duty of care obligations.
- MHF identifies, reports and/or responds to child protection situations.

This policy applies to all board members, staff, managers and volunteers of MHF.

2. Definitions

Abuse – is fundamentally a violation of an individual’s human rights by another person and reflects a power imbalance between the two parties. ‘Abuse’ is used throughout this policy to describe behaviour or actions that are intended to cause harm to a person. Types of abuse include, but are not limited to physical, sexual, emotional (mental) financial, and verbal.

Advocate - is a person who promotes, supports and represents the rights and interests of another person, and may act, speak or respond on behalf of another person.

Assault – as described in the *Crimes Act 1900* (ACT) is against the law. For the purpose of this policy, assault is any attempt or threatened attempt to cause unwanted immediate physical contact or bodily harm that puts the victim in fear of such harm or contact.

Duty of care – for the purposes of this policy refers to the requirement that MHF must take reasonable care to avoid foreseeable harm to any participant it supports.

Guardian - is a substitute decision maker with authority to make personal or lifestyle decisions about the person under guardianship.

MHF – stands for the Mental Health Foundation (ACT) Limited.

Neglect - is a failure of a person responsible for another person (e.g. participant, child, person who is older or ill) to provide appropriate care. Neglect may be physical, emotional or financial and involves the refusal to permit others to provide appropriate care for that person.

Participant – in this policy refers to a person being supported by the MHF.

3. Responsibilities

It is the responsibility of all MHF staff, and participants to ensure that supports are provided in safe and healthy environments that support individuals to exercise their legal and human rights.

All MHF staff, including volunteers, students and board members, must immediately report any suspicion of abuse and/or neglect to ensure that they are fully investigated. Reporting processes include reporting to the Police, the ACT Senior Practitioner, other ACT or NSW government agencies, and the National Disability Insurance Scheme Quality and Safeguards Commission.

MHF staff will encourage and support participants to access complaint processes and locate a suitable independent advocate, if appropriate, to assist them throughout the reporting and investigation of the assault.

4. Prevention

Preventing abuse, neglect and exploitation of people with disability requires the promotion of positive cultures, safe environments and relationships based on mutual respect and a commitment to basic values.

MHF is committed to preventing abuse, neglect and exploitation, and supports strategies to assist with this, such as reduction of isolation and enhancement of social connections. MHF sees this as an important part of assisting participants on their recovery journey.

In addition, MHF will work with participants to develop skills to improve their personal safety and capacity for safe participation in the community.

MHF has systems in place to prevent any occurrence or recurrence of abuse, neglect and exploitation within the service delivery context.

5. Policy

MHF considers the abuse of any person to be unacceptable. Participants, carers and staff are encouraged to raise any issues of assault or neglect.

MHF takes its obligations in relation to reporting and managing abuse and neglect allegations very seriously.



MHF procedures for reporting allegations for suspicions of abuse are clearly articulated in the *Participant Safety Procedures* and include the responsibilities of all parties involved in the process.

The culture of MHF encourages and supports any person who has witnessed abuse, or suspects that abuse has occurred, to make a report of abuse and be confident of doing so without fear of retaliation and in a supportive environment.

MHF has clear policies and procedures for disciplinary action regarding the failure to report or attempts to cover up incidents of actual or potential abuse.

In addition, MHF participants will be provided with information about what to do and who to contact if they, or someone else, experiences abuse. MHF strives to ensure that participants, carers and others feel comfortable reporting abuse to MHF or an alternative organisation/person.

6. Risks

Where a participant has a history of challenging behaviour (including assault), a risk management plan and support action plan will be completed when they commence receiving MHF services, and will be regularly assessed, identified and managed.

MHF will follow incident management policy and procedures and will include any incidents of abuse or neglect in the *Risk Register* for review and consideration.

References

Canberra Health Services
ACT Government

Child Protection Policy, September 2023.

Department of Child Safety,
Seniors and Disability Services,
Queensland

[Preventing abuse and exploitation website](#) (accessed 1/5/2024)

Mental Health Foundation ACT

Participant Safety Policy

Participant Safety Procedures

Restrictive Practices and Behaviour Support Procedures



| Document History | | | | |
|----------------------------|----------------|---|--------------|-----------------------|
| Author | Version | Amendment | Owner | Date of Effect |
| Corporate Services Manager | 1.0 | New Policy | CEO | 12/2/2020 |
| Corporate Services Manager | 2.0 | Reviewed for currency, including more up to date references. Only minor grammatical changes made. | CEO | 1/4/2022 |
| Corporate Services Manager | 3.0 | Updated to reflect new logo and branding guideline. Changed Inc. (in MHF) to Limited. References checked for currency and either removed or date updated. No other changes made. | CEO | May 2025 |