



Violence, Abuse, Neglect and Exploitation & Discrimination Policy and Procedure

Policy Purpose

This policy is intended to ensure that the supports made available to participants by Kaleidoscope Psychological Services promote, uphold, and respect their legal and human rights. This includes participants' rights to make informed decisions, exercise control, and maximise their independence in relation to the provided supports. Participants anticipate that services and supports will be provided without violence, abuse, neglect, or exploitation.

Policy Statement

Kaleidoscope Psychological Services will ensure that participants have access to services free from violence, abuse, neglect, exploitation, and discrimination. We evaluate the capacity of all participants who utilise our services to determine their own best interests and make life decisions.

Our Violence, Abuse, Neglect, Exploitation and Discrimination Policy aims to achieve the following:

- Kaleidoscope Psychological Services, and all our employees, demonstrate we have zero tolerance for violence, abuse, neglect, exploitation and discrimination.
- We ensure participants receive service and supports from Kaleidoscope Psychological Services that are free from violence, abuse, neglect, exploitation and discrimination.
- Kaleidoscope Psychological Services works to actively prevent violence, abuse, neglect, exploitation and discrimination.
- Kaleidoscope Psychological Services has processes in place to respond promptly and appropriately to allegations and incidents of violence, abuse, neglect, exploitation and discrimination, including maintaining records.
- We have an incident management system in place, which covers reportable incidents and is used to document any allegations or incidents.
- We ensure that any participant affected when allegations or incidents relating to violence, abuse, neglect, exploitation and discrimination are appropriately supported, including access to an advocate and appropriate services.
- Where the allegation or incident involves a child or a person with disability who has a guardian, we will immediately contact the parents/guardian of the allegations or the incident.
- We review our policies, procedures, and processes, and take action, following a breach of our violence, abuse, neglect, exploitation and discrimination policies and procedures, to ensure that similar allegations and incidents do not recur.



This policy complies with the requirements under the [National Disability Insurance Scheme Quality Indicator Guidelines 2018](#) and [NDIS Code of Conduct](#)

Violence, Abuse, Neglect, Exploitation, Discrimination Procedure

These procedures define how our Violence, Abuse, Neglect, Exploitation, and Discrimination Policy will be implemented.

These procedures provide direction to staff to ensure that the supports accessed by participants of Kaleidoscope Psychological Services promote, uphold, and respect the legal and human rights of participants, including the right of each participant to receive services free of violence, abuse, neglect, exploitation, and discrimination.

These procedures include three attachments:

- A. Types of Abuse
- B. Indicators of Abuse
- C. Response Process.

Worker on-boarding, screening and training

We will ensure that:

- Workers have had referee and [worker screening checks](#) at the time of recruitment, and remain valid.
- Workers meet the [NDIS Code of Conduct](#), which requires workers to prevent and respond to all forms of violence against, and exploitation, neglect and abuse of, people with disability.
- Workers are aware of our processes for responding to allegations and incidents of violence, abuse, neglect, exploitation and discrimination.
- Workers who engage and work with participants are appropriately trained in prevention of, and responses to, violence, abuse, neglect, exploitation and discrimination, including potential indicators and risk factors as outlined in this procedure.

Service Provision

As part of our Service Provision process and related procedures, we will:

- Ensure that participants are provided with the opportunity to have a chosen supporter with them, and at any time they request.
- Provide a copy of our Violence, Abuse, Neglect, Exploitation and Discrimination Policy and explain it in easy language with each participant upon engagement of services.



- Ensure participants are treated with respect and dignity at all times.
- As part of our participant service provision process, check for prior or existing Abuse and Neglect.

Reporting incidents or allegations of Abuse and Neglect

Should exposure or potential exposure to violence, abuse, neglect, exploitation and/or discrimination become evident at Service Agreement, we will respond using the Incident reporting processes in our *Incident Management* policy and procedure. This will include:

- Protecting the participant.
- Where relevant, preserving and recording evidence.
- Reporting immediately (criminal acts must be reported to the police).
- Providing support to all parties (for example, the participant, the person bringing the allegations).
- Where relevant, taking the matter to the NDIS Commission and/or engaging an independent body for investigation.

Attachment A – Types of Abuse

‘Abuse’ entails a range of behaviours, which seek to gain power over others, to inflict pain (physical or emotional) and humiliation, and to create fear and intimidation.

Physical abuse includes (but is not limited to) hitting; punching; striking with an object; choking or strangling; unwarranted physical restraint; throwing objects at a person; denying food or force-feeding, over medicating or withholding medication.

Sexual abuse includes (but is not limited to) any unwanted sexual activity perpetrated on person(s) by another person(s) (i.e., consent is not given, or the person abused is unable to give consent because of capacity or age). Sexual activity includes (but is not limited to) unwanted sexual touching; sexual harassment; exposure to, or filming of a person for, pornography; fondling of genitals or breasts; oral sex; vaginal or anal penetration by a penis, finger, or object; exhibitionism and voyeurism.

Financial abuse includes (but is not limited to) theft; appropriating control of a person with disability’s finances without informed consent; denying access to finances; spending the money of a person with disability in ways the person has not consented to; pressurising or threatening people with disability to hand over money or their ATM card.

Verbal/Emotional abuse includes (but is not limited to) name-calling; humiliation in public and private; ongoing criticism and/or swearing; shouting; belittling behaviour.

Mental/Psychological abuse includes (but is not limited to) threats to expose identity (for example, LBGTIQ status); excluding them from activities or events important to them; name calling; socially isolating the person; removing technology that assists social connection (e.g.



telephone, computer); monitoring phone calls or emails; removing technology or aids necessary for the person's participation in social and community life and to live with dignity.

Cultural/Identity abuse includes (but is not limited to) a person with disability being prevented from practicing their own culture, beliefs, and values, including their religion; misusing cultural beliefs to justify other types of abuse/violence and/or neglect; forcing a person with disability to act against their own beliefs, values, and culture; denying access to important events linked to a person with disability's beliefs, values, and culture; deriding a person with disability's beliefs, values and culture.

Image based abuse includes (but is not limited to) abuse where someone shares, or threatens to share, intimate photos of a person with disability without their consent; or shows a person with disability intimate photos without their consent. This includes (but is not limited to) photos of a nude person or a person whose genitals or breasts are exposed; a person engaged in a sex act; a person showering or bathing; 'up skirting,' or, 'down blousing,'; a person's face superimposed on a pornographic image.

Stalking includes (but is not limited to) unwanted behaviour including making repeated phone calls or texts; loitering outside a person's home, work, or other venue frequently visited (e.g., place of worship), leaving messages on social media and following a person.

Attachment B – Potential Indicators

Examples of potential indicators and risk factors for violence, abuse, neglect, exploitation and discrimination against participants are provided below.

Taking one indicator on its own may not be evidence of abuse, however, this list aims to assist all workers within Kaleidoscope Psychological Services to identify characteristics and/or behaviours in participants that may indicate exposure to abuse and/or neglect.

Physical abuse

Physical indicators:

- direct or indirect disclosure of abuse or assault
- unexplained cuts, abrasions, bruising or swelling
- unexplained burns or scalds, cigarette burns
- rope burns or marks on arms, legs, neck, torso
- unexplained fractures, strains or sprains; dislocation of limbs
- bite marks
- dental injuries
- ear or eye injuries



Behavioural signs:

- avoidance of particular staff, fear of a particular person
- sleep disturbances
- changes in behaviour (e.g., unusual mood swings, uncharacteristic aggression)
- changes in daily routine, changes in appetite
- unusual passivity, withdrawal
- self-harm, suicide attempts
- inappropriate explanations of how injuries occurred
- excessive compliance to staff
- persistent over-activity (misuse of medication)
- unusual levels of confusion/disorientation (misuse of medication)

Sexual abuse

Physical indicators:

- direct or indirect disclosure of abuse or assault
- trauma to the breasts, buttocks, lower abdomen or thighs
- difficulty walking or sitting
- pain or itching in genital and/or anal area; bruising, bleeding or discharge
- self-harm, abuse, suicide attempts
- torn, stained or blood-stained underwear or bedclothes
- sexually transmitted diseases, pregnancy
- unexplained money or gifts.

Behavioural signs:

- sleep disturbances
- changes in eating patterns
- inappropriate or unusual sexual behaviour or knowledge
- changes in social patterns
- sudden or marked changes in behaviour or temperament
- anxiety attacks, panic attacks, clinical depression
- refusal to attend usual places (e.g. work, school, respite)
- going to bed fully clothed
- excessive compliance to staff.



Psychological/emotional abuse

Physical indicators:

- speech disorders
- in the case of a child, lags in physical development, failure to thrive
- injuries sustained from self-harm or abuse
- suicide attempts
- anxiety attacks.

Behavioural signs:

- self-harm or self-abusive behaviours
- challenging/extreme behaviours
- excessive compliance to staff
- very low self-esteem, feelings of worthlessness
- clinical depression
- marked decrease in interpersonal skills
- extreme attention-seeking behaviour.

Financial abuse

Physical indicators:

- no access to, or unwarranted restrictions on, personal funds or bank accounts
- no records, or incomplete records kept of expenditure and purchases
- no inventory kept of significant purchases
- person controlling the finances does not have legal authority
- misappropriation of money, valuables or property
- forced changes to a person's will
- persistent failure to produce receipts
- receipts indicating unusual or inappropriate purchases.

Behavioural signs:

- person has insufficient money to meet normal expenses
- person is persistently denied outings and activities due to a lack of funds.

Neglect

Physical indicators:

- physical wasting, unhealthy weight levels



- poor dental health
- food from meals left on face and/or clothes throughout the day
- dirty, unwashed body and/or face, body odour
- person always wearing the same clothes
- ill-fitting and/or unwashed clothes
- person is always over or underdressed for the weather conditions
- food is consistently poor quality, insufficient, inedible and/or unappetising.

Behavioural signs:

- constant tiredness
- persistent hunger
- unexpectedly poor social/interpersonal skills
- signs of loss of communication and other skills
- staff member, service provider, carer or support person consistently fails to bring the person to appointments, events, activities
- person is persistently denied opportunities to socialise with others in the community.

Attachment C – Response Process

Kaleidoscope Psychological Services processes for responding to allegations and incidents of violence, abuse, neglect, exploitation and discrimination.

Step 1: Protect

The person who has been subject to abuse must be immediately made safe. Medical assistance must be provided if required. Any sources of harm (including potential sources) – for example, a perpetrator, a weapon, or any harmful object – must be removed from the person.

Provide reassurance to the person. Ask the person would they like a chosen supporter or [advocate](#) to attend (chosen supporter must not be the perpetrator).

Once the person has been made safe, contact the Manager, who will contact the chosen supporter or advocate in accordance with the wishes of the person with disability. The Manager will determine if the NDIS should be contacted immediately and the type of reporting required, in accordance with NDIS Commission requirements.

Step 2: Preserve and document evidence

If a crime has been committed, the scene of the crime must be preserved. This includes not moving any items and preventing others from entering the space (other than the police in the case of a criminal act or death and the Team Leader in the case of a non-criminal act).



Maintaining the crime scene will ensure the safety of any evidence and personal items. Take pictures of the area. Take detailed notes of what the participant, perpetrator, and/or witnesses may have said, as well as who was involved, the time and location of the incident, how the victim was made safe, and who was notified.

Step 3: Report the incident immediately

The Manager must report all allegations of criminal acts or deaths must be reported to the relevant State Police Service. For child protection cases, mandatory reporting is required.

A critical Incident Report Form must be completed. Your notes, and the Incident Report Form must be managed, maintained, and stored in accordance with Kaleidoscope Psychological Services privacy policies. The incident must be progressed through Kaleidoscope Psychological Services Incident Management Policies and Procedures.

If there are staff, they should advise the Manager immediately after a critical incident involving a crime or a death, and detail steps taken to date. Should allegations be made against the any staff member, the Manager should be contacted. Deaths must be reported to the Coroner.

If a 'reportable incident' occurs, which includes death, serious injury, abuse or neglect of a person with a disability, the NDIS Commission must be notified using the respective NDIS Commission notification form available at:

<https://www.ndiscommission.gov.au/providers/reportable-incidents>

Step 4: Support the victim/complainant and staff

The Manager is responsible for protecting the victim of violence, abuse, neglect, exploitation, and discrimination. This necessitates that the individual be shielded from any additional acts of violence, abuse, neglect, exploitation, and discrimination, as well as any acts of retaliation. In addition, these measures will support the police and internal investigation.

The Manager must then consider actions to be taken to ensure this occurs. These may include:

- The involvement of victim support services
- Debriefing and counselling for participants, staff, and/or other affected parties (e.g. witnesses)
- Relocating on a temporary basis the person subject to the abuse, and any witnesses, if appropriate
- Suspending any staff accused of violence, abuse, neglect, exploitation and discrimination in accordance with Kaleidoscope Psychological Services zero tolerance policy.
- Advise, as appropriate, other participants/parents/guardians of the incident, steps taken to date, and next steps.



Take steps to support and protect the person who has experienced abuse and the whistleblower, if applicable. Ensure that they are not subject to retribution and stop any attempts at further abuse or retribution.

Step 5: Take the matter further

Should any person be of the view the matter has not been managed satisfactorily by Kaleidoscope Psychological Services, the individual is able to take up the matter with the NDIS Commission.

Step 6: Review

The supervisor and appropriate staff will work with the Manager to review the incident and steps that can be taken to ensure the prevention of similar incidents in the future.

Where appropriate, the Manager may consider the contracting of an external investigator to review the incident, including responses by Kaleidoscope Psychological Services, to provide an assessment of the response and recommendations for the prevention of similar incidents in the future.

The Manager will work to review relevant policies and procedures following any critical incident review, whether internal or external.

Note: This policy is not designed to stand alone and should be considered in conjunction with all other Kaleidoscope Psychological Services Policies and Procedures.


Applicable forms and registers related to our Violence, Abuse, Neglect, Exploitation & Discrimination Policy and Procedure

- Incident Report Form
- Incidents Register

Applicable legislation and guidelines related to our Violence, Abuse, Neglect, Exploitation & Discrimination Policy and Procedure

- National Disability Insurance Scheme (NDIS) Act 2013 (Cwth)
- Australian Privacy Act (1988) (Cth)
- Disability Discrimination Act 1992 (Cth)
- United Nations Convention on The Rights of Persons with Disabilities
- National Disability Insurance Scheme (Practice Standards—Worker Screening) Rules 2018
- National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018
- National Disability Insurance Scheme (Practice Standards and Quality Indicators) November 2021
- Disability Inclusion (NDIS Worker Check) Regulations 2020



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