

# Zero Tolerance to Abuse, Neglect, and Exploitation Policy

**Introduction** Every person has the right to live a life free of violence, abuse, neglect, and exploitation. Your Way Disability SA (YWDSA) is committed to upholding this right by implementing policies and procedures that protect participants and ensure their safety and wellbeing. This policy outlines the responsibilities of YWDSA staff, volunteers, and contractors in preventing, identifying, responding to, and reporting abuse and neglect, in compliance with the NDIS Act 2013 and NDIS 2018 Guidelines.

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**Scope** This policy applies to all employees, contractors, volunteers, and representatives of YWDSA. It governs interactions with participants, their families, and other stakeholders and includes responsibilities regarding safeguarding, reporting, and compliance.

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## **Legislative Framework** This policy is governed by:

- NDIS Act 2013
- NDIS (Quality and Safeguards) Commission Rules 2018
- National Disability Insurance Scheme (Code of Conduct) Rules 2018
- South Australian Disability Safeguarding and Reporting Requirements

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## **Definitions**

- **Abuse:** Any action that causes harm to a person, including physical, sexual, emotional, psychological, financial, or systemic abuse.
- **Neglect:** The failure to provide necessary care, assistance, or supervision, resulting in harm or risk of harm.
- **Exploitation:** Taking advantage of an individual for personal or financial gain, including coercion, undue influence, and financial abuse.

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## **Responsibilities**

- All staff, contractors, and volunteers must report suspected or confirmed cases of abuse, neglect, or exploitation.
- Managers and supervisors are responsible for ensuring training and compliance with safeguarding procedures.
- Directors and governance teams must ensure organisational compliance with relevant legislation and guidelines.

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## **Prevention of Abuse and Neglect** YWDSA is committed to preventing abuse and neglect by:

1. **Screening and Training:** Conducting thorough background checks and providing ongoing safeguarding training to all staff and volunteers.
2. **Clear Reporting Pathways:** Ensuring participants, staff, and stakeholders understand how to report concerns.
3. **Risk Assessments:** Regularly reviewing participant risk profiles to implement protective measures.
4. **Creating a Safe Culture:** Encouraging open communication, transparency, and participant choice and control.

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## **Responding to Abuse and Neglect**

1. **Immediate Action:** Ensure the immediate safety of the participant.
2. **Report the Incident:** Notify the NDIS Quality and Safeguards Commission where required.
3. **Internal Review:** Conduct an internal investigation, following due process and privacy laws.

4. Support for Participants: Provide counselling, advocacy, and additional supports as required.
5. Disciplinary Action: Take appropriate disciplinary action against any staff member found to have engaged in abusive or neglectful conduct.

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**What is NOT Abuse or Neglect** YWDSA recognises that some measures, such as approved restrictive practices, may be necessary in the context of Positive Behaviour Support (PBS). These include:

- Implementation of approved restrictive practices under a participant's Positive Behaviour Support Plan (PBSP)
- Behavioural interventions that align with evidence-based therapeutic support
- Risk management strategies implemented in the least restrictive way possible

Any use of restrictive practices must be authorised, documented, and reviewed regularly in line with NDIS Commission guidelines.

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#### **Documentation and Storage of Reports**

- All reports and records of abuse, neglect, and exploitation must be stored securely in YWDSA's confidential records system.
- Access is restricted to authorised personnel.
- Reports must be kept for a minimum of 7 years in accordance with legal requirements.

#### **Breach of Abuse and Neglect Policy – Employee Consequences** Employees found to be in breach of this policy may face consequences including:

- Formal warnings
- Mandatory retraining
- Suspension or termination of employment
- Referral to law enforcement or regulatory bodies

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**Review and Compliance** This policy will be reviewed annually or as required by changes to legislation or organisational needs. Compliance is monitored through regular audits, incident reviews, and staff training updates.