PROTECTING CONSUMERS FROM HARM POLICY AND PROCEDURE

Version 2.0: July 2026

PROTECTING CONSUMERS FROM HARM POLICY AND PROCEDURE

Purpose and Scope

This policy and procedure outlines how Bilingual Care actively prevents violence, abuse (including elder abuse), neglect, exploitation or discrimination towards consumers. It establishes a framework to identify, prevent, respond to harm or risk of harm to consumers receiving in-home services, so that care is safe, respectful, trauma-aware, person-centred, consistent and high quality.

It applies to all Bilingual Care staff, associated providers and volunteers, and meets relevant legislation, regulations and Standards. In particular, this policy and procedure aligns with the *Aged Care Act 2024 (Cth)*, *Aged Care Code of Conduct* and *Statement of Rights* to prevent and protect from all forms of abuse.

For guidance regarding responding to violence, abuse, neglect, exploitation or discrimination involving consumers, see the *Consumer Incident Management Policy and Procedure* or *Elder Abuse and Neglect Policy and Procedure*.

Applicable Strengthened Aged Care Quality Standards

- *Standard 1. The Individual*
- *Standard 2. The Organisation*

Definitions[1] [2]

Abuse - any act, omission, practice or pattern of conduct, whether intentional or unintentional, that causes harm, distress or suffering to a consumer or exposes a consumer to a risk of harm, or violates, undermines or is incompatible with the person's rights, dignity, autonomy, or safety. Abuse includes behaviours that are physical, sexual, psychological, emotional, financial, neglectful, exploitative, coercive, degrading, or inhumane. It may be committed by workers, service providers, family, friends, supporters or any other person in contact with the consumer who gains the consumer's trust or asserts power.

Duty of Care - a legal obligation to avoid causing harm or to prevent harm occurring to another person through any act that is careless or negligent and arises from a relationship between parties. Health and aged care workers have a duty of care to the older people they are assisting.

[1] Ageing and Disability Commission NSW (n.d) *What is abuse, neglect and exploitation. Ageing and Disability Commission NSW*, accessed 28 April 2026, https://ageingdisabilitycommission.nsw.gov.au/documents/tools-and-resources/for-community/training/What-is-Abuse-Neglect-and-Exploitation.pdf

[2] UnitingCare Community's Elder Abuse Prevention Unit 2012, *A Guide for Elder Abuse Protocols*, Queensland Government, accessed 28 April 2026, https://www.eapu.com.au/uploads/EAPU_general_resources/EA_Protocols_FEB_2012-EAPU.pdf

Elder Abuse - any act in a relationship of trust which results in harm to an older person. It can be emotional, psychological, financial, physical, or sexual. It can also be the result of intentional or unintentional neglect. It may include, but is not limited to, the following:

- frightening someone by threatening to hurt a pet or break belongings
- intimidating, humiliating, or harassing a person
- threatening to evict someone or put them in a nursing home
- stopping a person from seeing family or friends
- denying someone the right to make their own decisions
- pension skimming
- selling someone's belongings without permission
- misusing an Enduring Power of Attorney by taking money or property improperly
- forcing a person to change their will
- denying someone access to or control over their own funds
- not allowing services to help someone
- neglecting a person's physical, medical, or emotional needs
- slapping, hitting, pushing, or restraining a person or
- making unwanted sexual approaches or behaving indecently.

Exploitation - the unfair or improper use of a person, or their resources, authority or circumstances, for another person's benefit, resulting in harm, loss, distress, or violation of the person's rights, dignity or autonomy, including financial coercion or misuse of power. The most common type of exploitation is financial, such as someone taking money, assets or allowances from a vulnerable person for their own use and without permission. Exploitation can also be someone who sells, transfers or changes property titles without the property owner knowing.

Neglect - the failure to provide a person with the basic necessities of life, such as food, clothing, shelter, medical attention, or supervision, to the extent that their health and development is, or is likely to be, significantly harmed.

Policy

Bilingual Care has a moral, ethical and legal responsibility to ensure all consumers are safe. It takes proactive steps to protect consumers from harm.

Bilingual Care has zero tolerance for abuse, neglect, exploitation, or avoidable harm. All consumers have the right to:

- safety, dignity, respect, and high quality care
- choice, control, and informed consent, and
- freedom from abuse, neglect, and exploitation.

Bilingual Care is committed to:

- preventing foreseeable harm
- early identification of risks
- immediate and proportionate responses to harm, and
- continuous improvement through learning from incidents.

Procedures

Roles and Responsibilities

The Leadership Team is responsible for:

- fostering a culture of safety, accountability and working in partnership with consumers
- ensuring adequate systems, staffing, training and resources are in place to support safe service delivery
- promoting safety in relation to anti-bullying, cyberbullying and other online risks
- having effective risk management, incident management and safeguarding processes that support consumer safety
- taking a continuous improvement approach and ensuing corrective actions are completed and reviewed for effectiveness to prevent harm

All staff are responsible for:

- taking proactive steps to prevent harm, abuse and neglect, such as documenting observations and being alert to consumers that may be at risk
- reporting actual or suspected harm, abuse or neglect immediately in accordance with the *Consumer Incident Management Policy and Procedure*
- supporting consumers to raise concerns, make complaints and participate in decisions affecting their safety.

Training

As per Bilingual Care's *Training and Development Policy and Procedure*, all staff must undergo Induction, which includes training on supporting consumer safety, maintaining professional boundaries, and preventing and responding to incidents or allegations of discrimination, violence, abuse (including elder abuse), neglect, and exploitation.

Training must also help staff to:

- recognise and respond to neglect, elder abuse and other forms of harm
- provide appropriate support to consumers based on the type of incident or complaint
- understand privacy obligations
- develop their listening skills
- feel confident drawing attention to breaches of Bilingual Care's *Staff Code of Conduct* and challenging these behaviours; and
- understand how to respond to disclosures of harm and their reporting obligations.

Staff knowledge of this policy and procedure and their obligation to protect consumers from harm will be assessed in annual Performance Reviews. Additional on-the-job and formal training will be provided where required.

Prevention

To protect consumers from harm, Bilingual Care will employ skilled staff who:

- respect the rights of consumers
- are aware of current policies and legislation pertaining to abuse and neglect
- ensure consumers know who to talk to if they are feeling unsafe and what will happen if they do speak up, and
- support consumers and their families / supporters to access complaint mechanisms and raise any concerns they have about services.

All staff must undergo criminal history screening as per Bilingual Care's *Worker Screening and Pre-employment Checks Policy and Procedure.*

In accordance with Bilingual Care's *Service Access* and *Consumer Rights and Responsibilities Policies and Procedures*, staff must advise consumers of their rights during intake, assessment, and review processes, including their right to be protected from harm, abuse and neglect. This information should be reinforced by staff throughout service delivery.

As per Bilingual Care's *Service Delivery and Participation Policy and Procedure*, staff must be introduced to consumers before delivering supports and clearly identify themselves to consumers at each instance of service delivery. Staff must wear their Bilingual Care uniform and display their name clearly on their uniform, to help consumers recognise them.

Bilingual Care must also provide a safe physical environment for the delivery of services, as per its *Social and Physical Accessibility* and *Work Health and Safety Policies and Procedures.*

Volunteers or students must not be left with sole supervision of individual consumers or groups of consumers, and adequate staff-consumer ratios must be maintained at all times appropriate to the consumer's needs.

All consumers and their families / supporters are to be advised of Bilingual Care's obligations to report suspicions or allegations of abuse, at their initial contact with Bilingual Care.

Agendas for Leadership Team meetings include a standing item on Continuous Improvement, including with respect to consumer safety. This must consider the Leadership Team's regular review of Bilingual Care's *Risk Register*, *Incident Register* and *Complaints Register.*

Anti-bullying, Cyberbullying and Other Online Risks

The Managing Director must ensure:

- Bilingual Care is a safe environment for its consumers in relation to anti-bullying, cyberbullying and other online risks
- safe online environments are maintained without compromising consumers' privacy or access to social or learning opportunities
- relevant resources produced by the eSafety Commissioner and other bodies are made available to consumers
- consumers can access assistance should they experience bullying or cyberbullying, or feel at risk online
- promotional materials are displayed in Bilingual Care's premises making it clear that bullying, cyberbullying and inappropriate online behaviour is not acceptable and
- external expertise is drawn upon as required to respond to incidents of bullying, cyberbullying or other inappropriate online behaviour.

Complaints or disputes that arise relating to online safety must be dealt with in accordance with Bilingual Care's *Feedback and Complaints Policy and Procedure*. Incidents resulting from bullying or cyberbullying must be responded to in accordance with Bilingual Care's *Consumer Incident Management* policies and procedures.

Responding to Allegations of Violence, Abuse, Neglect, Exploitation or Discrimination

Where a consumer indicates or reports that they have been a victim of violence, abuse, neglect, exploitation or discrimination, staff must inform the Managing Director as soon as possible. Bilingual Care will investigate the allegations as per its *Consumer Incident*

Management policies and procedures.

If the consumer is concerned about elder abuse, it must be managed in accordance with the *Elder Abuse Policy and Procedure*.

Where an incident or allegation of abuse, neglect or exploitation relates to a person or persons connected with Bilingual Care, Bilingual Care will respond in accordance with open disclosure requirements. This includes providing timely, clear and honest communication with the consumer and where appropriate, their family/supporters, about what has occurred, what is known at the time, and the actions being taken to ensure their safety and wellbeing. See Bilingual Care's *Open Disclosure Policy and Procedure* for further information. Open disclosure will be conducted in a person-centred, trauma-informed and culturally safe manner, and does not replace or delay mandatory reporting, investigation, or regulatory obligations.

Bilingual Care will provide support and assistance to a consumer affected by alleged violence, abuse (including elder abuse), neglect, exploitation, or discrimination (including information about access to advocates such as independent advocates), to ensure their health, safety, and wellbeing. Staff can also help consumers access interpreters or advocates where required.

Feedback and Complaints and Whistleblowing

Bilingual Care encourages a culture that supports consumers, families, supporters, staff and others to provide feedback, raise concerns, make complaints or report suspected or alleged abuse (including elder abuse), neglect or exploitation at any time. Bilingual Care provides multiple, accessible reporting options, including anonymous reporting where appropriate, and will respond promptly by taking steps to protect safety, address concerns, meet mandatory reporting obligations and investigate matters in a fair and transparent manner.

All feedback, complaints, concerns and reports will be treated seriously, respectfully, confidentially as per the *Feedback and Complaints Policy and Procedure*.

Reports may also be submitted via whistleblower procedures as per Bilingual Care's *Whistleblower Policy and Procedure*.

Information from feedback, complaints and reports are used to identify risks, strengthen safeguards and drive continuous improvement in preventing and responding to abuse, neglect and exploitation.

Supporting Documents

Documents relevant to this policy and procedure include:

- *Consumer Incident Management Policy and Procedure*
- *Consumer Rights and Responsibilities Policy and Procedure*
- *Feedback and Complaints Policy and Procedure*
- *Service Access Policy and Procedure*
- *Service Delivery and Participation Policy and Procedure*
- *Social and Physical Accessibility Policy and Procedure*
- *Training and Development Policy and Procedure*
- *Whistleblower Policy and Procedure*
- *Work Health and Safety Policy and Procedure*
- *Worker Screening and Pre-employment Checks Policy and Procedure*

- *Complaints Register*
- *Incident Register*
- *Risk Register*
- *Staff Code of Conduct*
- *eSafety Commissioner Resources*
- *Aged Care Code of Conduct*
- *Statement of Rights*

Monitoring and Review

This Policy and Procedure will be reviewed at least annually by the Leadership Team. Reviews will incorporate staff, consumer 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**