SUPPORTING CONSUMERS' SEXUAL EXPRESSION POLICY AND PROCEDURE

Version 2.0: July 2026

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Purpose and Scope

The purpose of this policy and procedure is to confirm Bilingual Care's commitment to supporting each consumers' right to intimacy and sexual expression, and to express their sexuality in ways that are safe, consensual, lawful, and respectful. Sexuality is a natural and lifelong aspect of human identity and wellbeing, and Bilingual Care recognises that older people may continue to seek intimacy, connection, affection, and self-expression.

This policy and procedure aims to:

- promote dignity, autonomy, privacy, and choice in relation to sexual expression
- provide clear guidance for staff on how to support sexual expression while maintaining professional boundaries
- ensure the safety, rights, and wellbeing of all individuals, including those who may be vulnerable, and
- foster an inclusive environment that respects diversity in sexual orientation, gender identity, relationships, cultural background, beliefs, and lived experience.

It applies to all staff, associated providers and volunteers, and covers:

- all consumers receiving services, care, or support from Bilingual Care, regardless of setting (e.g. home-based services, community care, residential care), and
- all service environments, including physical, digital, and social settings within Bilingual Care's control.

This policy and procedure meets relevant legislation, regulations and Standards.

Applicable Strengthened Aged Care Quality Standards

- *Standard 1. The Individual*
- *Standard 2. The Organisation*
- *Standard 3. The Care and Services*

Definitions

Consent - permission for something to happen or agreement to do something. Five things are required for someone to give consent:

1. an understanding of the facts involved
2. an understanding of the main choices
3. the ability to weigh up the consequences of the choices
4. an understanding of how the consequences will affect the person and
5. the ability to communicate a decision[1].

[1] Eastgate, G., *Sex and Intellectual Disability - Dealing with Sexual Health Issues*, Australian Family Physician, Volume 40, No.4, April 2011, pages 188-191

Consent must not be assumed because the person hasn't said no or was not distressed. Consent is given through words or actions before and continuously throughout sexual activity.[2]

Intimacy - emotional connection with another individual. Expressions of intimacy may include talking, hugging, kissing, holding hands, romance, and intercourse.[3]

Sexual behaviour - behaviour that occurs in a sexual context. This can include masturbation, the use of sexual aids such as erotic literature/films or sex toys, or sexual contact with another individual.[4]

Sexual expression - the outward expression of a person's sexuality. This can include dress, grooming, styling, speech, actions, attitude, and sexual behaviour.[5]

Sexuality / Sexualities - how a person experiences and expresses themselves as a sexual being. Sexuality encompasses biological sex, gender identity and roles, sexual orientation and preferences.[6]

Policy

All people including older people and people with disabilities, have the right to express and experience their sexuality as a normal and natural aspect of life.

Bilingual Care is committed to establishing an environment where there is:

- support for sexual expression when it is consensual, voluntary, and lawful
- consideration for decision-making capacity and the need for appropriate assessments and safeguards where capacity may be impaired
- respect for privacy, confidentiality, and personal space
- recognition of diverse forms of intimacy and relationships
- guidance for responding to expressions of sexuality in a way that is professional, non-judgmental, and person-centred
- clear boundaries to prevent exploitation, abuse, neglect, or harm to any person, and
- dignity of risk upheld in situations involving family members, substitute decision-makers, and others where rights, wishes, or perspectives may differ.

Bilingual Care does not permit or tolerate:

- any form of sexual exploitation, abuse, coercion, or harassment
- sexual relationships or behaviour that breaches professional boundaries or
- actions that contravene the law or place individuals or others at risk of harm.

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[2] Older Persons Advocacy Network (OPAN) (2023) *Right to Love Charter*. OPAN, Sydney, accessed 30 April 2026, https://s3.ap-southeast-2.amazonaws.com/cdn-staging.opan.org.au/uploads/2023/11/RTL2023_Charter.pdf

[3] La Trobe University, Australian Institute for Primary Care & Ageing (AIPCA) (2013) *DCRC Sexuality Assessment Tool (SexAT)*. La Trobe University, accessed 30 April 2026, https://www.latrobe.edu.au/aipca/aipca-documents/DCRC-Sexuality-Assessment-Tool-SexAT.pdf

[4] La Trobe University, Australian Institute for Primary Care & Ageing (AIPCA) (2013) *DCRC Sexuality Assessment Tool (SexAT)*. La Trobe University, accessed 30 April 2026, https://www.latrobe.edu.au/aipca/aipca-documents/DCRC-Sexuality-Assessment-Tool-SexAT.pdf

[5] La Trobe University, Australian Institute for Primary Care & Ageing (AIPCA) (2013) *DCRC Sexuality Assessment Tool (SexAT)*. La Trobe University, accessed 30 April 2026, https://www.latrobe.edu.au/aipca/aipca-documents/DCRC-Sexuality-Assessment-Tool-SexAT.pdf

[6] La Trobe University, Australian Institute for Primary Care & Ageing (AIPCA) (2013) *DCRC Sexuality Assessment Tool (SexAT)*. La Trobe University, accessed 30 April 2026, https://www.latrobe.edu.au/aipca/aipca-documents/DCRC-Sexuality-Assessment-Tool-SexAT.pdf

Procedures

General

Despite the importance of being able to express intimacy and sexuality, sexual health has traditionally been a neglected component of care, particularly for people as they age. A person's expression of intimacy and sexuality will change over time, and particularly when an individual develops dementia[7].

Recognising that all people have diverse sexual desires, preferences and practices, staff must remain supportive and objective when having discussions with, or providing guidance or support to, a consumer in relation to their intimacy needs or sexual expression. Other considerations that may impact on a consumer's experience and preferences include[8]:

- possible language barriers for those with dementia, a disability or when English is not their first language
- some people may have faced stigma and discrimination based on their identity such as members of the LGBTIQA+ community or those with an intellectual disability
- some cultures, faiths or communities may carry shame in discussing sexuality or have sexual, intimacy and relationship practices we are not familiar with.

Bilingual Care will provide at least 2-yearly training to staff on supporting consumer's sexual expression. Training will also include education about coercive or unsafe sexual behaviours.

Staff should seek guidance from the Managing Director if they unsure about their obligations, expectations or responsibilities in supporting consumers with expressing their sexuality.

Assessment and Planning

Support planning and review (as per Bilingual Care's *Assessment, Planning and Review Policy and Procedure*) as well as general service delivery, must consider and uphold consumers' personal and sexual preferences and choices. Support Plans should include the consumer's expressed needs, goals, and support strategies, including their preferences with regard to personal presentation, grooming, and dress[9].

The Managing Director may use the Intimacy and Sexual Expression Tool (ISET)[10] to assist with determining the consumer's preferences for intimacy and sexual expression as part of support planning. Where required, Bilingual Care may engage a specialist third party provider to assess or review a consumer's needs (including safeguarding requirements), with the consumer's consent.

Strategies to support consumers' sexual expression might include[11]:

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[7] Menzies, R. (2026) *How to support older people's intimacy needs*. Australian Ageing Agenda, 28 April 2026, accessed 30 April 2026, https://www.australianageingagenda.com.au/features/how-to-support-older-peoples-intimacy-needs/

[8] Menzies, R. (2026) *How to support older people's intimacy needs*. Australian Ageing Agenda, 28 April 2026, accessed 30 April 2026, https://www.australianageingagenda.com.au/features/how-to-support-older-peoples-intimacy-needs/

[9] La Trobe University, Australian Institute for Primary Care & Ageing (AIPCA) (2013) *DCRC Sexuality Assessment Tool (SexAT)*. La Trobe University, accessed 30 April 2026, https://www.latrobe.edu.au/aipca/aipca-documents/DCRC-Sexuality-Assessment-Tool-SexAT.pdf

[10] iSEP Tool (2019) *iSEP Tool: Supporting intimate and sexual expression in policy and practice*, accessed 30 April 2026, https://iseptool.com/

[11] Victorian Department of Health, *Sexuality*, Victorian Government, accessed 28 April 2026, https://www2.health.vic.gov.au/ageing-and-aged-care/dementia-friendly-environments/strategies-checklists-tools/sexuality

- validating consumers' feelings about sexuality just like other feelings
- having open and honest conversations, including in relation to:
    - consent (see below)
    - setting boundaries about what is and is not appropriate behaviour towards others, including staff and
    - checking whether certain behaviour or attention from others towards the consumer is welcome or not
- if sexual activity is consensual, legal, and safe, providing privacy rather than prohibiting it
- watching for cues regarding needs for intimacy or sexuality to help support these needs as appropriate
- providing supports that address boredom, loneliness, and the need for touch (this may reduce any sexual acting out)
- including measures to protect against inappropriate sexual behaviour (for example, public masturbation). Such actions reflect unmet need, so helping people to address this in an appropriate way is important.
- supporting a conducive environment, for example providing 'Do not disturb' signs for doors and
- supporting consumers to access legally appropriate materials such as books, magazines, or videos.

Decision Making and Consent[12]

Consumers' ability to be sexually expressive relies on informed decision making and the capacity to provide consent.

To help consumers make an informed decision and therefore provide consent, staff should ensure:

- relevant information is clearly communicated to them
- their decision-making capacity and informal or formal decision-making supports are considered (as per Bilingual Care's *Decision Making and Choice Policy and Procedure)* and
- they are provided with sufficient time and appropriate support to process and understand the information provided.

Assessment of a consumer's capacity to consent may be required and this will be facilitated through engagement of a specialist third party provider if required.

Concerns about Consumers' Sexual Decisions or Actions[13] [14]

Staff who have concerns about a consumer's sexual decisions or actions should:

- recognise that it is not their responsibility to restrict or prevent consensual, legal, and

[12] Arrow, K., *Beyond Yes or No: Applying a Continuum of Consent to Sexual Activity*, Family Planning Victoria 2014, retrieved from https://asid.asn.au/wp-content/uploads/2022/03/241_29_k_arrow_l_hamilton_r_hitchcock_k_whelan_a_kokonis.pdf on 28 April 2026

[13] Sexuality, Victorian Department of Health, retrieved from https://www2.health.vic.gov.au/ageing-and-aged-care/dementia-friendly-environments/strategies-checklists-tools/sexuality on 30 April 2026

[14] Arrow, K., *Beyond Yes or No: Applying a Continuum of Consent to Sexual Activity*, Family Planning Victoria 2014, retrieved from https://asid.asn.au/wp-content/uploads/2022/03/241_29_k_arrow_l_hamilton_r_hitchcock_k_whelan_a_kokonis.pdf on 30 April 2026

safe sexual activity that does not involve them personally
- address concerns by talking with the consumer, offering further education or encouraging different choices
- describe and document what the consumer is doing in objective terms. Try to identify whether the decision or action is a problem and if it is, who's problem it is. If it is a problem for the consumer, family member or Bilingual Care, identify what triggers the actions and any diversionary strategies and
- seek guidance and support from the Managing Director.

Safeguarding and Incident Reporting

Supporting consumers' sexual expression must be balanced with safeguarding them and others from exploitation or harm. Refer to Bilingual Care's *Protecting Consumers from Harm Policy and Procedure* for further detail. Incidents such as sexual abuse or exploitation must be managed in line with Bilingual Care's *Consumer Incident Management Policy and Procedure.*

Feedback and Complaints

Consumers, their families / supporters and others are encouraged to raise their concerns, suggestions, feedback and complaints related to sexual expression, intimacy, privacy, consent, or dignity as per Bilingual Care's *Feedback and Complaints Policy and Procedure*. All feedback and complaints will be taken seriously, managed confidentially, and responded to in a timely and transparent manner, with a focus on upholding consumer rights, ensuring safety, and promoting continuous improvement in person-centred care. Where appropriate, support will be offered to assist consumers to raise concerns, such as access to advocacy services.

Supporting Documents

Documents relevant to this policy and procedure include:
- *Assessment, Planning and Review Policy and Procedure*
- *Consumer Incident Management Policy and Procedure*
- *Decision Making and Choice Policy and Procedure*
- *Feedback and Complaints Policy and Procedure*
- *Protecting Consumers from Harm Policy and Procedure*

Monitoring and Review

This Policy and Procedure will be reviewed at least every two years by the Leadership Team. Reviews will incorporate staff, participant and other stakeholder feedback.

Bilingual Care's feedback collection mechanisms, such as consumer satisfaction surveys, will assess:
- consumer awareness of their rights and the extent to which they feel able and supported to exercise them
- consumer satisfaction with Bilingual Care's complaints processes and
- the extent to which consumers feel safe and protected in their dealings with Bilingual Care.

Bilingual Care's *Continuous Improvement Plan* will be used to record improvements identified and monitor the progress of their implementation. Where relevant, this information will be considered as part of Bilingual Care's service planning and delivery processes.

DOCUMENT CONTROL

Version No.	Issue Date	Document Owner
2.0	06/07/2026	MD
Version History		
Version No.	**Reviewed Date**	**Revision Description**