‘SAFEGUARDING FOR BOARDS’

A practical guide for Boards of Management about preventing and responding to abuse and neglect of people with disability

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Focus on rights, target abuse: the need for action

The National Disability Insurance Scheme (NDIS) marks a significant chapter in the history of people with disability in Australia. It presents unparalleled opportunities for people to enjoy their human rights and participate as equal members of society. Yet despite this expansion of opportunities, people with disability will continue to be at greater risk of neglect and abuse than people without disability. The NDIS will change the profile of risk, but it won't eliminate the risk of abuse. All disability service providers must be vigilant about responding to this risk.

The causes of abuse, neglect and violence toward people with disability are multiple and complex. A person's disability can intersect with other factors such as poverty, gender and social exclusion. For people who use disability services, quality of support and organisational culture are critical variables. Responding to the types of risk people with disability might face needs to be a team effort across every level of organisation, from frontline workers to the board.

It is important for all organisations to acknowledge the possibility that people with disability using their services might be experiencing abuse or neglect. Evidence shows that **'***agencies which deny the potential for abuse may increase risk by failing to recognise indicators of abuse and introduce protective and responsive strategies***'**[1] Board members need to know what these strategies are and what questions to ask of management to make sure that appropriate strategies are being implemented. This guide is designed to help board members do that.

NDS recognises the enormous contribution that board members make to the disability sector. Boards have multiple responsibilities and face numerous pressures, particularly during the current period of significant change in the disability sector; however, the human rights and safety of the people with disability who use services should be a priority for any board.

This guide has been developed as part of NDS's *Zero Tolerance* initiative in partnership with people with disability, disability service providers and other experts including current board members. At its heart, *Zero Tolerance* aims to equip service providers with practical resources to support people with disability in ways that respect, reflect and reinforce their human rights.

Board members have an opportunity and a responsibility to put an organisational focus on rights, so that the risk of abuse and neglect can be minimised. I hope this guide proves to be practical, interesting and useful for boards across the disability services sector.

Dr Ken Baker AM

Chief Executive, National Disability Services
August 2016

[1] Furey 1989, cited from Marsland et al

Who is this guide for?

This guide has been developed for members of Boards of Management (boards) of disability service providers.

It is intended to assist boards to have a better understanding of abuse, neglect and violence experienced by people with disabilities.

It outlines human rights-based organisational approaches to minimise risk of abuse, and best-practice and responsibilities for organisations in responding to abuse.

Using this guide

Although boards do not manage operational matters, it is in the interests of all board members to know that your organisation is prioritising the safety of people who use your services, and all staff are meeting their responsibilities to maximising people's human rights. As a board member, this guide will help you to:

- increase your **knowledge** about abuse, neglect and violence experienced by people with disabilities
- explore **actions** that your organisation can take to prevent abuse, neglect or violence
- understand your **responsibilities** in relation to abuse, neglect and violence for people with disabilities using your organisation
- ensure **systems and processes** are in place to be able to respond quickly and appropriately to any cases of abuse, neglect or violence within your organisation
- know the **right questions** to ask about safeguarding people with disabilities in your organisation

The guide uses NDS's *Zero Tolerance* framework (see page 8) as the basis for understanding, preventing and responding to abuse. It also highlights organisational responsibilities under the National Standards for Disability Services.

The guide can be also be used with NDS's National Disability Insurance Scheme (NDIS) Provider Toolkit. It has been designed to complement the *Corporate Governance* and *Quality and Safeguarding* sections in the Provider Toolkit where providers identify additional actions in relation to safeguarding.

> *'…agencies which deny the potential for abuse may increase risk by failing to recognise indicators of abuse and introduce protective and responsive strategies'*
> **Furey, 1989**

Human Rights and Safeguarding: your role as a board member

Board members have a responsibility to monitor organisational performance and ensure that systems, processes and policies are in place to ensure all aspects of the business are functioning in line with its purpose and strategic objectives.

Boards also play a critical leadership role in setting expectations in relation to values, behaviour and organisational culture. This includes setting expectations around human rights and safeguarding people who use the service from harm.

Human rights are sometimes seen as abstract or considered to be an additional requirement for organisations already under pressure to deliver in an increasingly competitive environment. As board members you have an opportunity and a responsibility to send the right message and set expectations which recognise that people:

- **want to support human rights**: most people working in the disability sector want to do the right thing. They want to support people to lead good lives where they make decisions.
- **should support human rights**: supporting the human rights of people with disability is the right thing to do. People at all levels of an organisation, including board members, should seek to support people to maximise their rights and ensure safe practice.
- **have to support human rights:** organisations have a duty of care to the people they support. They have obligations under state, national and international policy and law to ensure people are treated respectfully and are safe from abuse, neglect, exploitation and violence.

This guide uses a human rights approach, reinforced through NDS's *Zero Tolerance* framework to give you a clearer insight into creating an organisation where people with disability feel respected, are treated with dignity and are safe from harm.

'Personally I believe a human rights based approach is a no-brainer. If you genuinely care about people you've got to do it'
Ian Gray, Board Member of Annecto ('The Human Rights Approach')

Boards and their CEOs: a critical partnership

A good relationship between a board and the Chief Executive Officer is of critical importance. In some cases the CEO may provide the only avenue for boards to understand how the organisation is performing at an operational and customer service level. Each organisation will manage this relationship differently. However the following actions can help ensure that the relationship is based on mutual trust, understanding and commitment to furthering the rights of people with disability:

The right person for the job

- When recruiting CEOs and other senior leaders, include selection criteria around human rights practice and implementing positive feedback cultures
- Ask values-based interview questions which explore candidates attitudes to human rights
- Include people with disability (preferably board members) on interview panels if possible
- Include questions about human rights when consulting referees

Be proactive

- Set clear expectations about the nature of information you want from your CEO (use this guide to inform your requests)
- Share responsibility for canvassing of agenda items – no topic should be off limits
- Include human rights and safeguarding for discussion on every board meeting agenda
- Expect the same level of information as you would for finance and WHS reporting
- Set organisational goals and expectations for improvement e.g. incident report numbers

Seek diverse opinions

- Even if you have a strong and trusting relationship with your CEO, do not rely on one person to inform your views on organisational health
- Make efforts to meet with and seek opinions of others in the organisation
- Seek access to any relevant reports as you feel necessary e.g. organisational culture, client feedback and exit interviews
- Be ready to discuss matters in private (in camera) with other board members

Give feedback

- Use your 'outside' perspective to enhance the CEOs understanding of any issues
- Be vocal about any concerns. Do not 'wait and see' if you feel something is wrong
- Be collaborative – what can the board do to help senior managers do their job better
- Bring and share any other skills and experience to your job to support your CEO

'*[boards] have an important role in recruiting a CEO who holds these values and is going to create a culture where the senior management [embed human rights] across the organisation*.' **Marianne Hubbard, CEO, Pinarc** ('The Human Rights Approach')

The Zero Tolerance Framework

The *Zero Tolerance* Initiative is NDS's national approach to promoting human rights and preventing and responding to abuse, neglect and violence experienced by people with disability. It is built around a prevention focused framework (see below) and encourages action across organisations to embed human rights and promote positive practice. It also seeks to encourage reflective practice and early intervention, asking staff to take corrective steps where there is a risk of a person's rights being compromised.

This guide uses the five levels outlined above to illustrate the range of actions organisations can take to implement human rights approaches and strengthen safeguarding practices.

Understanding abuse

To prevent abuse organisations must first have an understanding about what it is. Under the *Zero Tolerance* framework, *Understanding Abuse* starts with:

1. Applying human rights practices
2. Recognising abuse, neglect, exploitation and violence as violations of human rights
3. Understanding the factors that can create risk of abuse
4. Recognising signs and signals that abuse is taking (or has taken) place

Did you know…?
NDS developed a short video for boards about embedding human rights approaches. Watch it here: https://www.youtube.com/watch?v=u98PzbCzP10

Abuse and neglect of people with disability can take many forms. It can also be caused by many factors. One factor on its own might not lead to a person experiencing abuse, but combinations of factors can increase risk. These can include:

Personal factors such as gender, age, disability, and communication style

- A person's **social connections** (and any segregation and isolation)
- **Choice and control**: how much say people have in decisions about their lives and safety
- **Attitudes of others**: viewing people with disability as less than equal ('othering') including having lower expectations about a person's capabilities
- Living **environment**: where people live and how they are supported there
- **Reliance on others**, especially help for things that are private and personal
- **Limited life experience**: a result of people not being supported to take risks and grow
- Predators, groomers, opportunists and other **perpetrators** of disability hate crimes

Some abuse and neglect happens **deliberately**. Other forms of abuse can happen by **accident**, for example where a staff member has not been trained properly, or does not realise the impact of their actions. Abuse can also happen due to **systemic** issues, such as cutting corners due to lack of staff or availability of necessary equipment. Regardless of the cause the impact on a person with disability is the most important factor. Boards must send a strong message throughout their organisation that all forms of abuse are unacceptable and must be addressed.

National Standards for Disability Services 1: Rights

- The service, its staff and its volunteers treat individuals with dignity and respect.
- The service, its staff and its volunteers recognise and promote individual freedom of expression.

Understanding Abuse: Checklist

Do you as a board:

- ☐ Have a mission statement and vision which reflects a commitment to human rights?
- ☐ Understand and acknowledge the potential for abuse, neglect and violence toward people with disability within your organisation
- ☐ have a *Zero Tolerance* approach to violations of people's human rights that is reflected in policy and practice
- ☐ understand the clear link between service quality and safeguarding

Does your organisation:

- ☐ provide training for staff on human rights (e.g. NDS's *Online Human Rights Training*)
- ☐ provide information about human rights in an accessible format to people with disability, staff and families
- ☐ provide a clear definition and information about abuse, neglect and violence in an accessible format to people with disability, staff and families
- ☐ provide training on the causes and signals of abuse, neglect, violence and exploitation (e.g. NDS's *Zero Tolerance* '*Understanding Abuse'* e-learning)
    - as part of staff and volunteer induction - including board members
    - in ongoing training and through supervision
- ☐ encourage your workforce to escalate concerns of suspected abuse, neglect and violence free of any victimisation or recrimination

Practices and safeguards to help prevent abuse

The National Standards for Disability Services are explicit that services must have 'preventative measures in place to ensure that individuals are free from discrimination, exploitation, abuse, harm, neglect and violence.' The *Zero Tolerance* framework groups these measures under:

1. **Policy and practice that protect people's rights:** ensuring your organisation has clear policies and guidelines in place that are built on human rights and are mindful of contemporary approaches to safeguarding service users.

2. **Measures that seek to empower people with disability:** including providing people with information and training on rights, involving significant people in people's lives, and building connections outside the service.

3. **Actions that impact on organisational culture:** including verifying values, background and qualifications of staff; having positive feedback and complaints cultures which encourage people to speak up and protects whistleblowers, and being open to scrutiny from external bodies.

Whilst boards do not lead the day to day operations in organisations, board leadership is critically important in establishing the culture which facilitates these actions. Boards can set expectations around human rights policy and empowerment, showing willingness to external scrutiny and demonstrating the importance of feedback through their own actions including activity canvassing and responding to feedback from across the organisation.

SCOPE's 'See the person' recruitment program has been developed to create a more person centered, values based approach to recruitment. People using services are involved in the process through consultation about the values that are important in a support worker, and through involvement in group-based recruitment sessions. **SCOPE Victoria**

National Standards for Disability Services 4: Feedback and Complaints

- Individuals, families, friends, carers and advocates are actively supported to provide feedback, make a complaint or resolve a dispute without fear of adverse consequences.
- Complaints are resolved in collaboration with the individual, family, friends, carer or advocate in a proactive and timely manner.

National Standards for Disability Services 1: Rights

- The service has preventative measures in place to ensure that individuals are free from discrimination, exploitation, abuse, harm, neglect and violence.
- The service supports active decision-making and individual choice including the timely provision of information in appropriate formats to support individuals, families, friends and carers to make informed decisions and understand their rights and responsibilities.
- The service keeps personal information confidential and private
- The service recognises the role of families, friends, carers and advocates in safeguarding and upholding the rights of people with disability.

Preventing Abuse: Checklist

1. Person Centred Policy and Procedure

Do you as a board:

- ☐ have an understanding of, and commitment to, your safeguarding responsibilities under the National Standards for Disability Services?
- ☐ set clear expectations about safeguarding the rights of people who use your organisation's services through policy and practice?
- ☐ have mechanisms to periodically review policy documents to ensure they are in line these expectations and commitments?

Does your organisation:

- ☐ have in place policies and guidelines which maximise person centred practice, choice and control and the empowerment and independence of people with disability
- ☐ undertake individual planning for clients includes an assessment of the person's unique risks, potential vulnerabilities and behaviours
- ☐ integrate a strong focus on prevention of abuse into risk management
- ☐ have established abuse prevention policies and procedures that protect people's rights
- ☐ ensure all other policies are linked to abuse and safeguarding policies and practices

2. Positive complaints cultures

Do you as a board:

- ☐ set a clear expectation about the need to canvass and respond promptly to feedback from people who use your services and their families and carers
- ☐ set an expectation that complaints or feedback from people with disability, families, carers and staff will be taken seriously and responded to promptly and appropriately
- ☐ actively canvass feedback from people, families and staff through a range of mechanisms
- ☐ have mechanisms to monitor feedback and complaints and emerging themes or trends
- ☐ have a commitment to supporting people who disclose or report rights violations

Does your organisation:

- ☐ have a culture that actively canvasses feedback from service users and staff and commits to rapid response and action
- ☐ undertake client culture and satisfaction surveys
- ☐ have policies and procedures that clearly explain process for identifying, escalating, reporting and responding to abuse, service user complaints and staff grievances
- ☐ have a clearly documented, easy to use and accessible complaints process
- ☐ promptly address and monitor concerns relating to organisational culture which may create a low confidence in disclosing abuse
- ☐ have in place policies and practices related to whistle blower protection which encourage staff to speak up about issues of concern in confidence

3. Staff recruitment and supervision

Do you as a board:

- ☐ understand your responsibility to ensuring that all staff have appropriate background, qualification and criminal history checks
- ☐ understand the importance of including training on rights as part of staff induction and ongoing training and set appropriate expectations
- ☐ understand the importance of staff supervision and set expectations for supervisors

Does your organisation:

- ☐ ensure adequate pre-employment screening and regularised ongoing screening of staff, volunteers (including board members) based on:
  - background and centrally conducted referee checks
  - values based interview techniques
  - input from service users

- ☐ have a clearly articulated code of conduct outlining acceptable and unacceptable behaviours for staff and service users interacting with one another

- ☐ have clearly articulated outcomes for effective supervision of staff and ensure that these are monitored and adhered to

- ☐ address concerns about the competency of staff or adequacy or training and supervision of staff and volunteers

- ☐ support staff with effective ongoing supervision and training, including:
  - regular staff supervision and audit this to ensure it occurs
  - use group and peer staff supervision practices
  - implement and encourage peer reviews

- ☐ use effective quality management systems

- ☐ undertake unannounced quality visits, including by external bodies

- ☐ implement strategies to ensure the health, safety and support of workforce

4. Empowerment of people with disability

Do you as a board:

- ☐ recognise and set organisational expectations about the role of families, friends, carers and advocates in safeguarding and upholding the rights of people with disability

Does your organisation:

- ☐ engage with families and carers regarding the support provided to people with disability

- ☐ support people to access information about their rights and use them, including the right to be safe, and the right to make decisions

- ☐ encourage people to form connections with peer support networks support

- ☐ seek to connect people to relevant advocacy services including self-advocacy

Addressing risk for specific groups and service settings

Zero Tolerance uses a human rights approach to set out a series of universal practices which will contribute to reducing risk of harm for people with disability who use disability services.

However it is also important to understand that risk of harm can increase due to factors specific to the individuals being supported as well as features of some service settings and approaches.

Some service types or settings can also increase risk, such as services where there:

- is regular physical contact with the client
- are closed or segregated environments such as in home support, supported accommodation, or supported employment
- are unsupervised interactions between staff and service users/ other service users

Risk of abuse can be greater for some people with disability depending on their age, their gender, their disability type(s) and any complexity, their health (including mental health) their communication style and language, and their cultural background including indigenous status. These can be further exacerbated by the personal circumstances of some individuals such as:

- poverty and living environment
- social connections and lack of supportive relationships (including friends and family)
- high dependency on support givers/service provision
- limited sex education or age-appropriate sexual experiences
- lack of self-protection skills
- lack of knowledge of rights

Organisations should also have comprehensive policy and practice with regard to supporting people with behaviours of concern, provided in accordance with the *National Standards for Disability Services* requirement for 'minimal restrictive options and are contemporary, evidence-based, transparent and capable of review.'

"An update to the board about involvement in the development of the 'Road Map for achieving Dignity without Restraint in Disability Services' led to a robust discussion about restrictive practices. It was at this Board meeting that there was a turning point in members understanding of human rights, dignity and abuse, and recognition of the use of restraint as a restriction of a person's human rights." **Terri Carroll – CEO, MiLife Victoria**

National Standards for Disability Services 1: Rights

- The service provides support strategies that are based on the minimal restrictive options and are contemporary, evidence-based, transparent and capable of review.

National Standards for Disability Services 3: Individual Outcomes

- Service planning and delivery is responsive to diversity including disability, age, gender, culture, heritage, language, faith, sexual identity, relationship status and other relevant factors.

Addressing risk in specific groups and service settings: checklist

Do you as a board:

- ☐ have a comprehensive understanding of the types of people with disability supported by your organisation

- ☐ recognise and understand that there is an increased risk of harm for some people with disability, including risk linked to age, gender, disability type(s) and any complexity, health (including mental health), communication style and language, and their cultural background including indigenous status

- ☐ have a comprehensive understanding of the types of services provided by your organisation and the settings they are provided in

- ☐ recognise and understand that there is an increased risk of harm in the delivery of some services and in some service environments including:
    - where there is regular intimate physical contact
    - in closed or segregated environments such as in home support, supported accommodation, or supported employment
    - during unsupervised interactions between staff and service users and between service users

- ☐ have a commitment to the reduction and elimination of restrictive practices

Addressing risk in specific groups and service settings: checklist

Does your organisation:

- ☐ recognise that there is an increased risk of harm for some service users including:
  - age-related risk (including children, young people and older people)
  - risk related to gender and/or sexuality
  - risk for people with cognitive disability and/or mental health issues
  - risk related to people from CALD and indigenous backgrounds
  - support needs of people who use augmented and complex communication
  - people who require support with management of finances
  - people with a high dependency on services and lack other social supports

- ☐ have policy and guidelines in place to address these specific risks

- ☐ complete environmental risk assessments and implement a risk strategy – including training for staff and people with disability that targets known risks, groups and settings for the organisation

- ☐ have personal care policies and procedures that enable service users to choose their support staff with respect to gender and culture

- ☐ recognise potential risk of harm associated with specific service settings and have policy and guidelines in place to address them, including:
  - accommodation settings
  - personal care
  - remotely supervised service provision

- ☐ employ effective supervision and training processes for staff that work remotely, including new technology to assist communication and use of online training

- ☐ have a financial commitment to staff training for positive behaviour support

- ☐ have a commitment and action plan for the reduction of restrictive practices (for example the Victorian Roadmap resource for achieving dignity without restraint)

Responding to abuse

Although organisations must make every effort to prevent abuse, it is critically important that organisations are ready and able to respond to abuse should it occur.

The *Zero Tolerance* framework highlights three areas of action for organisations to be ready to respond appropriately, quickly and effectively to any incidences of abuse, neglect and violence toward people with disability, including:

1. **Early intervention and response:** encouraging workers to be alert to and respond to any signals of poor practice and more serious acts, having clear policy and set actions that organisations must take to respond when abuse is disclosed, reported or observed, timely reporting and evidence gathering.

2. **Supporting victims:** ensuring safety of victims, supporting access to medical and other specialist response and recovery services, contacting families and carers and ensuring access to justice through contact with the police and advocacy services.

3. **Meeting legal and organisational requirements:** meeting all responsibilities under policy and legislation including working with police, investigators and statutory bodies; conducting thorough investigations which acknowledge needs of individuals and staff.

Boards should set a clear expectation of how organisations (as a whole) will respond to any disclosed, reported or observed abuse. People with disability, families, staff members and others should not feel they have any reason to hesitate reporting abuse, and that the organisation will treat the matter with appropriate seriousness and meet its obligations in supporting victims and working with external authorities.

Not only can ineffective organisational responses deny justice for victims, they can allow abuse to continue and compound the harm by putting other service users at risk; giving an impression that human rights abuses are tolerated and won't be acted upon, discouraging others from speaking up and undermine efforts to prevent abuse.

In addition to ensuring the safety of victims and thorough investigation of events, NDS strongly recommends boards take the AAAA approach to responding to abuse, specifically:

- **Acknowledgement:** by the organisation of the person's situation
- **Answers:** informed by a thorough investigation and shared appropriately
- **Actions:** resulting from the investigation, and commitment to improve
- **Apology:** for anything the organisation could have done or done better

National Standards for Disability Services 1: Rights

- The service addresses any breach of rights promptly and systemically to ensure opportunities for improvement are captured.
- The service supports individuals with information and, if needed, access to legal advice and/or advocacy.

Responding to Abuse: Checklist

Do you as a board:

- ☐ set a clear message that the needs of victims should be the first priority following disclosed, reported or observed abuse of a person with disability
- ☐ receive notification of all cases of disclosed, observed and reported abuse and request details on outcomes for any victims, accused staff and the organisation
- ☐ have a commitment to supporting (including resourcing) transparent and independent investigative processes
- ☐ understand the need for a clear communications strategy which:
  - prioritises the safety and seeks to respect privacy of those involved;
  - sends a zero tolerance to abuse message
  - is clear that justice for victims is prioritised over the organisation's reputation
- ☐ understand your legal obligations as a board in the case of substantiated abuse of a person using your service
- ☐ understand your industrial responsibilities to any staff member
- ☐ read investigation reports and take responsibility for communicating and commissioning implementation of any recommendations
- ☐ have a comprehensive *Acknowledgement, Actions, Answers, Apology* redress and response strategy in place

"My advice to boards to give people with disability their human rights like everyone else"
Heather Forsyth, Self Advocate, VALID ('The Human Rights Approach')

Does your organisation:

- ☐ have in place policies and guidelines that support swift response to early indicators of abuse, including expectations of any bystanders

- ☐ have clear information regarding expectations, policies and procedures for immediate response to, and escalation of, disclosures, observations and reported abuse (both recent and historic)

- ☐ have in place clear steps for frontline staff and managers around reporting and working with police and external bodies, including preservation of evidence

- ☐ have effective note taking and record keeping systems in place

- ☐ provide clear information for staff regarding the process for supporting victims of abuse, and perpetrators who are service users, including being connected with relevant and appropriate support services and advocates for as long as required

- ☐ understand the organisation and the board's legal and statutory obligations to be enacted when incidents of abuse or neglect occur

- ☐ have in place guidelines for conducting criminal, disciplinary, organisational and person-centred investigations following any case of abuse

- ☐ have in place policies and procedures to support staff who may be implicated in or directly involved in any observed, reported or disclosed abuse

- ☐ have in place a communications strategy which is:

    - informed by advice from the police and other authorities
    - Seeks to inform key stakeholders where to do so will not impact on any corresponding investigation
    - Respects the needs, trauma and privacy of victims
    - Is clear on what steps will be followed

- ☐ ensure protection from recrimination for people who report or disclose

- ☐ service users, their support networks are informed of how to make complaints/disclose abuse and are at the centre of any resolution or investigation

Analysis, Learning and Improvement

Boards have a critical role to play in contributing to, and providing feedback on analysis, learning and organisational improvement opportunities.

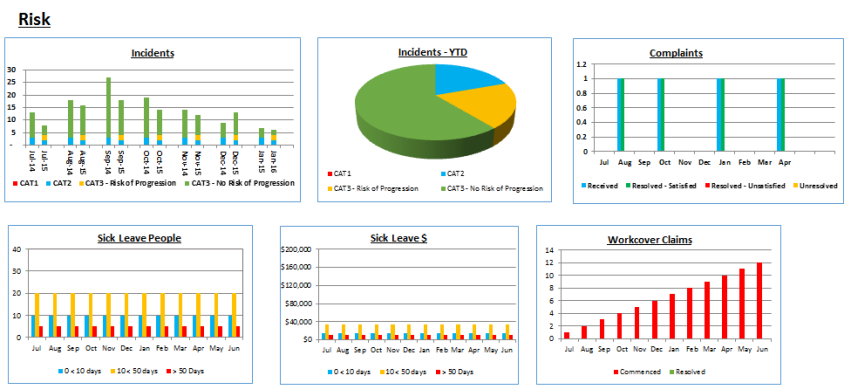
Zero Tolerance recommends actions including:

1. **Maintaining and Analysing Records:** using effective, efficient methods to maintain records and details of all incidents and human rights violations, regardless of any criminal conviction. Analysis of incident and workforce data to understand pressure points and potential risks.

2. **Committing to Continuous Improvement: ensuring a systematic program of** review for policy and practice, informed by service users, families, staff, management and the board. Responding to any gaps in safeguarding practice and seeking to strengthen effectiveness, transparency, accessibility and accountability.

3. **Supporting Wider Initiatives to reduce abuse** Board members come from different walks of life, and bring a range of different skills and industry experience to the disability sector. Boards can incorporate knowledge of relevant practice and initiatives from other sectors to strengthen practice in your organisation. Board members can also endorse partnerships and participation in broader initiatives.

Abuse is complex and has many causes. However the risk of some forms of abuse can be anticipated and prevented. Equally, it is important to learn from any breaches of human rights for people who use your service, understand why it happened and take actions to prevent it happening again.



A data dashboard is an effective way to identify and analyse organisational trends

National Standards for Disability Services 4: Feedback and Complaints

- The service seeks and in conjunction with individuals, families, friends, carers and advocates, reviews feedback on service provision and supports on a regular basis as part of continuous improvement.
- The service develops a culture of continuous improvement using compliments, feedback and complaints to plan, deliver, and review services for individuals and the community.

National Standards for Disability Services 6: Service Management

- *The service documents, monitors and effectively uses management systems including Work Health and Safety, human resources management and financial management.*
- *The service has monitoring, feedback, learning and reflection processes which support continuous improvement.*

Analysis, Learning and Improvement: Checklist

Do you as a board:

- ☐ have rights and safeguarding as a standing item on your meeting agendas, tied to an annual calendar
- ☐ receive and consider regular data and analysis from incident reports
- ☐ receive and analyse workplace health and safety reports
- ☐ receive and analyse exit interview data
- ☐ prioritise organisational cultural health at the same level of financial health
- ☐ request regular policy and procedure review
- ☐ have processes in place to change board members on a regular basis
- ☐ have people with disability on your board
- ☐ ensure adequate financial allocation to develop and maintain safeguarding strategies within the organisation

Analysis, Learning and Improvement: Checklist

Does your organisation:

- ☐ have rights and safeguarding as a standing item on relevant meeting agendas, including executive and board meetings
- ☐ keep up to date with best practice prevention strategies and changing legal obligations
- ☐ have a formal risk management plan and reporting process that includes regular monitoring of known risk factors and strategies to identify new and emerging risks
- ☐ use data to implement continuous improvement including policy and guidelines review and training
- ☐ maintain records on any alleged abuse by staff, even where there is insufficient evidence
- ☐ have in place appropriate committees (e.g. Risk and Audit, Quality & Clinical Governance) or governance structures to explore and address systemic or organisational safeguarding gaps
- ☐ have a senior management team which seeks and review data from incident reports, complaints, quality audits, client surveys, Community Visitor reports and other external bodies and examine trends in targeted risks and development of new risks
- ☐ review policies to ensure that they are up to date with compliance obligations and incorporate best-practice
- ☐ verify that all uses of restrictive intervention are documented in up-to-date behaviour support plans
- ☐ work collaboratively with mainstream and specialist support services to contribute to improved understanding and practice of safeguarding for people with disability
- ☐ monitor and understand the impact of high staff turnover, and have risk management strategies in place to address this

"*Our board genuinely cares, and because it cares we want to know what's going on. We want to know what mistakes we make. We want to learn from our mistakes*"
Ian Gray, Board Member of Annecto ('the Human Rights Approach')

Useful Resources

For further information and resources relating to *Zero Tolerance* please visit https://www.nds.org.au/resources/zero-tolerance

These include:

- NDS's *Introduction to Human Rights in Disability Services*: online course for disability support workers on the basics of human rights and how they apply to work in disability services: link
- Video: *Adopting a Human Rights Based Approach – Advice for Boards*: link
- *Zero Tolerance Understanding Abuse* online learning and resources (includes checklists with examples of signs and signals of abuse and video case studies) : link
- *Zero Tolerance* practice advice
  - *Safer Recruitment and Screening*: https://www.nds.org.au/resources/zero-tolerance-safer-recruitment-and-screening
  - *Supervision and Safety*: https://www.nds.org.au/resources/zero-tolerance-supervision-and-safety

Other useful resources include:

- NDS Risk Management Resources: https://www.nds.org.au/resources/risk-management
- NDIS Provider Toolkit: https://www.readiness.nds.org.au/
- Community policy depository: https://www.communitydirectors.com.au/icda/policybank/
- Disability Act 2006 Checklist Questions for Boards of Management: http://www.daru.org.au/wp/wp-content/uploads/2013/08/DisabilityACT2006-booklet-2.pdf
- VMIA – Risk Attestation for CSOs: https://www.vmia.vic.gov.au/risk/risk-attestation-for-csos

"If you're going to adopt a human rights approach, look at the UN Convention of the Rights of Persons with Disabilities … involve people with disability at every level … as clients, as workers, as contractors, in senior management roles and as part of your governance structures as well" **Leah Hobson, AFDO** ('The Human Rights Approach')

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