

Date Written: 13/08/2020

Reviewed:

ABORIGINAL AND TORRES STRAIT ISLANDER POLICY

Mission Statement: The mission of *Specialist Behaviour Support Services (SBSS)* is to support society's most vulnerable individuals to live in a way which promotes optimal levels of independence, freedom from unnecessary restrictions and as a meaningful part of their local and wider community.

Definition: Aboriginal and Torres Strait Islander peoples is the collective term for all people who identify and are recognised as descendants of the original inhabitants of Australia, and acknowledges the many Aboriginal and Torres Strait Islander groups in Australia.

Aboriginal and Torres Strait Islander Peoples

SBSS acknowledges the Wurundjeri people as the Traditional Owners and Custodians of the land of Melbourne, and pays respects to elders past, present and emerging. SBSS works in collaboration with those who identify as Aboriginal and Torres Strait Islander peoples, their families and support networks.

Our Commitment

SBSS is committed to ensuring that the rights of every person we have contact with, within the provision of our services, are protected. We take extra care and duty with ensuring the safety and wellbeing of Aboriginal and Torres Strait Islander peoples. We respect, embrace and support the diversity in Aboriginal language, heritage and culture.

SBSS has zero tolerance for discrimination or inappropriate behaviour of any SBSS employee towards Aboriginal and Torres Strait Islander peoples.

Protecting the most vulnerable

These overarching principles require organisations to consider the increased vulnerability of:

- Aboriginal and Torres Strait Islander peoples
- Those from culturally and linguistically diverse backgrounds
- People with disabilities

Specialist Behaviour Support Services.

Version 2: Director Approval

Schedule of Review: Bi-Annually

These groups of people may be particularly vulnerable to being victimised and may face challenges in reporting an incident of abuse.

SBSS is committed to promoting cultural safety of Aboriginal and Torres Strait Islander peoples, cultural safety of people from culturally and/or linguistically diverse backgrounds and to providing a safe environment for people with a disability.

Service Quality

Specialist Behaviour Support Services is committed to providing the highest level of quality services to our service users. Guiding clinical decisions and treatment is the Association for Behaviour Analysis' position paper on the ethical application of behavioural treatment (Van Houten et al., 1988):

1. An individual has a right to a therapeutic environment
2. An individual has a right to services whose overriding goal is personal welfare
3. An individual has a right to treatment by a competent behaviour analyst
4. An individual has a right to programs that teach functional skills
5. An individual has a right to behavioural assessment and ongoing evaluation
6. An individual has a right to the most effective treatment procedure available

Service User Rights

SBSS values the rights of our service users and protects these rights through adherence to the following charters and legislation:

- **United Nations Declaration of Human Rights**

The Universal Declaration of Human Rights is an international document that states basic rights and fundamental freedoms to which all human beings are entitled. Amongst the basic rights entitled to all persons are the right to dignity, freedom, and equality

<https://www.un.org/en/universal-declaration-human-rights/index.html>

- **UN Convention on the Rights of Persons with Disabilities**

The convention on the rights of persons with disabilities was adopted by participating nations, including Australia, on 13th December, 2006. The Convention follows decades of work by the United Nations to change attitudes and approaches to persons with disabilities. The Convention outlines three main goals regarding persons with disabilities:

- Full inclusion in all aspects of life
- Maximum independence

- Full physical, mental, social and vocational ability

www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html

- **Victorian Charter of Human Rights and Responsibilities**

The Victorian *Charter of Human Rights and Responsibilities Act 2006* is a Victorian law that sets out the basic rights, freedoms and responsibilities of all people in Victoria. Twenty fundamental human rights are listed and protected, including recognition and equality, right to privacy, and right to take part in public life.

www.humanrightscommission.vic.gov.au/human-rights/the-charter/rights-under-the-charter

- **Disability Act 2006**

The *Disability Act 2006* introduced major reforms aimed at improving services for people with a disability in Victoria. The *Disability Act 2006* commenced on 1 July 2007 and provides for:

- A stronger whole-of-government, whole-of-community response to the rights and needs of people with a disability, and
- A framework for the provision of high-quality services and supports for people with a disability. www.legislation.vic.gov.au

- **NDIS Act**

Section 3 of the *National Disability Insurance Scheme Act 2013* gives effect to Australia's obligations to the *Convention on the Rights of Persons with Disabilities* and to certain obligations that Australia has as a party to international human rights laws.

The *National Disability Insurance Scheme Act 2013* provides for the NDIS to deliver reasonable and necessary supports to persons with disability. The NDIA planner is responsible for identifying that the participant requires behavioural intervention services under the reasonable and necessary supports (s. 34) of the Act. www.ndis.gov.au/about-us/governance/legislation

- **NDIS Quality and Safeguards Commission**

Specifically in relation to the quality and safeguarding rules and competency framework for providing behaviour support under NDIS.

Ethical codes and compliance

Specialist Behavioural Support Services' clinical practices are guided by several ethical and compliance codes as stated below:

- *BACB Professional and Ethical Compliance Code for Behaviour Analysts*
https://www.bacb.com/wp-content/uploads/170706r_compliance_code_english.pdf
- *Ethical Principles of Psychologists and Code of Conduct* (American Psychological Association, 2002)
- *The Right to Effective Behavioral Treatment* (Association for Behaviour Analysis, 1989)
- *The Right to Effective Education* (Association for Behavior Analysis, 1999)
- *Guidelines for Responsible Conduct for Behaviour Analysts* (Behavior Analyst Certification Board, 2001)
- *The BCBA and BCABA Behavior Analyst Task List- Fourth Edition* (Behavior Analyst Certification Board)

Incident Reporting and Complaints

SBSS will take all allegations of discrimination and/or misconduct seriously, and will respond to them in line with our ethical and legal responsibilities and duty of care. All incidents will be reported in line with our organisational incident reporting system and our state and national obligations. SBSS will keep safe and secure accurate records outlined in our incidental reporting policy and complaints management procedures.

Service users and relevant stakeholders have the right to complain if they feel an individual's rights are not being respected or are not happy with the quality of service provision.

If the issue is unresolved or an individual is unhappy with the outcome, they may contact the Disability Services Commissioner (DSC). The DSC is an independent oversight body that works with people with a disability to resolve complaints about disability service providers and to improve the outcomes for people with a disability. www.odsc.vic.gov.au/making-a-complaint

Service users also have the right to lodge a complaint about Behavioural Analysts with the Behavioural Analyst Certification Board (BACB) at anytime via their website www.BACB.com

Related Documents

SBSS Information Booklet
