

WORK PRACTICE

Title: Human Rights Policy

Policy Statement and Objective

The purpose of the Human Rights Policy is to guide the practices of the Australian Inclusion Group (the Organisation), comprising four entities and referenced in its entirety. The Organisation recognises the rights of each person with a disability to receive services and will not discriminate on any basis including race, religion, culture, gender, sexual orientation, or social standing. The Organisation upholds the United Nations Convention on the Rights of People with Disabilities (CRPWD), which includes guiding principles on fairness and human rights such as respect for human dignity and freedom, equality before the law, privacy, protection against discrimination, and equal opportunity in employment.

The Organisation affirms the right of people with disabilities to access supports free from violence, neglect, abuse, exploitation, and discrimination. Promoting and adhering to the human rights of people with disabilities and empowering them to exercise their rights, speak up and report abuse. The Organisation is committed to creating a culture where the safety of people supported is essential to service delivery, and where everyone feels empowered to speak up and report abuse.

Links

This policy is built following the National Disability Insurance Scheme (NDIS) Practice Standards Core Module Division 1 - Rights and Responsibilities: Violence, Abuse, Neglect, Exploitation, and Discrimination. "Each participant accesses supports free from violence, abuse, neglect, exploitation or discrimination".

This policy is reflective of the following references:

- NDIS Act 2013 o NDIS Code of Conduct 2018
- NDIS Practice Standards
- NDIS Incident Management and Reportable Incidents 2018
- UN Convention of Rights of Persons with Disability
- Disability Discrimination Act 1992

Guiding Principles

This policy applies to all workers, board members, volunteers, and contractors of the Organisation. It ensures the implementation of processes to prevent abuse, harassment, assault, and neglect, affirming the following principles:

- Every person is entitled to respect for their inherent human worth and dignity.
- Individuals with disabilities have the right to freedom of expression, self-determination, and decision-making.
- The Organisation is committed to actively preventing abuse, harm, neglect, and violence.
- Individuals with disabilities have the same rights as others to determine their best interests and make decisions affecting their lives.
- Individuals with disabilities have the right to realise their potential for physical, social, emotional, and intellectual development.
- Individuals with disabilities have the right to full participation in society, respecting their individual and cultural needs and preferences.
- The Organisation provides information and support to individuals using services to understand and exercise their legal and human rights.
- Everyone has the right to privacy concerning their personal information.
- The Organisation employs skilled staff and maintains systems and processes to promote and protect human rights.
- Individuals with disabilities have the same rights as others to raise concerns and receive support in formalising complaints.

Human Rights Policy

These principles are designed to create an environment that respects and upholds the human rights of all individuals, particularly those with disabilities, ensuring a safe, inclusive, and empowering atmosphere within the Organisation.

Human Rights Definition

Human rights are often defined in diverse ways. The Australian Human Rights Commission defines human rights as:

- The recognition and respect of people's dignity.
- A set of moral and legal guidelines that promote and protect recognition of our values, our identity, and ability to ensure an adequate standard of living.
- The basic standards by which we can identify and measure inequality and fairness.
- Those rights associated with the universal declaration of Human Rights.

Rights, Roles, and Responsibilities

The Organisation recognises and understands the importance of safeguarding and is committed to ensuring a range of preventative, developmental, and reactive responses are considered to minimise vulnerability and risk. Our service model promotes the development of natural support networks and encourages independent, freely given relationships around a person as a fundamental safeguard and 'voice' to protect an individual's human rights, decision-making, choice and control, safety and wellbeing, citizenship, and quality of life.

Employees and volunteers of the Organisation will receive the appropriate level of training, experience, and supervision dependent upon the type of support provided, ensuring a robust understanding of Human Rights and Freedom from Abuse and Neglect.

The Organisation is committed to adhering to the National Disability Insurance Scheme (NDIS) Practice Standards, which outline the rights of participants and the responsibilities of providers delivering supports and services:

- **Person-Centred Supports:**
 - Participants access supports that promote, uphold, and respect their legal and human rights, enabling them to exercise informed choice and control.
 - The provision of supports ensures the promotion, upholding, and respect of individual rights to freedom of expression, self-determination, and decision-making.
- **Individual Values and Beliefs:**
 - Participants access supports that respect their culture, diversity, values, and beliefs.
- **Privacy and Dignity:**
 - Participants access supports that respect and protect their dignity and right to privacy.
- **Independence and Informed Choice:**
 - The provider supports participants to make informed choices, exercise control, and maximise their independence concerning the supports provided.
- **Violence, Abuse, Neglect, Exploitation, and Discrimination:**
 - Participants access supports free from violence, abuse, neglect, exploitation, or discrimination.

Implementation and Execution

- Employees will recognise and respond to individuals who require assistance with decision-making or communication to exercise choice and control.
- The Organisation will act decisively to prevent abuse and neglect, upholding the legal and human rights of each person with a disability.
- Suspected cases of abuse and/or neglect will be reported, recorded, and actioned per legal, government department, and moral obligations.
- The Organisation will foster a culture committed to preventing abuse. All workers will undergo training in abuse prevention, client rights, and the NDIS worker's code of conduct.
- The Organisation recognises and commits to honouring the code of practice: a guide for the elimination of restrictive practices. Staff will consult their line manager regarding the application of these practices in their work.
- Serious incidents will be investigated by the relevant manager, who will ensure compliance with notification and procedural requirements for serious incidents.
- All employees will undergo a NDIS worker screening check and a working with children check (where required) before commencing employment with The Organisation.

Version History Table:

Version	Version Date	Authorised Officer	Amendment Notes	Next Review Date
0.0	22/04/2024	CEO – Leanne Pearman	Drafted Policy	NA
1.0	10/05/2024	CEO – Leanne Pearman	Ratified	01/05/2026

Complete minor and major version history are managed through SharePoint

Human Rights Policy

Zero Tolerance Approach

The Organisation supports a 'Zero Tolerance' approach to violence, neglect, and abuse of people with a disability. To demonstrate this commitment:

- The Organisation prioritises the health, safety, and well-being of individuals supported, with practices designed to provide maximum protection from abuse, neglect, and exploitation.
- Promoting a culture where reporting of any suspected or actual abuse, neglect, or exploitation is encouraged without fear of retribution.
- Implementing systems to identify any instances of abuse, neglect, or exploitation of service users.
- Ensuring timely, adequate, and appropriate responses to incidents.
- Fostering best practices through ongoing systems review.
- Promoting an integrated, evidence-based approach to the prevention, identification, and response to abuse, neglect, and exploitation, supported by ongoing workforce development and training.
- Assessing the risks of abuse and implementing strategies to prevent abuse from occurring.
- Creating a culture where workers and clients feel supported to speak up and report any incidents or suspicions of abuse, neglect, or exploitation.
- Ensuring all workers feel they can speak up without fear of punishment or retribution, addressing and mitigating barriers to disclosure.
- Developing clear whistle-blower protections to encourage transparency and prevent abuse from going unreported.

Definitions of Abuse

Physical Abuse: The intentional use of force to cause bodily harm or injury to another person. This can include hitting, slapping, punching, kicking, or any form of physical harm.

Emotional or Psychological Abuse: The sustained pattern of behaviours or words designed to control, manipulate, or intimidate another person. This can include threats, humiliation, isolation, and constant criticism.

Sexual Abuse: Involves non-consensual sexual activity or any form of sexual exploitation. This includes rape, molestation, harassment, or any sexual activity involving individuals unable to provide informed consent.

Verbal Abuse: The use of offensive, derogatory, or hurtful words or language to demean, belittle, or harm another person emotionally. It can include insults, name-calling, and threats.

Financial Abuse: The unauthorised or improper use of someone's financial resources or assets for personal gain, often involving manipulation or coercion.

Neglect: Failing to provide necessary care or attention to the well-being of another person, leading to harm or endangerment. Neglect can occur in various contexts, such as child neglect or elder neglect.

Substance Abuse: The harmful or excessive use of drugs or alcohol, leading to physical, mental, or social problems.

Cyberbullying: The use of digital communication tools, such as social media or messaging apps, to harass, threaten, or intimidate another person.

Self-Abuse or Self-Harm: Deliberate actions taken by an individual to harm themselves physically or emotionally, often as a coping mechanism for emotional distress.

Stalking: The unwanted and persistent pursuit of an individual, often through invasive or threatening means.

Reasonable Belief: A justified, and rational conviction based on available evidence.

Grooming Vulnerable Persons: Manipulating and exploiting individuals in vulnerable positions.

Young Person: An individual in the initial stages of life, between the ages of 15-24 years old

Child: A human being in the initial stages of life, typically from birth to 18 years old.

Child Abuse: Any mistreatment of children that causes physical, emotional, or psychological harm. This can include physical abuse, neglect, sexual abuse, or emotional maltreatment.

Version History Table:

Version	Version Date	Authorised Officer	Amendment Notes	Next Review Date
0.0	22/04/2024	CEO – Leanne Pearman	Drafted Policy	NA
1.0	10/05/2024	CEO – Leanne Pearman	Ratified	01/05/2026

Complete minor and major version history are managed through SharePoint

Human Rights Policy

Domestic Abuse (Domestic Violence): Domestic abuse refers to a pattern of behaviours in an intimate relationship or family setting where one person seeks to exert power and control over another through various forms of abuse. This abuse can be physical, emotional, psychological, sexual, financial, or a combination of these. It often involves repeated incidents and can have severe and long-lasting consequences for the victim.

Possible Indicators of Abuse

Physical Abuse:

- Unexplained injuries or marks on the body.
- Frequent injuries or injuries in various stages of healing.
- Consistent reports of being physically harmed.

Emotional or Psychological Abuse:

- Sudden changes in behaviour, such as increased anxiety, depression, or withdrawal.
- Signs of extreme fear or excessive worry when around a specific individual.
- Reports of threats, humiliation, isolation, or consistent criticism from someone.

Sexual Abuse:

- Unexplained pain or discomfort in the genital or anal areas.
- Significant changes in sexual behaviour or knowledge inappropriate for the person's age.
- Disclosure of non-consensual sexual encounters or exploitation.

Verbal Abuse:

- Frequent name-calling, insults, or derogatory language directed at the individual.
- Expressing fear or anxiety about interacting with a particular person due to hurtful language.

Financial Abuse:

- Sudden and unexplained changes in financial resources or assets.
- Reports of someone else controlling the person's finances without authorisation.
- Evidence of manipulation, coercion, or theft related to financial matters.

Neglect:

- Poor personal hygiene or signs of inadequate care.
- Unmet basic needs, such as food, clothing, or shelter.
- Deterioration in physical or mental health due to lack of care.

Substance Abuse:

- Physical and behavioural signs of excessive drug or alcohol use, such as intoxication, withdrawal symptoms, or erratic behaviour.

Cyberbullying:

- Evidence of online harassment, threatening messages, or harmful online content.
- Emotional distress related to online interactions.

Self-Abuse or Self-Harm:

- Signs of deliberate self-inflicted injuries, such as cuts, burns, or bruises.
- Frequent concealment of injuries or acts of self-harm.

Stalking:

- Persistent unwanted attention, contact, or monitoring by an individual.
- Documentation of invasive or threatening behaviour.

Grooming Vulnerable Persons:

Version History Table:

Version	Version Date	Authorised Officer	Amendment Notes	Next Review Date
0.0	22/04/2024	CEO – Leanne Pearman	Drafted Policy	NA
1.0	10/05/2024	CEO – Leanne Pearman	Ratified	01/05/2026

Complete minor and major version history are managed through SharePoint

Human Rights Policy

- Suspicious behaviour by an individual, particularly an adult, forming inappropriate relationships with vulnerable individuals, *often involving secrecy and manipulation.*

Child Abuse:

- Physical signs of injury, malnutrition, or neglect in a child.
- Behavioural indicators, such as sudden aggression, withdrawal, or fear of certain individuals.

Domestic Abuse (Domestic Violence):

- Reports of a pattern of abusive behaviours within an intimate relationship or family setting.
- Physical injuries, emotional distress, or financial exploitation within a domestic context.

Remember, one sign on its own may not suggest abuse or neglect. It is important to exercise care and sensitivity when assessing these indicators and to involve appropriate authorities and support systems when abuse is suspected.

References

[Code of Conduct Policy.pdf](#)

[Quality Management System Policy.pdf](#)

[Child and Vulnerable People Safeguarding Policy.pdf](#)

[Positive Behaviour Support and the Use of Restrictive Practices Policy](#)

[Individual Needs Policy.pdf](#)

[Supported Decision-Making Policy.pdf](#)

[Social and Community Participation Policy.pdf](#)

Related Legislation and Policy

- Carers Recognition Act 2004
- Disability Services Act 1993 (WA)
- Guardianship and Administration Act 1990
- United Nations Convention on The Rights of Persons with Disabilities
- National Standards for Disability Services
- National Disability Insurance Scheme Quality and Safeguarding Framework
- National Disability Insurance Scheme Act 2014: Principles

Version History Table:

Version	Version Date	Authorised Officer	Amendment Notes	Next Review Date
0.0	22/04/2024	CEO – Leanne Pearman	Drafted Policy	NA
1.0	10/05/2024	CEO – Leanne Pearman	Ratified	01/05/2026

Complete minor and major version history are managed through SharePoint