

WK - PREVENTING AND RESPONDING TO VIOLENCE AND ABUSE

Policy Aims:

Wonder Kidz ensures that each child accesses support free from violence, abuse, neglect, exploitation, or discrimination.

NDIS Quality Indicators:

In this regard, Wonder Kidz aims to demonstrate each of the following quality indicators through the application of this Policy and the relevant systems, procedures, workflows, and other strategies referred to in this Policy and the Related Documentation:

- a) Policies, procedures, and practices that prevent violence, abuse, neglect, exploitation, or discrimination are in place.
- b) Each family is provided information about using an advocate (including an independent advocate). Access to an advocate is facilitated where allegations of violence, abuse, neglect, exploitation, or discrimination have been made.
- c) Allegations and incidents of violence, abuse, neglect, exploitation, or discrimination are acted upon, each child affected is supported and assisted, records are made of any details and outcomes of reviews and investigations (where applicable), and action is taken to prevent similar incidents occurring again.

Scope:

- a) This Policy applies to providing all services and supports at Wonder Kidz.
- b) All permanent, fixed term and casual staff, contractors and volunteers are required to take full responsibility for fully understanding the commitments outlined in this Policy.
- c) The relevant persons specified in the column corresponding to a procedure described in this Policy are responsible for implementing the appropriate systems, processes, workflows, and other strategies referred to in the relevant process.

Definitions:

Wonder Kidz means Rawan Younes, trading as Wonder Kidz ABN 92 419 659 035.

Child means a Child of Wonder Kidz (including an NDIS participant).

Legislation Register means the register of legislation, regulations, rules, and guidelines maintained by Wonder Kidz.

Policy Register means the register of policies of Wonder Kidz.

Principal means Rawan Younes.

Support staff means a permanent, fixed term or casual member of staff, a contractor or volunteer employed or otherwise engaged by Wonder Kidz and includes the principal.

Types of Abuse

Abuse is the violation of a person's human rights through an act or actions of commission or omission by another person or persons. There are different kinds of abuse, and they may include:

- Chemical abuse refers to any misuse of medications and prescriptions, including withholding another person's resources by someone with whom the person has a relationship, implying trust.
- Cultural abuse is received primarily because of a person's cultural background. It can result from discrimination and harassment and take different forms, including emotional, psychological, or social abuse.
- Financial abuse refers to the illegal or improper use of a person's property or finances or the withholding of another person's resources by someone with whom the person has a relationship, implying trust.
- Harm is any detrimental effect of a significant nature on the person's physical, psychological, or emotional well-being. It is immaterial how the harm is caused. Harm can be caused by biological, psychological, or emotional abuse, neglect, sexual abuse or exploitation. It may be caused by a single act, omission, circumstance, or combination of actions, omissions, or events.
- Physical abuse is when a person suffers physical trauma or injury that is not accidental. It does not always leave visible marks or injuries. What matters most is the act itself that caused the trauma or damage. Physical abuse can include hitting, shaking, throwing, burning, biting, and poisoning.
- Psychological/emotional abuse happens when a Child's social, emotional, or intellectual development is damaged or threatened. It can include constant rejection, teasing or bullying, yelling, criticism, and domestic or family violence exposure.
- Sexual abuse is any form of forced or unwanted sexual activity. The perpetrator of sexual abuse may use physical force, make threats, or take advantage of a person unable to consent. Sexual activity includes intercourse, genital manipulation, masturbation, voyeurism, sexual harassment, and inappropriate exposure to pornographic media.

Types of Neglect

Neglect is the failure to provide the necessary care, aid or guidance to dependent adults or children by those responsible for their care. Neglect includes, but is not limited to, the following:

- a. Physical neglect means failing to provide adequate food, shelter, clothing protection, supervision, and medical and dental care or placing persons at undue risk through unsafe environments or practices.
- b. Passive neglect means failing to fulfil caretaking responsibilities because of inadequate caregiver knowledge, infirmity, or the inability to implement prescribed services.
- c. Wilful deprivation means wilfully denying a person access to medication, medical care, shelter, food, a therapeutic device, or other physical assistance, thereby exposing that person to physical, mental, or emotional harm.
- d. Emotional neglect means failing to provide the nurture or stimulation needed for an adult or child's social, intellectual, and emotional growth or well-being.
- e. Crimes of omission means negligence, i.e., the failure to act with the appropriate duty of care.

Exploitation

Exploitation is taking advantage of the vulnerability of a person with a disability to use them, or their resources, for another's profit or advantage.

Discrimination

Discrimination occurs when an individual or a group is treated unfavourably because of a personal attribute protected by law.

Unlawful discrimination can occur:

1. *Directly* – when a person or group is treated less favourably than others because they have a protected attribute, compared with another person or group without that attribute.
2. *Indirectly* – when an arbitrary or unreasonable system, procedure or requirement treats everyone the same but, in doing so, ends up (actually or potentially) disadvantaging a person or group with an attribute protected by the law.

Attributes protected by the law include:

- a) Age.
- b) Breastfeeding.
- c) Disability/impairment (including genetic predisposition to a disability, visible or invisible, temporary or permanent).
- d) Employment activity (e.g., asking your boss about your Workplace entitlements).
- e) Gender identity (being transgender or intersex)
- f) Industrial activity/inactivity (union membership or non-membership)
- g) Irrelevant criminal record
- h) Lawful political belief or activity
- i) Lawful sexual activity
- j) Marital status (having or not having a domestic partner)
- k) Medical record
- l) Physical features (including height, weight, or appearance)
- m) Pregnancy (including potential pregnancy)
- n) Race (including language spoken at home, citizenship, country of origin)
- o) Religious belief or activity
- p) Sex
- q) Sexual orientation
- r) Social origin
- s) Status as a parent or carer (with a broad and inclusive definition of both; see section 3 above)
- t) Personal association or relation to another person with any of the above attributes (e.g., being related to someone with a disability).

Policy Statement:

➤ In General:

- A. Wonder Kidz prohibits violence, abuse, neglect, exploitation, and discrimination.
- B. Wonder Kidz recognises that people with disabilities have the same human rights as other members of society and should be empowered to exercise their rights. These include the right to:
 1. Respect for their human worth and dignity as individuals; and
 2. Live free from violence, abuse, neglect, exploitation, and discrimination.
- C. Wonder Kidz establishes systems to prevent the occurrence or recurrence of violence, abuse, neglect, exploitation, and discrimination within the service delivery context.

➤ Wonder Kidz's principles of effective response:

(a) Support staff are committed to reporting and openly disclosing any suspected or alleged incidents of violence, abuse, neglect, exploitation, and discrimination following the Wonder Kidz Incident Management and Reporting Policy. Wonder Kidz affords protection to any person who makes a disclosure.

(b) Any alleged incidents of violence, abuse, neglect, exploitation, and discrimination involving Children that are Reportable Incidents are reported per the Wonder Kidz Incident Management and Reporting Policy requirements.

(c) Children who experience violence, abuse, neglect, exploitation, or discrimination have the right to:

- (1) complain about the services and supports they receive or any form of violence, abuse, neglect, exploitation, or discrimination experienced without fear of retribution following the Wonder Kidz Feedback and Complaints Management Policy.
- (2) pursue grievances and complaints with Wonder Kidz and the NDIS Commission and the criminal justice system without fear of the services provided by Wonder Kidz being discontinued; and
- (3) Access appropriate support services to assist with the effects of violence, abuse, neglect, exploitation, and discrimination.

(d) Any person who reports suspected or alleged violence, abuse, neglect, exploitation, and discrimination involving a Child has the right to have their safety and rights respected and safeguarded.

(e) Families and carers of Children who identify and report incidents of violence, abuse, neglect, exploitation, and discrimination have the right to be provided support by Wonder Kidz.

(f) Children and members of their support network are provided information about using an advocate (including an independent advocate). Wonder Kidz facilitates access to an advocate where allegations of violence, abuse, neglect, exploitation, or discrimination involve a child.

➤ Wonder Kidz's Principles of Workforce and Workplace Reform:

- (a) HR management systems and practices in Wonder Kidz's HR Management Policy support effective recruitment and selection (including compliance with statutory requirements such as criminal history screening), performance monitoring and development, and performance management.

(b)The workplace culture supports continuous learning and professional development to respond to the needs of individuals being supported.

Procedure:

Management is responsible for:

1. Information confirming Wonder Kidz’s commitment to preventing violence, abuse, neglect, exploitation, and discrimination.
2. Ensure each of our families, carers, chosen community, or advocate is aware of Our approach and commitment to prevent violence and discrimination by:
 - (a) a rights statement, which
 - (1) confirms Wonder Kidz’s commitment to preventing and responding to violence, abuse, neglect, exploitation, and discrimination; an
 - (2) includes those specific rights the Child is entitled to as a child of Wonder Kidz, including respect for their human worth and dignity as an individual and to live free from violence, abuse, neglect, exploitation, and discrimination.
 - (b)information for accessing an advocate or legal service (including an independent advocate) where allegations of violence, abuse, neglect, exploitation, or discrimination are made.
3. Train support staff:
 - I. Training and supporting Workers to identify and respond to violence, abuse, neglect, exploitation, and discrimination involving Childs, including the indicators and signs in the Schedule.
 - II. Training staff to recognise and prevent or minimise the occurrence or recurrence of violence, abuse, neglect, exploitation, and discrimination of Children within a service delivery context under the Work Health and Safety Policy.
 - III. Training in early intervention approaches where potential or actual child abuse, neglect or exploitation is identified.
4. Complementary policy adoption: Adopt and maintain the Policy and Related Documentation, which assists Wonder Kidz in demonstrating the relevant NDIS Quality Indicators related to the Abuse, Neglect, Exploitation and Discrimination supports NDIS Practice Standards.

Support Staff are responsible for:

- Promote a culture that prevents violence, abuse, neglect, exploitation, and discrimination:
 - a. Prohibit violence, abuse, neglect, exploitation, and discrimination in all forms by any person.
 - b. Provide services and support in an environment that is safe, ethical, and free from discrimination, financial, sexual, physical, or emotional abuse, neglect, and exploitation.
 - c. Provide services and supports that respect the Child’s rights and responsibilities, including living free from violence, abuse, neglect, exploitation, and discrimination.
 - d. Ask the Child whether they have been afflicted by violence, abuse, neglect, exploitation, and discrimination in the past and if the relevant perpetrators are still part of their life or network.

- e. Gain the Child's consent to the level of involvement that other people, such as the Child's family, carers, chosen community, or advocate, have at the child assessment or support planning stage (before the provision of support) in planning and decision-making about the Child's life and how they choose to live it including decisions about services and supports, especially where there is a history of violence, abuse, neglect, exploitation and discrimination.
- Providing access to advocacy: Encourage and support Children to access legal or advocacy services where allegations of violence, abuse, neglect, exploitation, or discrimination have been made.
- Preventing and identifying violence, abuse, neglect, exploitation, discrimination and breaches of human rights:
 - a. Actively prevent and, where possible, eliminate any risk of violence, abuse, neglect, exploitation, discrimination, and breach of human rights to our children by looking out for the indicators in the Schedule.
 - b. Report and respond to violence, abuse, neglect, exploitation, or discrimination per our Incident Management and Reporting Policy.
 - c. Respond quickly and sensitively when any breach of our Child's rights occurs due to Wonder Kidz's service delivery, immediately acting to stop such behaviours.
 - d. Proactively support the child to the limits of our expertise and resources when the Worker suspects violence, abuse, neglect, exploitation, and discrimination perpetrated by others.
 - e. Offer support to Wonder Kidz Childs, their family and carers when they tell us about violence, abuse, neglect, exploitation, and discrimination so that we can fully understand and respond effectively.
 - f. Ensure there is a culture of no retribution for anyone who reports abuse, neglect, or exploitation of a Child.
- g. Ensure that relevant persons in the Child's support network are informed of alleged or suspected violence, abuse, neglect, exploitation, and discrimination. Be mindful of situations where a person in the support network is the alleged or suspected perpetrator of the conduct.
- h. Advise our families and advocates of:
 - (1) their right to complain under the Wonder Kidz Feedback and Complaints Management Policy and Incident Management and Reporting Policy.
 - (2) Support services can identify and respond to violence, abuse, neglect, exploitation, and discrimination and refer individuals to appropriate specialist services.
 - (3) their right to pursue grievances and complaints and access the criminal justice system.
 - (4) The right of any concerned person, including but not limited to the Child or other person from their support network, to make a report or an allegation of violence, abuse, neglect, exploitation, and discrimination without fear of retaliation or retribution.
- to commit to Policy:
 - a. All Workers are provided with a copy of this Policy in their orientation and induction materials.

- b. Under their employment, contractor agreement or binding letter agreement, each Worker at Wonder Kidz is required to take responsibility for ensuring:
- (1) A complete understanding of the commitments outlined in this Policy as well as procedures and other strategies designed to ensure that the principles of this Policy are upheld; and
 - (2) Ensure that this Policy's principles, procedures, and other strategies are applied in their daily work.

References:

<p>Australian Childhood Foundation: www.childhood.org.au</p> <p>Choose with Care (Building Child Safe Organisations), an information and training program: www.childwise.net.au</p> <p>Office of the Child Safety Commissioner: www.ocsc.vic.gov.au</p> <p>Protocol between Child Protection and Children's Services 2004, Community Care Division Victorian Government Department of Human Services</p> <p>The United Nations Convention on the Rights of the Child</p> <p>Victorian Child Safe Standards</p> <p>Safe from Harm, the role of professionals in protecting children and young people: www.education.vic.gov.au</p> <p>Responding to Child Abuse, DHS Children, Youth & Families publication</p> <p>Working with children: www.justice.vic.gov.au/workingwithchildren</p>	<p>Children and Young Persons (Care and Protection) Act 1998</p> <p>ACECQA National Quality Framework Resource Kit (2012)</p> <p>Quality Area 1 – Educational Program and Practice.</p> <p>Quality Area 2 – Children's health and safety</p> <p>Education and Care Services National Law Act (2010), Section 167</p> <p>Education and Care Services National Regulations (2011), Regulation 84</p> <p>Child Protection Act 1999 (QLD)</p> <p>Education (General Provisions) Act 2006 (QLD)</p>
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