

Safeguarding the People We Support

Autism Spectrum Australia (Aspect) is committed to appropriately responding to and preventing incidents of abuse, injury, neglect and exploitation of the people we support, in both participation with Aspect, and as a partner of the broader community.

Aspect staff (employees, volunteers and contractors), consider the safety, protection and wellbeing of all people in Aspect services of fundamental importance. Staff working with the people we support have a duty of care to ensure that reasonable steps are taken to prevent harm and promote wellbeing of all individuals in Aspect services.

Aspect is committed to promoting an organisational culture that provides a safe and secure environment for the people we support that is free from abuse and neglect. This policy provides the overarching framework that captures all elements of forming and sustaining the 'Culture of Safety & Wellbeing' (see Attachment 1) organisation wide. The 'Culture of Safety & Wellbeing' is made up from key policies and procedures that are recognised by Aspect as the principles underlying this policy, in the following areas:

- Leadership;
- Culture of reporting;
- Detection Strategies;
- Policy and procedures in line with legislation & increased safeguards;
- Background Checks;
- Safe Recruitment & Selection Practices;
- Induction and Probation;
- Ongoing Supervision;
- Regular Staff Training;
- Environment;
- Person Centred Approach;
- Positive Behaviour Support;
- Regular Audits and Review;
- Organisational Values and Behaviours;
- Upholding Human Rights;
- Adequate Resourcing;
- Effective Complaint Handling;

- Education for the people we support and their families about personal safety, abuse, neglect, reporting and where to seek support;
- Building Community Capacity to take action and promote the rights of vulnerable persons in partnership with the broader community, particularly in respect to people on the autism spectrum.

The “Culture of Safety & Wellbeing” ensures stronger recognition of the significance of the issues of maltreatment in a range of contexts, and a preventative and protective approach to the people we support’s rights to safety and inclusion. While the primary aim of the “Culture of Safety & Wellbeing” framework is to prevent abuse, it also enhances the recognition of maltreatment wherever it occurs. Aspect recognises the risks to children and vulnerable people and strictly adheres to all legal obligations to relevant authorities where there are suspicions, allegations or evidence that abuse or neglect has occurred or where exploitation is suspected. This includes reporting any inappropriate conduct by staff.

In the event that Aspect becomes aware of any abuse, neglect or exploitation we will ensure that we facilitate support to affected individuals and/or their families as part of duty of care and commitment to the “Culture of Safety and Wellbeing”.

Each principle is addressed by Aspect within the context of Quality Management Reviews to ensure the safeguarding and wellbeing of the people Aspect supports are being upheld, opportunities for improvement are identified, and the voices of those we support are being promoted and enabled across all Aspect services.

External Framework

The Safeguarding the People We Support policy upholds Aspect’s intention to promote ethical, respectful and safe service delivery which meets, if not exceeds, legislative requirements and achieves positive outcomes for people we support across all Human Rights principles & conventions, relevant state and national legislation.

Aspect is committed to its obligations under the National Standards for Disability Services, Standard 1: Rights, which specifically acknowledges the risks of harm, neglect, abuse or violence which some people with disability may face when using services or supports, and the roles & responsibilities for services and supports in reducing these risks.

The Safeguarding the People we Support policy also speaks to the Disability Standards for Education 2005. In particular Part 8: Standards for Harassment and Victimisation which requires organisations to prohibit harassment, abuse or victimisation by a staff member to a student with disability, and requires that staff are trained in identifying and reporting suspected abuse, neglect, harassment and victimisation of students, and actively engage in the prevention of it in any circumstances as part of the educational environment.

Critical Definitions

Culture of Safety & Wellbeing - refers to an organisational culture which takes a preventative, proactive and participatory stance on safeguarding the people we support by:

- putting the safety and wellbeing of the people we support as a paramount consideration when developing activities, policies and management practices;
- valuing and embracing the opinions and views of the people we support;
- encouraging and assisting the people we support to build skills that will assist them to participate in society;
- taking action to protect the people we support from abuse, neglect and exploitation.

Legislation References

Charter of Human Rights and Responsibilities 2008

International Convention on the Rights of the Child (CRC)

United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)

National

Disability Discrimination Act 1992 (Cth)

Disability Standards in Education 2005

Fair Work Act 2009 (Cth)

National Disability Service Standards 2013

New South Wales

Anti-Discrimination Act 1977 (NSW)

Child Protection (Prohibited Employment) Act 1998 (NSW)

Child Protection (Working With Children) Act 2012 (NSW)

Children and Young Persons (Care and Protection) Act 1998 (NSW)

Commission for Children and Young People Act 1998 (NSW)

Community Services (Complaints, Appeals and Monitoring) Act 1993 (NSW)

Crimes (Forensic Procedures) Act 2000 (NSW)

Crimes Act 1900 (NSW)

Disability Services Act 1993 (NSW)

Guardianship Act 1987 (NSW)

Ombudsman Act 1999 (NSW)

Protected Disclosures Act, 1994 (NSW)

Victims Rights Act 1996 (NSW)

Work Health and Safety Act 2011 (NSW)

Victoria

Children, Youth and Families Act 2005 (VIC)

Disability Act 2006 (VIC)

Occupational Health and Safety Act 2004 (VIC)



Australian Capital Territory

Children and Young People Act 2008 (ACT)
Work Health and Safety Act 2011 (ACT)

South Australia

Children's Protection Act 1993 (SA)
Work Health and Safety Act 2012 (SA)

Queensland

Work Health and Safety Act 2011 (QLD)



Attachment 1: Aspect's Culture of Safety & Wellbeing

