

Autism Understanding



NDIS Policy Manual

## CONTENTS

PAGE

---

1	Introduction to policies and procedures.....	2
2	NDIS Practice standards .....	6
3	Governance and operational management policy .....	177
4	Management rights and responsibilities .....	19
5	Code of conduct .....	21
6	Risk management policy.....	26
7	Risk management process .....	29
8	Incident management policy.....	33
9	Incident management process .....	36
10	Accident, incident response and reporting policy.....	41
11	NDIS Code of Conduct – Elements .....	44
12	Participants rights policy .....	47
13	Access to services policy.....	55
14	Individual outcomes policy .....	60
15	Diversity and inclusion policy .....	63
16	Complaints and feedback policy.....	65
17	Complaints handling policy.....	70
18	Service management policy .....	77
19	Freedom from abuse policy .....	80
20	Duty of care policy and procedure.....	91
21	Decision making and informed consent policy .....	94
22	Privacy, dignity and confidentiality policy.....	95
23	Client record policy .....	97
24	Infection control policy .....	98
25	Professional boundaries policy.....	100
26	Communication and consultation policy .....	103
27	Worker screening policy.....	105
28	Employee training and development .....	107
29	Maintenance, records and audit policy .....	109
30	Acknowledgement Form .....	112

# 1 INTRODUCTION TO POLICIES AND PROCEDURES

---

## 1.1 INTRODUCTION

The NDIS Quality and Safeguarding Framework provides a nationally consistent approach to help empower and support NDIS participants to exercise choice and control, while ensuring appropriate safeguards are in place and establishes expectations for providers and their staff to deliver high quality supports.

The overall objectives of the NDIS Quality and Safeguarding Framework are to ensure NDIS funded supports:

- uphold the rights of people with disability, including their rights as consumers
- facilitate informed decision making by people with disability
- are effective in achieving person-centred outcomes for people with disability in ways that support and reflect their preferences and expectations
- are safe and fit for purpose
- allow participants to live free from abuse, violence, neglect and exploitation, and
- enable effective monitoring and responses to emerging issues as the NDIS develops.

The Framework is designed to balance the need for appropriate protections that meet governments' duty of care obligations with the need to enable participants to take reasonable risks so they can reach their goals. The aim is to establish a flourishing market that offers people with disability genuine choice and control. The Framework is also designed to suit the emerging market-based system in which participants are building their capability to act as informed consumers, the workforce is growing rapidly, and new providers are entering the market.

## 1.2 FRAMEWORK PRINCIPLES

The following key principles underpin the Framework.

### **Human rights**

The NDIS gives effect to a number of key provisions in the UN Convention on the Rights of Persons with Disabilities. Consistent with this, the NDIS Quality and Safeguarding Framework is intended to uphold and respect the rights of people with disability. This includes the right to dignity and respect; to live free from abuse, neglect, violence and exploitation; and to participation and full inclusion in the community.

As such, the Framework includes measures to build the capability of people with disability to take control of their supports, as well as measures to prevent abuse and neglect and respond to any issues that emerge.

### **The presumption of capacity to exercise choice and control**

The Framework, like the NDIS, starts from a presumption that all people with disability have the capacity to make decisions and exercise choice and control. Strategies for reducing harm need to be weighed-up against the likelihood of harm occurring and its severity, and the impact this will have on choice and control. This allows for the dignity of

risk, which includes “supporting people to take informed risks to improve the quality of their lives”. Rather than trying to find ways to eliminate all risk—which can be highly restrictive and out of proportion to the level of risk involved—the dignity of risk for NDIS providers means working with participants to define acceptable risk levels in delivering supports to achieve their goals. This must be done in a way that considers the individual circumstances of each participant. It also means supporting participants in positive risk-taking, including recognising when the risk is something the participant can decide on, and negotiating how best to support the wishes of the participant.

People will however come to the NDIS at varying stages of readiness to take control of their supports. The Framework includes developmental measures to support participants to become informed consumers, equipped to choose quality supports that enable them to live their lives the way they want, and advocate for their rights. It also recognises that there needs to be an option for participants who are unable or unwilling to exercise choice.

#### **National consistency**

As the NDIS is a national scheme, it is important that regardless of where they live in Australia, participants can expect the same level of protection.

#### **Proportionality and risk responsiveness**

The risk involved in delivering a support can be affected by the extent to which the participant is at heightened risk of abuse and neglect, and the potential risk associated with the particular type of support.

#### **Efficiency and effectiveness**

The NDIS entails a transition from a government-managed to a market-based system. The Framework is designed to support the development of an efficient and effective NDIS market and achieve the right balance between regulation. This is to ensure quality and safe services, and minimise barriers to market entry. The bar for entry into the market is not set so high that it would prevent market growth and create unnecessary red tape, nor so low that it would enable workers and providers who would pose an unacceptable risk to participants to enter and operate.

Developmental measures are included to develop the capability of participants, workers and providers, and to encourage providers to be flexible and responsive to participants' needs. Market oversight mechanisms will also support a competitive market that meets the varying needs of participants across Australia. The Framework reduces duplication and allows for mutual recognition of compliance with equivalent standards when possible, so the system is easier for people with disability to navigate and red tape is reduced for providers.

The services and support to people with disabilities, their families or carers are provided by Autism Understanding and must 'conform' with [i.e. meet] the provisions of the 'Act' and the 'Standards'.

The intention of Autism Understanding is that the participants, their families, carers, guardians and advocates will have full opportunity for input over the development and review of these policies and procedures, through representation in the Autism Understanding Policy & Procedure Committee.

These policies and procedures provide the framework that must guide the actions and initiatives of all staff.

### **1.3 PURPOSE OF THE NDIS POLICY MANUAL**

Clearly written policies and procedures are essential in achieving consistent, quality service delivery for a number of reasons.

- they provide clear guidance to current or future participants in relation to the type and quality of the services they can expect to receive;
- they provide clear guidance to staff as to what is expected of them in various situations;
- they provide a focus for considering and implementing any changes in the way the service is provided; and,
- unwritten policies may be forgotten when key staff members leave or are absent, leading to confusion, lack of direction and/or duplication of effort.

The primary purpose of policies and procedures is to provide an agreed, documented framework within which consistently high quality services will be delivered.

The Standards require policies and procedures to be developed and implemented in a number of areas. In particular, specific policies are required to cover:

- how participants enter and exit the Service;
- how the Service will identify and meet the needs of participants;
- how participants participate in decision-making about the services they receive from Autism Understanding;
- how Autism Understanding will protect the privacy, dignity and confidentiality of participants receiving services;
- how Autism Understanding will deal with complaints from participants, staff and other important stakeholders [such as families, advocates and guardians];
- how Autism Understanding will ensure that a safe environment is provided for the participants;
- how Autism Understanding will take [i.e. encourage, facilitate and support] affirmative action with regard to the employment of people with a disability;
- how Autism Understanding will promote the maintenance of family relationships; and,
- how Autism Understanding will prevent abuse, how any instances of abuse will be reported and how participants will be supported in such circumstances.

All policies and procedures developed and implemented by Autism Understanding need to:

- be developed in consultation with participants and stakeholders of the services provided; and,
- address any particular service delivery issues associated with the provision of services.

### **1.4 WHAT DO YOU NEED TO UNDERSTAND**

At the very least, all participants [or their representatives] and Autism Understanding staff must be familiar with the rights of participants and the responsibilities of Autism Understanding under the *NDIS Act (2013)*, [and related legislation], and the NDIS Practice Standards.

All participants [or their representatives] and Autism Understanding staff must be familiar with the major policies and procedures of Autism Understanding, and be able to use the Policy and Procedures Manual to look up and use appropriate policies and procedures when particular circumstances arise.

### **1.5 WHO CAN ACCESS THE POLICY AND PROCEDURE MANUAL**

All policies and procedures of Autism Understanding are to be made readily and easily accessible to any client, their family member, advocate or friend and to all Autism Understanding staff at all times.

The NDIS Policy Manual is to be prominently displayed and made accessible to all such persons, and if individual participants, or their families, friends, advocates or guardians request a copy of Autism Understanding policies and procedures, such copies are to be provided as soon as is reasonably possible (at a reasonable cost for printing).

### **1.6 WHERE ARE THE POLICY AND PROCEDURE MANUALS KEPT**

Copies of each manual are to be kept by the:

- Manager;
- be accessible at all times to the staff and participants [or their representative].

It is the responsibility of all the above persons to ensure that all additions, deletions and revisions to the manual that may be periodically issued by the management are incorporated in the manual and brought to the attention of all appropriate staff and participants and their representatives.

Under no circumstances is access to the contents of the manual to be unreasonably denied to any client or his/her representative, or staff member. The manual must be readily and easily accessible to all such persons.

If requests are received by Autism Understanding staff from a client, their family, advocate, guardian or friend/s for copies of one or more policies and procedures, such requests should be referred to the Manager to organize the required copies.

### **1.7 HOW IS THE POLICY AND PROCEDURE MANUAL ORGANISED**

The manual provides a list of contents and an index for each section. Each policy and procedure in this Manual provides:

- a 'Introduction' [i.e. what the policy and procedures aim to achieve];
- the details of the 'Policy'; and,
- the 'Procedures' that need to be followed.

All policies and procedures will be reviewed at least annually by Autism Understanding and earlier if requested by participants, their families, advocates, guardians and friends, or Autism Understanding staff.

## 2 NDIS PRACTICE STANDARDS

---

Autism Understanding is committed to conforming with the *NDIS Act (2013)*, NDIS Practice Standards and the National Quality Indicators, by improving the quality of services available to people with a disability.

Autism Understanding views the Service Standards as one element of an effective and comprehensive quality assurance system that protects the rights and the quality of life of people with a disability and drives continuing improvement towards excellence in service delivery. Autism Understanding addresses the *National Quality Indicators and NDIS Practice Standards* which were developed as a nationally consistent quality assurance measure for the disability services sector.

- Rights of participants and responsibility of providers
- Provider governance and operational management
- Provision of supports
- Support provision environment

### 2.1 RIGHTS OF PARTICIPANTS AND RESPONSIBILITIES OF PROVIDERS

This Part specifies the NDIS Practice Standards relating to the rights of participants and the responsibilities of providers who deliver supports and services to them.

#### **Person-centered supports**

**Outcome:** *Each participant accesses supports that promote, uphold and respect their legal and human rights and is enabled to exercise informed choice and control. The provision of supports promotes, upholds and respects individual rights to freedom of expression, self-determination and decision-making.*

Autism Understanding achieves this outcome by demonstrating that:

- Each participant's legal and human rights are understood and incorporated into everyday practice.
- Communication with each participant about the provision of supports is responsive to their needs and is provided in the language, mode of communication and terms that the participant is most likely to understand.
- Each participant is supported to engage with their family, friends and chosen community as directed by the participant.

Policy Reference: **Individual outcomes policy**

### **Individual values and beliefs**

**Outcome:** *Each participant accesses supports that respect their culture, diversity, values and beliefs.*

Autism Understanding achieves this outcome by demonstrating that:

- At the direction of the participant, the culture, diversity, values and beliefs of that participant are identified and sensitively responded to.
- Each participant's right to practice their culture, values and beliefs while accessing supports is supported.

Policy Reference: **Diversity and Inclusion policy**

### **Privacy and dignity**

**Outcome:** *Each participant accesses supports that respect and protect their dignity and right to privacy.*

Autism Understanding achieves this outcome by demonstrating that:

- Consistent processes and practices are in place that respect and protect the personal privacy and dignity of each participant.
- Each participant is advised of confidentiality policies using the language, mode of communication and terms that the participant is most likely to understand.
- Each participant understands and agrees to what personal information will be collected and why, including recorded material in audio and/or visual format.

Policy Reference: **Privacy, Dignity and Confidentiality Policy**

### **Independence and informed choice**

**Outcome:** *Each participant is supported by the provider to make informed choices, exercise control and maximise their independence relating to the supports provided.*

Autism Understanding achieves this outcome by demonstrating that:

- Active decision-making and individual choice is supported for each participant including the timely provision of information using the language, mode of communication and terms that the participant is most likely to understand.



- Each participant’s right to the dignity of risk in decision-making is supported. When needed, each participant is supported to make informed choices about the benefits and risks of the options under consideration.
- Each participant’s autonomy is respected, including their right to intimacy and sexual expression.
- Each participant has sufficient time to consider and review their options and seek advice if required, at any stage of support provision, including assessment, planning, provision, review and exit.
- Each participant’s right to access an advocate (including an independent advocate) of their choosing is supported, as is their right to have the advocate present

Policy reference: **Decision making and informed consent policy**

#### **Freedom from violence, abuse, neglect, exploitation or discrimination**

**Outcome:** *Each participant accesses supports free from violence, abuse, neglect, exploitation or discrimination.*

Autism Understanding achieves this outcome by demonstrating that:

- Policies, procedures and practices are in place which actively prevent violence, abuse, neglect, exploitation or discrimination.
- Each participant is provided with information about the use of an advocate (including an independent advocate) and access to an advocate is facilitated where allegations of violence, abuse, neglect, exploitation or discrimination have been made.
- Allegations and incidents of violence, abuse, neglect, exploitation or discrimination, are acted upon, each participant 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.

Policy reference: **Freedom from abuse policy**

## **2.2 PROVIDER GOVERNANCE AND OPERATIONAL MANAGEMENT POLICY**

This Part specifies the NDIS Practice Standards relating to the governance and operational management arrangements for registered NDIS providers.

#### **Governance and operational management**

**Outcome:** *Each participant’s support is overseen by robust governance and operational management systems relevant (proportionate) to the size, and scale of the provider and the scope and complexity of supports delivered.*

Autism Understanding achieves this outcome by demonstrating that:

- Opportunities are provided by the governing body for people with disability to contribute to the governance of the organisation and have input into the development of organisational policy and processes relevant to the provision of supports and the protection of participant rights.
- A defined structure is implemented by the governing body to meet a governing body's financial, legislative, regulatory and contractual responsibilities, and to monitor and respond to quality and safeguarding matters associated with delivering supports to participants.
- The skills and knowledge required for the governing body to govern effectively are identified, and relevant training is undertaken by members of the governing body to address any gaps.
- The governing body ensures that strategic and business planning considers legislative requirements, organisational risks, other requirements related to operating under the NDIS (for example Agency requirements and guidance), participants' and workers' needs and the wider organisational environment.
- The performance of management, including responses to individual issues, is monitored by the governing body to drive continuous improvement in management practices.
- The provider is managed by a suitably qualified and/or experienced persons with clearly defined responsibility, authority and accountability for the provision of supports.
- There is a documented system of delegated responsibility and authority to another suitable person in the absence of a usual position holder in place.
- Perceived and actual conflicts of interest are proactively managed and documented, including through development and maintenance of organisational policies.

Policy Reference: **Governance and operational management policy**

### **Risk Management**

**Outcome:** *Risks to participants, workers and the provider are identified and managed.*

Autism Understanding achieves this outcome by demonstrating that:

- Risks to the organisation, including risks to participants, financial and work health and safety risks, and risks associated with provision of supports are identified, analysed, prioritised and treated.
- A documented system that effectively manages identified risks is in place, and is relevant and proportionate to the size and scale of the provider and the scope and complexity of supports provided.
- Support delivery is linked to a risk management system which includes:
  - Incident Management;
  - Complaints Management;

- Work Health and Safety;
- Human Resource Management;
- Financial Management;
- Information Management; and
- Governance.

Policy reference: **Risk Management Policy and Risk Management Process**

### **Quality Management**

**Outcome:** *Each participant benefits from a quality management system relevant and proportionate to the size and scale of the provider, which promotes continuous improvement of support delivery.*

Autism Understanding achieves this outcome by demonstrating that:

- A quality management system is maintained that is relevant and proportionate to the size and scale of the provider and the scope and complexity of the supports delivered. The system defines how to meet the requirements of legislation and these standards. The system is reviewed and updated as required to improve support delivery.
- The provider's quality management system has a documented program of internal audits relevant (proportionate) to the size and scale of the provider and the scope and complexity of supports delivered.
- The provider's quality management system supports continuous improvement, using outcomes, risk related data, evidence-informed practice and feedback from participants and workers.

Policy Reference: **Risk Management Policy; Governance and operational management policy**

### **Information Management**

**Outcome:** *Management of each participant's information ensures that it is identifiable, accurately recorded, current and confidential. Each participant's information is easily accessible to the participant and appropriately utilised by relevant workers.*

Autism Understanding achieves this outcome by demonstrating that:

- Each participant's consent is obtained to collect, use and retain their information or to disclose their information (including assessments) to other parties, including details of the purpose of collection, use and disclosure. Each participant is informed in what circumstances the information could be disclosed, including that the information could be provided without their consent if required or authorised by law.

- Each participant is informed of how their information is stored and used, and when and how each participant can access or correct their information, and withdraw or amend their prior consent.
- An information management system is maintained that is relevant and proportionate to the size and scale of the organisation and records each participant's information in an accurate and timely manner.
- Documents are stored with appropriate use, access, transfer, storage, security, retrieval, retention, destruction and disposal processes relevant and proportionate to the scope and complexity of supports delivered.

Policy reference: **Client record policy; Communication & consultation policy**

### **Feedback and complaints management**

**Outcome:** *Each participant has knowledge of and access to the provider's complaints management and resolution system. Complaints and other feedback made by all parties are welcomed, acknowledged, respected and well-managed.*

Autism Understanding achieves this outcome by demonstrating that:

- A complaints management and resolution system is maintained that is relevant and proportionate to the scope and complexity of supports delivered and the size and scale of the organisation. The system follows principles of procedural fairness and natural justice and complies with the requirements under the National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018.
- Each participant is provided with information on how to give feedback or make a complaint, including avenues external to the provider, and their right to access advocates. There is a supportive environment for any person who provides feedback and/or makes complaints.
- Demonstrated continuous improvement in complaints and feedback management by regular review of complaint and feedback policies and procedures, seeking of participant views on the accessibility of the complaints management and resolution system, and incorporation of feedback throughout the provider's organisation.
- All workers are aware of, trained in, and comply with the required procedures in relation to complaints handling.

Policy Reference: **Complaints and feedback policy; Complaint handling policy**

### **Incident Management**

**Outcome:** *Each participant is safeguarded by the provider's incident management system, ensuring that incidents are acknowledged, respond to, well-managed and learned from.*

Autism Understanding achieves this outcome by demonstrating that:

- An incident management system is maintained that is relevant and proportionate to the scope and complexity of supports delivered and the size and scale of the organisation. The system complies with the requirements under the National Disability Insurance Scheme (Incident Management and Reportable Incidents) Rules 2018.
- Each participant is provided with information on incident management, including how incidents involving the participant have been managed.
- Demonstrated continuous improvement in incident management by regular review of incident management policies and procedures, review of the causes, handling and outcomes of incidents, seeking of participant and worker views, and incorporation of feedback throughout the provider's organisation.
- All workers are aware of, trained in, and comply with the required procedures in relation to incident management.

**Policy Reference: Incident Management Policy; Incident Management Process; Accident, incident response and reporting policy**

#### **Human Resource Management**

**Outcome:** *Each participant's support needs are met by workers who are competent in relation to their role, hold relevant qualifications, and who have relevant expertise and experience to provide person-centred support.*

Autism Understanding achieves this outcome by demonstrating that:

- The skills and knowledge required of each position within a provider are identified and documented together with the responsibilities, scope and limitations of each position.
- Records of worker pre-employment checks, qualifications and experience are maintained.
- An orientation and induction process is in place that is completed by workers including completion of the mandatory NDIS worker orientation program.
- A system to identify, plan, facilitate, record and evaluate the effectiveness of training and education for workers is in place to ensure that workers meet the needs of each participant. The system identifies training that is mandatory and includes training in relation to staff obligations under the NDIS Practice Standards and other National Disability Insurance Scheme rules.
- Timely supervision, support and resources are available to workers relevant to the scope and complexity of supports delivered.
- The performance of workers is managed, developed and documented, including through providing feedback and development opportunities.

**Policy Reference: Employee Handbook, WHS Handbook, WHS Manual, Worker Screening Policy, Employee Training and Development Policy**

### **Continuity of supports**

**Outcome:** *Each participant has access to timely and appropriate support without interruption.*

Autism Understanding achieves this outcome by demonstrating that:

- Day-to-day operations are managed in an efficient and effective way to avoid disruption and ensure continuity of supports.
- In the event of worker absence or vacancy, a suitably qualified and/or experienced person performs the role.
- Supports are planned with each participant to meet their specific needs and preferences. These needs and preferences are documented and provided to workers prior to commencing work with each participant to ensure the participant's experience is consistent with their expressed preferences.
- Arrangements are in place to ensure support is provided to the participant without interruption throughout the period of their service agreement. These arrangements are relevant and proportionate to the scope and complexity of supports delivered by the provider.
- Where changes or interruptions are unavoidable, alternative arrangements are explained and agreed with the participant.
- Where applicable, disaster preparedness and planning measures are in place to enable continuation of critical supports before, during and after a disaster.

Policy reference: **Service management policy**

## **2.3 PROVISION OF SUPPORTS**

This Part specifies the NDIS Practice Standards relating to the provision of supports to participants.

### **Access to supports**

**Outcome:** *Each participant accesses the most appropriate supports that meet their needs, goals and preferences.*

Autism Understanding achieves this outcome by demonstrating that:

- The supports available, and any access / entry criteria (including any associated costs) are clearly defined and documented. This information is communicated to each participant using the language, mode of communication and terms that the participant is most likely to understand.
- Reasonable adjustments to the support delivery environment are made and monitored to ensure it is fit for purpose and each participant's health, privacy, dignity, quality of life and independence is supported.

- Each participant is supported to understand under what circumstances supports can be withdrawn. Access to supports required by the participant will not be withdrawn or denied solely on the basis of a dignity of risk choice that has been made by the participant.

Policy reference: **Access to services policy; Service management policy**

### **Support planning**

**Outcome:** *Each participant is actively involved in the development of their support plans. Support plans reflect participant needs, requirements, preferences, strengths and goals, and are regularly reviewed.*

Autism Understanding achieves this outcome by demonstrating that:

- With each participant's consent, work is undertaken with the participant and their support network to enable effective assessment and to develop a support plan. Appropriate information and access is sought from a range of resources to ensure the participant's needs, support requirements, preferences, strengths and goals are included in the assessment and the support plan.
- In collaboration with each participant, a risk assessment is completed and documented for each participant's support plan, then appropriate strategies to treat known risks are planned and implemented.
- Periodic reviews of the effectiveness of risk management strategies are undertaken with each participant to ensure risks are being adequately addressed, and changes are made when required.
- Each support plan is reviewed annually or earlier in collaboration with each participant, according to their changing needs or circumstances. Progress in meeting desired outcomes and goals is assessed, at a frequency relevant and proportionate to risks, the participant's functionality and the participant's wishes.
- Where progress is different from expected outcomes and goals, work is done with the participant to change and update the support plan.
- Where appropriate, and with the consent of the participant, information on the support plan is communicated to family members, carers, other providers and relevant government agencies.

Policy reference: **Service management policy**

### **Service agreements with participants**

**Outcome:** *Each participant has a clear understanding of the supports they have chosen and how they will be provided.*

Autism Understanding achieves this outcome by demonstrating that:

- Collaboration occurs with each participant to develop a service agreement which establishes expectations, explains the supports to be delivered, and specifies any conditions attached to the delivery of supports, including why these conditions are attached.
- Each participant is supported to understand their service agreement and conditions using the language, mode of communication and terms that the participant is most likely to understand.
- Where the service agreement is created in writing, each participant receives a copy of their agreement signed by the participant and the provider. Where this is not practicable, or the participant chooses not to have an agreement, a record is made of the circumstances under which the participant did not receive a copy of their agreement.

#### **Responsive support provision**

**Outcome:** *Each participant accesses responsive, timely, competent and appropriate supports to meet their needs, desired outcomes and goals.*

Autism Understanding achieves this outcome by demonstrating that:

- Supports are provided based on the least intrusive options, in accordance with contemporary evidence-informed practices that meet participant needs and help achieve desired outcomes.
- Where agreed in the service agreement, and with the participant's consent or direction, links are developed and maintained through collaboration with other providers to share information and meet participant needs.
- Reasonable efforts are made to involve the participant in selecting their workers, including the preferred gender of workers providing personal care supports.
- Where a participant has specific needs which require monitoring and/or daily support, workers are appropriately trained and understand the participant's needs and preferences.

Policy Reference: **Access to service policy**

#### **Transition to or from the provider**

**Outcome:** *Each participant experiences a planned and coordinated transition to or from the provider.*

Autism Understanding achieves this outcome by demonstrating that:

- A planned transition to or from the provider is facilitated in collaboration with each participant when possible, and this is documented, communicated and effectively managed.
- Risks associated with each transition to or from the provider are identified, documented and responded to.
- Processes for transitioning to or from the provider are developed, applied, reviewed and communicated.



Policy Reference: **Access to service policy**

## **2.4 SUPPORT PROVISION ENVIRONMENT**

This Part specifies the NDIS Practice Standards relating to the environment in which supports are provided to participants.

### **Safe environment**

**Outcome:** *Each participants accesses supports in a safe environment that is appropriate to their needs.*

Autism Understanding achieves this outcome by demonstrating that:

- Each participant can easily identify workers engaged to provide the agreed supports.
- Where supports are provided in the participant's home, work is undertaken with the participant to ensure a safe support delivery environment.
- Where relevant, work is undertaken with other providers and services to identify and treat risks, ensure safe environments, and prevent and manage injuries.

Policy reference: **Risk management policy; Worker Screening policy; WHS Handbook; WHS Manual**

### **Participants money and property**

**Outcome:** *Participant money and property is secure and each participant uses their own money and property as they determine.*

Autism Understanding achieves this outcome by demonstrating that:

- Where the provider has access to a participant's money or other property, processes to ensure that it is managed, protected and accounted for are developed, applied, reviewed and communicated. Participants' money or other property is only used with the consent of the participant and for the purposes intended by the participant.
- If required, each participant is supported to access and spend their own money as the participant determines.
- Participants are not given financial advice or information other than that which would reasonably be required under the participant's plan.

Policy Reference: **Professional Boundaries Policy**

### **3 GOVERNANCE AND OPERATIONAL MANAGEMENT POLICY**

---

Autism Understanding is committed to the delivery of high-quality, ethical services through independent assurance, governance and risk management programs.

#### **3.1 ETHICAL STATEMENTS**

The Manager conforms to the highest ethical standards and recognizes the need for employees to observe the highest standards of corporate, business and service provider ethics when engaged in activities on behalf of Autism Understanding.

Managers have developed a Code of Conduct and Delegations of Authority and Responsibility.

#### **3.2 ACCOUNTABILITY**

All our services conform to the NDIS Practice Standards and National Quality Indicators. These standards have been incorporated into our delivery of service.

#### **3.3 COMPANY POLICIES AND QUALITY MANAGEMENT**

The company has policies and procedures which aim to ensure assets are used to achieve the company's mission and are protected from loss, damage, theft and fraud. They also aim to ensure the company remains financially viable.

Managers will manage an internal audit process which provides objective independent assurance to the Managers on the management and mitigation of business risk in all areas. All managers are responsible for quality assurance and staff and employees form an integral part in this process by implementing policies and procedures.

#### **3.4 CORPORATE RESPONSIBILITY**

Autism Understanding is committed to behaving ethically and to growing the business while at the same time having regard to the quality of life of its employees, people accessing services and their families, local communities and society at large.

#### **3.5 PURPOSE PHILOSOPHY**

To provide high quality support services to individuals with disabilities and carers to improve quality of their life. This involves them in consultation, choice and decision-making.

**Our Objectives;**

- To encourage and foster the development of skills, as well as self-determined behaviours for quality of life outcomes for individuals with disability.
- To assist children, young people and adults who have a disability to interact with others in the community and to protect their rights and dignity as members of the community.
- To facilitate counselling, therapeutic support for skills for daily living, quality of life outcomes, recreation and participation.
- To assist participants to lead satisfying lives and as far as possible become self-determining and valued members of the community.
- To support and encourage the well-being, emotional and behavioural needs of individuals with disability.
- To encourage the use of positive behaviour supports within least restrictive models of care.
- To become a model of best practice in the provision of services for individuals who have disabilities.

## **4 MANAGEMENT RIGHTS AND RESPONSIBILITIES**

---

In relation to management roles and responsibilities these principles translate to:

- clearly defining roles and delegations of authority;
- locating responsibility with those most affected by decisions and most competent to make decisions on this area;
- asking the opinion of the people most likely to be affected by a decision;
- each person cooperating with their peers, those they report to and those who report to them; and
- each person completing the work they have agreed to complete.

### **4.1 THE ROLE OF MANAGEMENT**

Management oversee all day-to-day business operations of Autism Understanding, including;

- Internal reporting, project management, financial management, staff development and management (including the administration of employment contracts and statutory employment requirements such as WHS, equal opportunity etc.);
- Develop and maintain relationships with, relevant affiliate groups, local, State and federal government funding and other relevant bodies, and nongovernment bodies, to generate income;
- Ensure all governance issues are pro-actively managed;

Establish, review and oversee the implementation of policies and procedures that;

- complies with all legal and regulatory requirements with respect to administrative and financial matters;
- Guide and drive Autism Understanding at a time of growing awareness and commitment to the issues facing people with a disability and their families/carers;
- Ensure Autism Understanding works effectively, efficiently and ethically to support people with disabilities to participate in society in an equitable fashion;
- Ensure Autism Understanding works successfully with government, business and industry, other non-government organisations and the community, to develop visions and solutions for people with a disability, their families and carers and help drive the change necessary; and
- Ensure financial management of the organisation, including approving expenditure within delegation and budget.
- Oversee payroll and accounts and administration
- Oversee quality improvement/external accreditation

- Industrial relations (determine remuneration, write employment contracts, ensure I.R. Law compliance, liaise with unions/employee representatives, in consultation with Manager intervene in disputes and discipline issues)
- Oversee maintenance at the service
- Oversee Document Management (approval of Autism Understanding forms, brochures, etc. and ensure that files saved correctly on the server)
- Coordinate Quality Improvement program
- Coordinate environmental responsibility process
- Coordinate internal and external organisational communication/promotion
- Overseeing policy development, implementation and review
- Day to day management of service Facility
- Recruit, supervise and monitor all facility staff
- Liaise regularly with Finance Manager
- Coordinate facility Work Health & Safety
- Coordinate facility Return to Work of injured workers
- Information Technology at facility, Oversee all facility maintenance matters

## **5 CODE OF CONDUCT**

---

### **5.1 INTRODUCTION**

Autism Understanding is committed to Human Rights while it pursues its business objectives. In order to achieve this, it is important that every employee conduct themselves with the highest ethical standards. This code of conduct (Code) is not intended to be exhaustive, but sets out the minimum ethical standards expected of all employees of Autism Understanding as well as Autism Understanding contractors, sub-contractors, agents and other personnel required to perform functions on any premises of Autism Understanding.

### **5.2 APPLICATION**

This Code applies to all Autism Understanding managers and employees, contractors, sub-contractors, agents and other personnel required to perform work on Autism Understanding premises to adhere to this Code, and for the purposes of interpretations of this Code, such persons will be deemed to be Employees.

### **5.3 PURPOSE**

As well as assisting to discharge the legal and equitable duties owed by Employees, the purpose of this Code is to:

- articulate the high standards of honesty, integrity and ethical, responsible and law-abiding behaviour expected of Employees;
- guide Employees as to the practices necessary to maintain confidence in Autism Understanding 's integrity and comply with their legal obligations; and
- set out the responsibility and accountability of Employees to report and investigate any reported violations of this code or unethical or unlawful behaviour.

While this code of conduct is designed to ensure Autism Understanding delivers on its commitment to acting ethically and responsibly and to sustainable business practice, it does not create any rights in any employee, client, customer, supplier, competitor, shareholder or any other person or entity.

### **5.4 HONESTY AND INTEGRITY**

Autism Understanding's reputation as a good corporate citizen can only be achieved and maintained if Employees act with honesty and integrity in all our dealings with Autism Understanding's customers, suppliers, communities, government authorities, as well as work colleagues. Each Employee must:

- act honestly and fairly in all commercial dealings and conduct themselves with professional courtesy and integrity;

- perform their responsibilities with care, diligence and good faith;
- respect all people they have dealings with; and
- report any possible dishonest or fraudulent behavior of which they become aware in accordance with this Code.

## **5.5 CONFLICTS OF INTEREST**

Employees must avoid entering into situations where their personal, family or financial interests or duties to any third party may be in conflict with, or could reasonably be perceived to be in conflict with, the interests of Autism Understanding or their duties and responsibilities to Autism Understanding .

Employees may have a conflict of interest if in the course of their employment or engagement with Autism Understanding;

- any of their decisions lead to an improper gain or benefit to them or their associates; or
- their personal interests, the interests of an associate or relative, or obligation to some other person or entity, conflict with their obligations to Autism Understanding .

Where any such conflict arises, as soon as reasonably practicable upon becoming aware of the conflict, the relevant employee or Managers (Notifying Party) must make appropriate notifications, including;

- in the case of employees, notification must be made to the practice manager in the first instance, who will determine the appropriate action to take.

## **5.6 PERSONAL GAINS, GIFTS AND OTHER PAYMENTS**

Employees must not accept payments, gifts or other kinds of reimbursement from a third party that could affect or appear to affect their objectivity in business decisions or which may be seen as excessive beyond socially acceptable boundaries.

Employees must not improperly use their position, property or information acquired through their position for personal gain or the gain of an associate, or to compete with or harm Autism Understanding , and must keep their personal or external business dealings separate from Autism Understanding 's business dealings. Employees must only use goods, services and facilities received from Autism Understanding in accordance with the terms on which they are given.

In addition, Employees must not accept commissions or payments which may be seen as constituting bribery or fraud, or participate in corrupt business practices.

## **5.7 PROFESSIONALISM AND THE WORK ENVIRONMENT**

In addition to acting ethically, Autism Understanding seeks to continually improve the quality of the work of its Employees and their work environment. To achieve this, Employees must:

- attend for work as required and on time in accordance with their ordinary working hours and days unless absent with reasonable excuse;
- ensure that their appearance is neat, clean and appropriate for their particular area of work;
- strive to deliver exceptional work and service to Autism Understanding 's customers;
- treat work colleagues with respect, and do not discriminate on the grounds of a person's race, gender, religion, marital status, sexual preferences, disability or other attributer recognised by relevant State and Federal Discrimination legislation;
- not tolerate or participate in harassment, including sexual harassment or offensive language, or any form of bullying or victimisation;
- not attend for work and/or perform any work task if they are under the influence of alcohol or drugs; and
- cooperate with others in the workplace to create a safe and healthy workplace in accordance with any applicable WHS Policy.

#### **5.8 RESPECT FOR HUMAN RIGHTS**

Autism Understanding supports and respects the protection of human rights within its sphere of influence, in particular, supports effective elimination of compulsory labour and child labour, and it will make this a criteria in the choice and management of its relationships with suppliers and sub-contractors.

#### **5.9 COMMUNITY RELATIONS**

Autism Understanding is committed to making a positive social contribution to the communities in which it operates.

#### **5.10 SAFETY**

Autism Understanding is committed to providing and maintaining a safe work environment. It is the responsibility of each employee and Mangement to familiarise themselves with, and adhere to, each Work Health and Safety policy that is applicable to their field of employment within Autism Understanding.

#### **5.11 COMMUNICATIONS AND PRIVACY OF DATA**

Autism Understanding is committed to open and transparent communications within the confines of confidentiality and privacy. Employees must respect the privacy of information relating to individual persons (whether employees or third parties) which they hold or handle as part of any information processing activities. Employees must not, without proper authority, access modify, disclose, or make use of any confidential, commercial and/or personal information for



any purpose other than for authorised and necessary work purposes and must ensure they familiarise themselves with, and comply with the privacy laws of Australia (or where applicable, the jurisdiction of their business unit).

Employees must otherwise deal with such information in accordance with Autism Understanding's Privacy Dignity and Confidentiality Policy.

#### **5.12 CONFIDENTIALITY**

Any information acquired by Employees while performing their duties is confidential information of Autism Understanding, its clients or suppliers and must be kept confidential. Management must not disclose the information to a third party except where that disclosure is;

- authorised by the Management; or
- required by law or a regulatory body.

The existence and details of any Board and company management information, discussions, and decisions that are not publicly known and have not been approved by Management for public release, are confidential information of Autism Understanding and subject to this Code.

#### **5.13 COMPLIANCE WITH LAW AND POLICIES**

Autism Understanding respects the law and is committed to the adherence to all applicable laws and regulations and to not breaching any applicable law or regulation. Each Manager and employee must comply with the letter and spirit of any applicable law, this Code and any applicable policies and guidelines of Autism Understanding and not knowingly participate in any illegal or unethical activity.

#### **5.14 BREACH OF THIS CODE**

Autism Understanding emphasises the need for all Employees to comply with the requirements of this Code. Any Employee found to be in breach of the requirements of this Guideline may be subject to disciplinary action, up to and including termination of employment.

This Code is a best practice procedure and does not create any binding obligations on Autism Understanding or contractual rights for Employees. Autism Understanding may vary the Code from time to time at its discretion.

#### **5.15 REPORTING OF UNLAWFUL AND UNETHICAL BEHAVIOUR**

Autism Understanding expects Employees to report (in good faith) any actual or suspected violation of this Code of Conduct, any of Autism Understanding's policies or any behaviour that is illegal, unethical, fraudulent or deceptive by Employees and to encourage others to do the same. Employees may use their own judgment in deciding to whom to

report any Reportable Behaviour, however Managers are encouraged to report to another Manager and employees are encouraged to their immediate manager.

A person to whom a report is made of Reportable Behaviour must ensure that a proper and thorough investigation is conducted; that any person the subject of an investigation is given a reasonable chance to respond to allegations (ensuring confidentiality of the reporting person is preserved); and that appropriate disciplinary action is taken if the allegation is substantiated.

If an Employee (Reporting Person) reports Reportable Behaviour in good faith, each Employee must ensure that the Reporting Person's position of employment is protected; that their identity is only disclosed with their consent (except where disclosure is required by law); and that no disciplinary or discriminatory action is taken or tolerated against the reporting person for reporting the violation.

The Reporting Person is not protected from civil or criminal liability for any of his or her conduct that may be revealed by an investigation, however in some cases the fact the Reporting Person has made a report may taken into account as a mitigating factor when determining actions that may be taken against him or her.

The Corporations Act 2001 (Cth) (Act) provides additional protections in relation to the reporting of a possible contravention of the Corporations legislation.

## 6 RISK MANAGEMENT POLICY

---

### 6.1 PURPOSE

Autism Understanding takes seriously its responsibility to identify and manage all types of organisational risks including compliance, financial, safety and health, environmental, and operational risks. A risk is any internal or external situation or event that has the potential to have a negative impact on Autism Understanding by causing harm to people associated with the organisation, preventing the organisation from successfully achieving its outcomes and delivering its services, reducing its viability and/or damaging its reputation. Staff meetings & memos will relay any changes.

The responsibility for identifying and managing risks is ultimately that of the Managers. However, the most effective risk management occurs when the Managers, staff and volunteers are all involved and share a commitment to creating an organisation that is proactive in identifying and evaluating risks and taking mitigation action according to the nature of the risk. Autism Understanding therefore expects that the Managers, the staff and volunteers will act responsibly to minimise the risks to themselves and others, and will report hazards and other risks immediately they are noticed. Autism Understanding consolidated Risk Management Register will be the guiding document for the management of organisational risks.

We have a process to identify, assess, manage and evaluate risks in our workplace.

Hazards and their risks affect both workers and clients of Autism Understanding and may present themselves in many forms such as:

- Physical risk;
- Financial risk; and
- Emotional risk.

### 6.2 POLICY

Clients of Autism Understanding present with a variety of needs and as such, risk management for clients needs to be flexible to tailor to their support needs.

Autism Understanding has adopted a 'hazard management approach' to the management of risks in our workplace. In short, this is a system based on principles of managing risk to empower workers to manage risk using their initiative and training.

**A hazard** is an issue that presents itself with the possibility to harm a person. For example – a wet floor, a heavy box, a frayed electrical cord.

**A risk** is the likelihood of that hazard becoming an incident. E.g. if a person were to walk into a burning building the likelihood of the person becoming injured would be very high and could result in catastrophic injury.

**Risk management** is a process, which involves reducing the likelihood of hazards causing unnecessary risk to individuals. Although many hazards can be eliminated, some cannot, so reducing the hazard's impact can reduce the risk to the people working with the hazard.

At Autism Understanding, our 'risk management' process is called 'SAFE'. Risk management involves 4 steps:

1. S. Spot the hazard.
2. A. Assess the risk.
3. F. Fix or control the hazard to reduce it's risk to others
4. E. Evaluate the risk – have you been able to reduce the impact of the hazard?

### **6.3 RESPONSIBILITIES OF WORKERS**

- Participate in risk management processes;
- Report all RED hazards to the managers of Autism Understanding immediately and follow 'Incident Reporting' policies and procedures;
- To assist management in the development of strategies to reduce risk in the workplace; and
- To assist management with evaluating the effectiveness of risk control measures.

### **6.4 RESPONSIBILITY OF MANAGEMENT AND SENIOR STAFF**

- Participate in risk management processes;
- Record and respond immediately to all RED hazards reported by Autism Understanding workers and follow 'Incident Reporting' policies and procedures;
- To take on feedback from workers to develop strategies to reduce risk in the workplace;
- To take on feedback from workers to evaluate the effectiveness of risk control measures; and
- To reduce unnecessary risks to workers and clients by implementing reasonable and necessary change to the workplace processes and supports. This may include discussions with clients about the way supports are delivered and the environment in which they are delivered. Any changes to support delivery will be detailed in the client's service agreement.

## **6.5 RESPONSIBILITY OF CLIENTS (PARTICIPANTS)**

- Participate in risk management processes where willing and able.;
- Report all known hazards to the managers of Autism Understanding during initial assessment and to report any ongoing or new hazards to the worker before service delivery;
- To assist management in the implementation of strategies to reduce risk in the workplace where willing and able; and
- To assist management with evaluating the effectiveness of risk control measures where willing and able.

In the event where a RED hazard is imminent, service delivery may not be safe until the hazard has been assessed and risk control measures have been put in place to reduce the exposure to both the client and workers.

## 7 RISK MANAGEMENT PROCESS

---

### 7.1 INTRODUCTION

Risk assessment involves the assessment of the seriousness of an identified hazard. Once the hazards in the workplace have been identified and assessed, priorities can be set determining what action is to be taken to eliminate or control the hazard.

In health and safety terms, risk management is the process of identifying situations which have the potential to cause harm to people or property, and then taking appropriate steps to prevent the hazardous situation occurring or the workers being harmed. The Organisation has a health and safety duty to identify and assess any foreseeable hazards that may arise in the workplace.

Control of risk takes a variety of forms depending on the nature of the hazard and should be based on a hierarchy of control options emphasising the elimination of the hazard at its source.

The key features of risk management are:

- conducting workplace inspections to identify hazards;
- identifying and assessing hazards on a continuing and ongoing basis;
- controlling risks through systems and other measures;
- recording weaknesses and actioning control measures;
- identifying and correcting non-conformance to policy plans and procedures;
- implementing formal systems to monitor environmental conditions and worker health;
- controlling the storage and handling of hazardous substances; and
- assessing products prior to purchasing to identify potential risks.

### 7.2 THE RISK MANAGEMENT PROCESS

The risk management process consists of well-defined steps. These are as follows:

**Step 1:** Identifying the problem, this is known as hazard identification;

**Step 2:** Determining how serious a problem it is, this is known as risk assessment; and

**Step 3:** Deciding what needs to be done to solve the problem, this is known as risk elimination or control.

Risk assessments will be recorded on the **Risk Assessment Record form**.

### **i) Hazard identification**

Hazard identification aims to determine what hazards exist, so that control measures can be implemented to address the hazard before it causes any harm.

The Organisation will, so far as reasonably practicable, ensure that the workplace is free from hazards that could cause injury or illness to workers.

When identifying hazards, it is important to observe the task and attempt to predict what could go wrong while performing the task. In addition, the Organisation will look at the hazard in the context of the whole system of work. This requires:

- looking at past accidents;
- talking to workers performing the task to find out what they consider as safety issues;
- walking around the work area to see and hear what is happening;
- reviewing any information already available, for example safety data sheets, to see what hazards have already been identified and how these are controlled; and
- thinking creatively about what could happen if something went wrong.

### **ii) Risk assessment**

Risk assessment involves the evaluation of hazards to determine how likely it is that someone could be harmed by the hazard and how serious any resulting injury or illness could be.

The assessment of hazards will be carried out in consultation with workers.

When assessing hazards, factors that may be contributing to the risk and the likelihood of harm will be considered, including:

- the work premises and the working environment, including its layout and condition;
- the capability, skill, experience and age of people ordinarily undertaking the work;
- the systems of work being used; and
- the range of reasonable foreseeable changes in the working conditions and environment.

In addition, information that is already available about the hazard will be considered, including:

- any hazard information supplied with a product or substance such as safety data sheets;
- workers experience with similar risks or from incident/accident data;
- guidance materials available from government health and safety bodies/regulators in relation to particular hazards, processes or work tasks;

- industry codes of practice; and
- relevant Australian Standards.

Once a hazard has been identified, the Organisation, in consultation with workers will determine how likely it is that someone could be harmed by the hazard and how serious the injury or illness could be.

If a hazard is obvious and the risk of injury or illness is high, action will be taken immediately to control the risk, even if only as an interim measure. Where a control is implemented as an interim measure, research will be conducted to assess the risk thoroughly and decide on more permanent control measures.

### iii) Risk elimination or control

The hierarchy of control measures will be applied to every hazard in the workplace. The focus of this hierarchy is eliminating hazards, or if this is not reasonably practicable, then reducing the risks to the worker.

Where a risk is identified, the Organisation will use the below hierarchy:

- **Level 1** controls provide the highest level of health and safety protection and are the most reliable in preventing harm. They involve eliminating the risk from the workplace, for example, by bringing a job to ground level to avoid risks associated with working at heights;
- **Level 2** controls provide a medium level of health and safety protection, and as such will only be used if a Level 1 control is not reasonably practicable. This may involve:
  - substituting (either wholly or partly) the hazard from the workplace with something that provides a lesser risk. For example, substituting a non-toxic, organic cleaner for a toxic cleaner;
  - isolating the hazard so that no worker is exposed to it. For example, removing power or energy from a malfunctioning piece of equipment, or blocking access to an area of the workplace deemed hazardous; and
  - implementing engineering solutions that reduce the risk of the hazard impacting the worker. For example, erecting a guard or barrier to prevent a worker from reaching into machinery whilst it is operating;
- **Level 3** controls provide the lowest level of health and safety protection, and as such will only be used if a Level 1 or Level 2 control is not reasonably practicable. These controls will be used in conjunction with a level 2 control to reduce the risk. This may involve:
  - implementing administrative controls to reduce the exposure of workers to the remaining risk. For example, training everyone to work safely, writing a safe work method statement, rotating the work or managing the time workers are exposed to the risk; and
  - providing PPE in conjunction with other Level 2 and Level 3 controls.



Likelihood	Severity				
	Trivial	Minor Injury	Over 3 Day Injury	Major Injury	Incapacity or Death
Highly Unlikely	1	2	3	4	5
Unlikely	2	4	6	8	10
Possible	3	6	9	12	15
Probable	4	8	12	16	20
Certain	5	10	15	20	25



## 8 INCIDENT MANAGEMENT POLICY

---

### 8.1 INTRODUCTION

This policy has been developed to ensure that all workers (including volunteers) and NDIS clients understand the processes to be taken in the event of an incident.

### 8.2 DEFINITION

**Incident** refers to any event, which causes or could have caused injury, illness, damage to plant, equipment, vehicles, property, material, or the environment or public alarm.

It also includes losses of containment, fire, explosion, non-compliance with environmental regulatory requirements, vehicle incidents and off-site incidents.

It also includes near misses and includes any event that is outside of the parameters of current policies and procedures.

Autism Understanding commits to preventing workplace accidents and minimising dangerous occurrences and will endeavor to achieve a zero accident rate.

Autism Understanding will;

- Ensure that the human rights of both clients and workers are upheld with utmost importance
- Ensure that we provide an excellent standard for duty of care to protect the health and safety of both our clients and our workers
- Provide a mechanism for reporting accidents, incidents, work-related illness and dangerous occurrences;
- Have an effective reporting process with the filling out of incident report forms and phoning and emailing this information through to the managers promptly
- Investigate accidents to determine the root cause with the objective of preventing a recurrence;
- Obtain statistical information about the accident or incidents in an incident register;
- Meet legislative requirements for reporting accidents and incidents.
- The incident reporting policy is available for clients on request (discussed at service agreement meeting and then offer a copy if desired) and readily available for workers through electronic access to policies and procedures in the document management system.
- Promote a culture for continuous improvement to further reduce the risk of incidental events

All accidents or incidents that result in an injury or work-related illness during the course of work must immediately be reported to the Practice Manager of Autism Understanding.

Any dangerous occurrence which has the potential to result in injury or damage to property must be reported in the same manner to the managers of Autism Understanding as a risk and a risk management approach taken to resolve the issue.

In the event of a dangerous occurrence or accident, Autism Understanding must ensure the relevant state authority is notified and that a full investigation is undertaken to determine the root cause.

The most appropriate corrective action will be taken to ensure the incident does not reoccur.

### **8.3 RESPONSIBILITIES OF WORKERS**

Participate in risk management processes including;

- Risk and hazard identification including reporting of potential incidents as a result of these risks;
- Risk assessment;
- Risk reduction strategies;
- Risk evaluation;
- Reduce harm and maintain safety for themselves, their clients and those within their environment; and
- Take responsibility to follow through with resolving incidents from the reporting, to investigation and resolution stage.

### **8.4 RESPONSIBILITY OF MANAGEMENT OF AUTISM UNDERSTANDING**

- Ensuring that the workers have the education, skills, training and ongoing support to manage incidents and the processes that surround them;
- Managing, investigating, reporting and attempting to resolve incidents;
- Referring and escalating incident reports of serious concern to the relevant authorities;
- Ensure that we provide an excellent standard for duty of care to protect the health and safety of both our clients and our workers;
- Responding to family, media and authorities promptly; and
- Review processes and policies in line with incident evaluations.

Participate in risk management processes including;

- Risk and hazard identification including reporting of potential incidents as a result of these risks;
- Risk assessment;

- Risk reduction strategies; and
- Risk evaluation.

#### **8.5 WHAT IS A 'SERIOUS' INCIDENT AND WHEN DOES AN INCIDENT NEED TO BE REPORTED TO THE NDIS QUALITY AND SAFEGUARD COMMISSION?**

Any incident that breaches the law including all relevant legislation, company policies and procedures, any incident that is a reportable crime or any incident that a worker, client, family member or associate finds suspicious of believe breaches the above.

This also includes:

- The death of a client whilst supported in our care;
- Serious injury whilst supported in our care;
- Abuse and neglect whilst supported in our care;
- Unlawful physical or sexual misconduct whilst supported in our care;
- Sexual misconduct committed in the presence of a client, including 'grooming' behaviors or a client; and
- Unauthorised use of restraints and restrictive practices.

**These incidents must be reported to the NDIS QUALITY AND SAFEGUARD COMMISSION within 24 hours of the occurrence.**

## 9 INCIDENT MANAGEMENT PROCESS

---

### 9.1 INTRODUCTION

This policy has been developed to ensure that all workers (including volunteers) understand the processes to be taken to manage an incident.

**Applicable to:**

All NDIS funded clients of Autism Understanding and is to be upheld by all workers, volunteers, managers, subcontractors and other associates of Autism Understanding that engage with NDIS funded clients and is applicable at all times.

**Process.** (Please also refer to policy on Incident Management and the WHS Manual).

### 9.2 DEFINITION

**Incident** refers to any event, which causes or could have caused injury, illness, damage to plant, equipment, vehicles, property, material, or the environment or public alarm.

It also includes losses of containment, fire, explosion, non-compliance with environmental regulatory requirements, vehicle incidents and off-site incidents.

It also includes near misses and includes any event that is outside of the parameters of current policies and procedures.

STEP ONE	
Identify the incident	<p>Incidents that require reporting include:</p> <ul style="list-style-type: none"><li>• An incident that causes harm to a client</li><li>• An incident that causes harm to a member of the client's environment</li><li>• An incident that causes harm to a worker</li><li>• A 'near miss' where a hazard has been identified which could have caused harm to another person</li><li>• Any 'reportable incident' that occurs whilst the client is in our care</li></ul> <p>A 'reportable incident' includes:</p> <ul style="list-style-type: none"><li>• Any incident that is in breach of the law including all relevant legislation, company policies and procedures, any incident that is a reportable crime or any event considered suspicious and thought to have breached the above</li><li>• The death of a client whilst supported in out care</li><li>• Serious injury whilst supported in our care</li><li>• Abuse and neglect whilst supported in our care</li><li>• Unlawful or sexual misconduct whilst supported in our care</li></ul>

	<ul style="list-style-type: none"> <li>• Sexual misconduct committed in the presence of a client, including 'grooming' behaviors of a client</li> <li>• Unauthorised use of restrictive practice including restraints</li> </ul> <p><u>These incidents must be reported to the NDIS QUALITY AND SAFEGUARDS COMMISSION within 24 hours of the occurrence.</u></p>
<b>STEP TWO</b>	
Record the incident	<p>Please refer to 'SWP Incident Report', which must include:</p> <ul style="list-style-type: none"> <li>• Description of the incident including the date, time and location</li> <li>• Names and contact details of those involved and those whom witnessed the event</li> <li>• A description of the impact of the incident on the person/s whom it involved</li> <li>• Response to the incident: whether first aid was provided, whether dangers were removed, whether interim plans were put in place, whether the incident was reported to the NDIS Quality and Safeguard Commission</li> </ul> <p>If a death occurs whilst a client is in our care, we must record:</p> <ul style="list-style-type: none"> <li>• A description of the incident leading to the death including the date, time and location and the circumstances surrounding the event</li> <li>• Names and contact details of those involved and those whom witnessed the event</li> <li>• A description of the immediate actions taken in response to the incident including any preventative, first aid or resuscitative (if applicable) measures taken</li> <li>• The people whom have been contacted (e.g. family, GP, ambulance)</li> <li>• AND THE MANAGERS of Autism Understanding MUST BE NOTIFIED BY PHONE IMMEDIATELY</li> </ul>
<b>STEP THREE</b>	
Respond to the incident	<p>Follow DRS ABCD</p> <ul style="list-style-type: none"> <li>• Remove any immediate danger</li> <li>• Check for a response from the person affected</li> <li>• If there is no response, call for an ambulance and start CPR if the person is for resuscitation</li> <li>• If there is a response, make the person comfortable and: <ul style="list-style-type: none"> <li>a) If the person has capacity, ask them if they would like an ambulance called</li> <li>b) If the person does not have capacity, contact their next of kin and ask them if they would like us to call an ambulance</li> </ul> </li> <li>• Report to the police, NDIS Quality and Safeguard Commission or relevant party as required</li> </ul>

	<ul style="list-style-type: none"> <li>• Stay with the client until assistance arrives or until they are no longer affected by the incident and feel comfortable for you to leave the environment</li> <li>• Review policies and procedures in response to the incident</li> <li>• Review worker training</li> <li>• Provide additional training if necessary to prevent future incidents of this kind</li> <li>• Review the client’s care support plans and amend if necessary</li> </ul>
<b>STEP FOUR</b>	
Escalate Incident (if required) within Autism Understanding	<p>All ‘reportable incidents’ need to be flagged as urgent when reporting the incident to the managers of Autism Understanding .</p> <p>This is best done by telephone and followed up with the incident report via email.</p>
<b>STEP FIVE</b>	
Report incident to authorities (if required)	<p>All ‘reportable incidents’ need to be reported to the NDIS Quality and Safeguard Commission within 24 hours.</p> <p>All serious incidents not listed in step 1 ‘serious incidents’ above, need to be reported within 5 business days.</p> <p>The NDIS Quality and Safeguard Commission will assess the need to and respectively contact relevant parties such as the police.</p>
<b>STEP SIX</b>	
Assess the need for investigation	<p>If an incident needs to be reported to the NDIS Quality and Safeguard Commission, it will require a formal investigation. If an incident occurs and does not need to be reported to the NDIS Quality and Safeguards Commission, Autism Understanding will review whether further investigation is required depending on the nature of the incident and the impact upon the person involved.</p>
<b>STEP SEVEN</b>	
Unauthorised use of restrictive practice	<p>Restrictive practices are used as a last resort and are in positive behavior support plans that have been authorized by certified behavior specialists.</p> <p>Unauthorised use of restrictive practices include circumstances whereby:</p> <ul style="list-style-type: none"> <li>• The practice is not authorized in a positive behavior support plan</li> <li>• A restricted practice that is used for long periods of time without review</li> <li>• A restricted practice that someone is unaware that it is one</li> </ul>

	<ul style="list-style-type: none"> <li>• Restrictive practice used for any other reason than to keep the person safe</li> <li>• To control or make a person act in a particular way</li> <li>• Used as a form of abuse or neglect</li> <li>• Is used due to poor training, lack of understanding of alternatives</li> </ul> <p>When using any form of 'restricted practice', we must:</p> <ul style="list-style-type: none"> <li>• Follow the instructions in the positive behavior support plan</li> <li>• Or if wishing to implement a restricted practice we must:             <ol style="list-style-type: none"> <li>a) contact the relevant state authority to obtain authorization</li> <li>b) lodge evidence for the provision of the restricted practice, including a risk assessment and alternative methods that have been trialed</li> <li>c) Arrange a review with a certified behavior support specialist to authorise an interim behavior support plan with the practice for the first month of its implementation</li> <li>d) Before the interim positive behavior support plan expires, organise a review with a certified behavior support specialist to formulate a positive behavior support plan for 6 months and ask them to assess the frequency of review of the practice.</li> </ol> </li> </ul>
--	--

**STEP EIGHT**

<p>Investigate, resolve and review the incident.</p>	<p>Investigation of an incident may involve:</p> <ul style="list-style-type: none"> <li>• Planned and systematic a gathering and analysis of evidence using witness statements, reviews of incident report, review of processes and policies, review of the client's care support plan etc</li> <li>• A client allegation about a worker must be taken seriously, investigated and may involve reporting to the NDIS Quality and Safeguards Commission.</li> <li>• Investigation may be conducted by a senior member of Autism Understanding , the managers or Autism Understanding and/or an external investigator</li> <li>• The investigation is kept private and confidential and involve communication between Autism Understanding , the client and their caregiver/s.</li> <li>• The investigation will include the details of the incident, the date and time, the persons involved, any witness details, the impact of the incident upon the person/victim, any breaches of policies, procedures and legislation, risk assessment, risk reduction analysis and other relevant details.</li> <li>• Summary of key evidence</li> <li>• Summary of continuous improvement suggestions</li> </ul> <p>Resolving an incident involves identifying and preventing the continuation of repetitive patterns that have lead to the incident or a series of similar incidents.</p> <p>Reviewing an incident involves analyzing the incident from start to finish considering all investigations, evidence and recommendations to consider the need to:</p>
--	--



	<ul style="list-style-type: none"><li>• Review and update a client's care support plan</li><li>• Review and update training and supervision needs of workers</li><li>• Conduct regular risk assessments of the circumstances (e.g. clutter in a client's house, behaviours of the client, or the client's physical challenges)</li></ul>
--	--

## **10 ACCIDENT, INCIDENT RESPONSE AND REPORTING POLICY**

---

### **10.1 INTRODUCTION**

All staff in Autism Understanding are expected to report all incidents (accidents, injury, assaults, missing participants, or unsafe equipment and practices) to the Manager. In the event of injury to a client, staff will take all appropriate actions to remove the client from harm, immediately assist the client with first aid and take all other necessary actions in the situation.

Autism Understanding will review all reported incidents and take appropriate actions to correct the situation to ensure that participants are not exposed to any actual or potential danger. This includes critical incidents as a result of a client's behaviour, a near miss accident, a service practice failure, or equipment failure.

Autism Understanding does not normally release copies of Incident Reports to external persons due to privacy and confidentiality considerations. Where details of incidents are requested a summary may be provided by the Practice Manager. In special circumstance copies of incidents may be provided if considered appropriate by the Practice Manager.

### **10.2 ACCIDENT AND INJURY REPORTING PROCEDURE**

In the event of an accident, staff present should ensure that the necessary first aid or treatment is undertaken and should remain aware of the need for supervision of other participants who may be present.

Disposable gloves should be readily available to all service areas and vehicles that belong to Autism Understanding to reduce the risk of cross infection through the exchange of body fluids.

Emergency telephone numbers for next of kin, ambulance, Poisons Information Centre, hospital and fire brigade should be maintained in Autism Understanding .

Where the injury is serious requiring immediate medical attention, the ambulance service is to be notified for attendance.

Manager is to be immediately notified of any serious injury.

First aid treatment of other than minor accidents should be followed by a check up by the clients doctor or at the local hospital casualty department.

All accidents should be recorded in the client notes and an Incident Report completed (incident reports are kept in the Office) and forwarded to Manager.

The guardian person responsible/advocate should be notified promptly (where possible) in the event of an injury. If the client has been transferred to a general hospital, the name and location of the hospital should be provided.

### 10.3 CRITICAL INCIDENT REPORTING DEFINITIONS

**CRITICAL INCIDENT**- involves a situation or event that may not cause an injury, but its very occurrence could potentially or actually place client/s, staff and/or members of the public at risk. It is not possible to list all potential critical incidents, but the following list gives examples of situations.

**NEAR MISS ACCIDENT** - involves a situation where a client, staff member or visitor to Autism Understanding has an accident that did not result in an injury, but may cause an injury if it occurred again. An example is tripping or falling on a broken step.

**BEHAVIOURAL RISK** - involves a behavioural episode by a client that endangers the safety and/or welfare of the client themselves, other participants, staff members or visitors. The types of behaviours that would be considered a critical incident may involve: episode of self-injury (eg. head banging, throwing self to ground, etc); destruction of property (eg. smashing windows, breaking furniture); assaultive behaviour (eg. hitting out at other client/s, staff, visitors). The behaviour reported may or may not have had a consequence to the client or to others, but its nature and severity could have resulted in an injury.

**SERVICE PRACTICE FAILURE** - involves a situation where a required service practice may have or have not been followed that resulted in placing a client at risk of injury. The accident may not have resulted in an injury, but may cause an injury if it occurred again.

**EQUIPMENT FAILURE** - involves a situation where a piece of equipment in Autism Understanding fails to operate or operates outside of its intended use.

### 10.4 CRITICAL INCIDENT REPORTING PROCEDURE

In the event of a critical incident, staff present should ensure that client/s, or visitors are not in danger in the immediate area. Staff should remain aware of the need for supervision of other participants who may be present.

In the case of a behavioural risk posed by a client, staff should attempt to intervene using approved behavioural intervention techniques for that client (as approved in the Behaviour Management Plan) or take reasonable protective measures to ensure the safety of the client or other participants (where there is no approved Behaviour Management Plan). Reasonable measures may include removing other participants from the area or as a last resort, removing the client from the immediate area.

Where an injury occurs, immediate first aid should be rendered to the person.

If a serious injury occurs, the ambulance service is to be notified for attendance.

Where a potential risk is posed to participants, staff or visitors due to an unsafe condition, the area should be sealed off to restrict access to the area until it is rectified by a qualified person.

The Practice Manager is to be immediately notified of any serious critical incident.

First aid treatment of other than minor accidents should be followed by a check up by the client's doctor or at the local hospital casualty department.

All critical incidents should be recorded in the Incident Report and forwarded to the Practice Manager.

The guardian/person responsible/advocate should be notified promptly (where possible) in the event of an injury. If the client has been transferred to a general hospital, the name and location of the hospital should be provided.

Where a client, staff member, visitor or member of the public has been injured requiring medical treatment, the Manager is to be immediately notified and briefed about the situation.

### **10.5 PROCEDURE FOR A MISSING CLIENT**

Children and adolescents will attend Autism Understanding accompanied by a parent, carer or support worker. Parents will either be included in sessions or will wait in the waiting room while their children are in session. Adult clients who have an intellectual disability or who do not have a good sense of direction, confidence using public transport etc are encouraged to attend Autism Understanding with their parent, partner or support worker. The Autism Understanding psychologist will ask adult clients whether they would like their support person to join the session or wait for them in the waiting room. Parents, carers or support workers are responsible for supervising the client while in the waiting room (before and after the session).

If a child, adolescent or adult wanders or absconds from the counselling room, Autism Understanding staff will immediately notify the person's parent, carer or support worker. Autism Understanding staff will:

- assist parents, carers and support workers in the search for clients who wander or abscond from Autism Understanding premises (including clients who abscond from the waiting room)
- assist parents, carers or support workers to notify the police and provide an accurate description of the person
- request that the parent, carer or support worker informs Autism Understanding staff as soon as the client has been found, and
- encourage the parent, carer or support worker to seek medical attention if the client is injured.

## **11 NDIS CODE OF CONDUCT – ELEMENTS**

---

### **1. Act with respect for individual rights to freedom of expression, self-determination and decision-making in accordance with applicable laws and conventions**

All people with disability have full and equal human rights to make their own decisions, live how they choose and receive the support they need.

Not all adults with disability need or want support in decision-making so you should consult them about who, if anyone, they want to involve in decisions about their service and support. You should involve young people and children in decisions that affect them in ways appropriate to their age, development and communication skills.

People with a disability have a right to question, seek extra information about or refuse any part of their service delivery. The onus is on you to communicate in a way that ensures they understand the information and make their own preferences and concerns known to you.

The Code of Conduct requires you to consider their values and beliefs relating to culture, faith, ethnicity, gender, gender identity, sexuality, age, and disability.

### **2. Respect the privacy of people with disability**

People with disability have the right not to have their personal information disclosed to others without their informed consent — unless mandatory reporting is required.

You should explain to people with disability why and what information is kept about them, who has access to it, and what to do if they believe their privacy is breached.

Privacy goes beyond handling personal information to delivering services in a way that maintains personal dignity. This includes both asking permission to perform and explaining procedures that involve physical touch or invading personal space.

### **3. Provide supports and services in a safe and competent manner, with care and skill**

All workers under the NDIS are expected to have adequate expertise and competence necessary for safe and skilful service delivery. You must have and maintain the required qualifications and skills.

You should decline directions — from an NDIS provider, person with disability or their family or carer — to undertake duties that you are not qualified or trained to deliver. You can make a report to the NDIS Commission if such a direction is made.

You should also comply with your own professional code of conduct and relevant work, health and safety requirements. You should ensure that accurate and timely records are kept about an NDIS participant's service history, medication and support needs. You must never work under the influence of drugs or alcohol.

#### **4. Act with integrity, honesty and transparency**

Integrity and honesty are crucial to developing trust between you and people with disability so you must be transparent about your qualifications and any limits on your competencies. You must disclose to your NDIS provider if you have failed a worker screening clearance or been subject to a professional misconduct finding.

People with disability have a right to get information about the comparative cost and effectiveness of treatments and the risks and benefits of service options.

You should declare and avoid any real or perceived conflict of interest in your work.

You should avoid giving, asking for or accepting inducements or gifts that may influence decision-making or service delivery under the NDIS. This includes to and from people with disability, their family or carers, or other service providers. You must avoid unethical practices such as over-servicing and high-pressure sales.

#### **5. Promptly take steps to raise and act on concerns about matters that may impact the quality and safety of supports and services provided to people with disability**

If the safety or the quality of support for people with disability is at risk you should take immediate action to address the reasons why. Ensure the person is safe and consult with them about how they would like to resolve the issue and take action.

It could be as simple as changing the timing of meals or moving a piece of furniture so it's easier to manoeuvre a wheelchair. Or the issue impacting quality or safety could be more complex and may require raising at an organisational level.

It is your responsibility to be familiar with your NDIS provider's systems for complaints and incident management and to follow established procedures. This includes supporting your provider to meet its reportable incidents obligations.

#### **6. Take all reasonable steps to prevent and respond to all forms of violence against, and exploitation, neglect and abuse of, people with disability**

People with disability are at a far greater risk of and are more likely to experience violence, abuse, neglect and exploitation than those without a disability.

You can play an important role in helping to prevent, intervene early and respond to violence, abuse, neglect and exploitation.

If an incident or criminal act does occur, after ensuring the safety of the person affected, you must report it to your supervisor and/or other authorities, including the police where appropriate.

You should work with your NDIS provider to reduce and eliminate restrictive practices. This includes behaviour involving seclusion, chemical, mechanical, physical or environmental restraint.

#### **7. Take all reasonable steps to prevent and respond to sexual misconduct.**

People with disability have a right to sexual expression and to develop and maintain sexual relationships. However, they are at an increased risk of all forms of sexual violence and sexual misconduct.

You are expected to adhere to the highest standards of behaviour, by having professional boundaries with people with disability. This includes preventing and responding to any inappropriate behaviour by anyone to a person with disability.

Your NDIS provider should have a guidance policy that distinguishes between inappropriate and appropriate touching and between sexual misconduct and appropriate conversations about sexual support and family planning needs.

You should report any sexual misconduct, unlawful sexual or physical conduct or inappropriate relationships to your NDIS provider, the NDIS Commission and other authorities. You should support people with disability so they feel safe to make a complaint without fear of retribution or loss of services.

## 12 PARTICIPANTS RIGHTS POLICY

---

### 12.1 INTRODUCTION

Like everyone else, people with a disability have the right to respect for their human worth and dignity and to full participation in society equal to all other citizens. They have the right to exercise choices that are the same, or close to the conditions of everyday life enjoyed by other people in the community.

Under the NDIS Act (2013) and National Quality Indicators each person has the right to receive services which respect and promote their legal and human rights and which place them at the centre of decision making on all aspects of the way they live their life.

### 12.2 PURPOSE

This policy outlines the expectations of Autism Understanding in regards to the application and maintenance of rights and responsibilities. It has been incorporated in to the organisation's Quality Framework to serve as an important guidepost in articulating the rights and responsibilities of people using the service, their families, carers and other important people who form part of the person's support network. It will function as a tool to stimulate and promote trust and cooperation and clarify expectations.

### 12.3 SCOPE

The scope of this policy covers all of the activities and operations of Autism Understanding .

The policy applies to all participants, their families, carers and other important stakeholders, staff, volunteers and contractors.

### 12.4 DEFINITIONS

- **Participant:** For the purposes of this document, the term participant refers to all potential, current and previous participants of Autism Understanding.
- **Right:** acceptable within a community's range of actions, beliefs and values; guided by mutual understanding, agreement and current practice; permitted and given to a person under law, e.g. equal opportunity, equity and access and anti-discrimination.
- **Responsibility:** things or actions within one's power or control for which an individual is answerable
- **Capacity:** the ability of a person 'to make decisions about things that affect their daily life'.

A participant's capacity to make a particular decision should only be doubted if there is a factual basis to doubt it. It should not be assumed that a client lacks capacity because she or he has a particular disability.



Capacity is unique to each individual and should not generally be assessed simply on the basis of a type of disability. A participant has capacity to consent if she or he is able to understand the general nature and effect of a particular decision or action, and can communicate an intention to consent (or refuse consent) to the decision or action.

## **12.5 PRINCIPLES**

Autism Understanding ensures that the intent of the following principles are implemented in the course of service delivery.

- All people have the right to respect for their human worth and dignity;
- All people have the right to be free from discrimination, abuse or neglect and receive services which respect and promote their legal and human rights;
- All people have the right to full participation in society equal to all other people, according to their individual and cultural needs and preferences;
- All people have the right to make their own decisions on the way they live their life;
- All people should be able to access information on their rights and be supported to exercise these rights;
- All people have the right to receive services which maintain the privacy of their personal information in line with relevant legislation;
- Equality between men and women;
- Active partnerships between services and people with disability; and where appropriate, their families, friends, carers and/or advocates;
- Autism Understanding duty of care and legislated responsibilities for participant safety may take precedence over confidentiality under certain circumstances (e.g. subpoena)
- When a participant is unable to make a critical decision without assistance, the family, with regard to the best interests of the participant, may provide informal support to make the decision;
- In the cases of any disagreement about what constitutes the best interest of the participant or particularly critical decisions, a legally appointed guardian with the specific decision making function may be required to give or withhold consent;
- Sometimes there are disputes between families, legally appointed guardians and service providers in relation to what is in the best interests of participants who lack the capacity to make decisions. If these cannot be resolved through discussion, and a decision is required, it will be made by the legally appointed guardian with the specific function;
- Families and carers have the right to make choices and be involved in decisions about all aspects of services offered to their child;

- Participants have a right to be consulted directly about decisions that impact on them in age appropriate ways;
- Autism Understanding is committed to providing each person using a service with information, and support to understand and exercise their legal and human rights both within the service and in the broader community;
- Autism Understanding is committed to providing training to staff on the importance of recognising and respecting the legal and human rights of people who use the service;
- Autism Understanding is committed to providing training and information to staff which ensures they are skilled in identifying and addressing risk factors and in responding effectively and proactively to allegations of abuse or assault;

## **12.6 POLICY STATEMENT**

Autism Understanding believes each person (including children, young people and adults) with a disability has rights and should have them respected, upheld and maintained at all times. Autism Understanding has a commitment to upholding each person's legal and human rights in all aspects of receiving a service and will act to promote and protect these rights in accordance with the United Nations Convention on the Rights of Persons with Disabilities.

All information obtained from participants or about participants, including all written information in files or computer, information obtained by word of mouth, visual media and electronic recording are included for the purposes of this policy. The rights and responsibilities are defined in legislation, and Autism Understanding policies.

## **12.7 PARTICIPANT RIGHTS**

Participants of Autism Understanding have the right to:

- Respect for their individual human worth, dignity and privacy;
- Participate fully in the life of their community;
- Be informed about available services/programs provided by Autism Understanding and how to participate in and contribute to decision-making;
- Have services and supports to match their ongoing needs and goals;
- Have services and supports provided by appropriately qualified employees;
- Be consulted about their needs and preferences;
- Request to have their service provider changed;
- Involve an advocate of their choice;
- Have someone to speak on their own behalf;

- Have control over their own lives and have a say in the provision of services that affect them including participating in decisions concerning the type of support/assistance provided and the way it is provided;
- Appropriate support/assistance which is flexible in response to their changing needs and priorities;
- Access to quality services irrespective of sex, race, ethnicity, culture, language, religion, marital status, disability, sexuality or age;
- Expect support/assistance that is reliable, of high quality, culturally and linguistically relevant;
- Privacy and confidentiality (except where compelling ethical, moral or legal reasons prohibit);
- See any information about them held by Autism Understanding in their files (and to amend any incorrect information);
- Express grievances and seek redress without fear of it affecting decisions relating to the assistance they receive;
- Have complaints or grievances about service provision heard and dealt with in a fair and objective manner;
- Refuse a service/support (and refusal should not prejudice their future access to services);
- Receive high-quality service;
- Be treated with care, respect and courtesy;
- Have their information kept private and confidential; except as described in Autism Understanding privacy statement;
- Be listened to and have staff work with them to make a plan to address their concerns and needs;
- Receive service in an environment that is safe, clean and accessible;
- Get information and support to help them make decisions to improve their situation;
- Seek a second opinion;
- Accept or reject our advice, treatment or care;
- Make decisions about their treatment plan;
- Be served without discrimination;
- Discuss their experience of service with staff to identify if it is working for them and express any questions, concerns or complaints that they may have;
- Request a change of staff member if there is another staff person available who can address their issues and their request is reasonable. Please note that discriminatory requests will not be considered;

- Be communicated with openly and honestly in a timely manner;
- Be able give feedback and expect problems to be resolved in a timely manner;
- Be consulted on decisions about how supports are provided;
- Provided supports that meet their needs at their preferred times;
- Given information about managing any complaints or disagreements and details of our cancellation policy (if relevant);
- Given a minimum of 24 hours' notice if we have to change a scheduled appointment to provide supports
- Given the required notice if Autism Understanding needs to end the Service Agreement;
- Have their privacy and confidential information protected;
- Receive supports in a manner consistent with all relevant laws, including the National Disability Insurance Scheme Act 2013 and rules, and the Australian Participant Law;
- Have accurate records kept by Autism Understanding on the supports provided to them; and
- Be issued with regular invoices and statements of the supports delivered to them.

## **12.8 PARTICIPANT RESPONSIBILITIES**

Those accessing the support of Autism Understanding have a responsibility to:

- Respect Autism Understanding staff, volunteers and other person's using the service, their families and carers;
- Respect the rights of others including their rights to confidentiality and privacy;
- Inform Autism Understanding of all support needs;
- Inform Autism Understanding of any health, behavioural or wellbeing issues;
- Proactively participate in the development, implementation and review of person centred support plans and schedules;
- Communicate any changes in circumstances and/or needs;
- Promptly pay any fees and charges associated with the provision of service;
- Inform Autism Understanding as early as possible when support is not required;
- Act in a way which respects the rights of other participants and Autism Understanding employees;

- Take responsibility for the results of any decisions they make;
- Seek a fair resolution of any complaints;
- Inform Autism Understanding about how they wish the supports to be delivered to meet their needs;
- Treat our staff with courtesy and respect;
- Be open and honest in all communications;
- Provide a safe environment for our staff, including not smoking, being free from the influence of non-prescription drugs and excessive alcohol, and securing pets;
- Communicate if they have any concerns about the supports being provided;
- Notify the Service Provider with a minimum of 24 hours' notice if the Participant cannot make a scheduled appointment; and if the notice is not provided by then, the Provider's cancellation policy will apply;
- Give us the required notice if the Participant needs to end the Service;
- Let us know immediately if the Participant's NDIS plan is suspended or replaced by a new NDIS plan or the Participants NDIS plan ends.

## **12.9 DECISION MAKING AND CHOICE**

People with a disability have the same human rights as other members of society, and they have the right when using Autism Understanding to receive services in a way that results in a minimum restriction of their rights and to participate in the decisions which affect their lives. Autism Understanding staff members are to adhere to the following:

- Autism Understanding is committed to empowering all participants to participate as fully as possible in decision-making for choices of activities and events in their daily life. Where necessary, participants will be provided with information and support to access an independent support person or advocate to assist them to make decisions, choices which affect their lives.
- Autism Understanding will support participants to access any information to enable them to participate in decisions affecting their lives. We will respond to the changing needs, goals, aspirations and choices of participants. We will communicate in appropriate formats to facilitate participants' informed decision-making and choice.
- Autism Understanding will provide appropriate and flexible opportunities for each individual to participate in decision making at all levels including individual choices in support planning, service delivery planning and review. Where appropriate, Autism Understanding will consult with families and carers, to ensure the participants' preferences and needs are taken into account.
- Where Autism Understanding is unable to meet the needs and goals of a person using the service or is not resourced to effectively meet the person's needs, Autism Understanding will refer the person to other specialist service providers or community based organisations to facilitate their support needs.

- Ongoing training will be given to employees in responding to the needs of participants and assisting them to make informed choices in the least restrictive way possible.
- Autism Understanding staff are to empower participants in their own decision making where possible, and to treat participants, their families and carers with dignity and respect.
- Where the person has the capacity for decision making, all options and risks involved must be discussed with them, all the risks and outcomes are to be clearly explained and all relevant stakeholders are involved in the decision making process.
- If the decision doesn't place anyone at risk then participants and staff are to comply with the participant's decisions.

#### **12.10 CRITICAL DECISIONS**

Participants are required to make a number of important decisions in their lives. If a person lacks the capacity to provide or withhold consent, this may be done by a legally appointed guardian with a specific decision making function. These critical decisions may relate to particular medical and dental treatments, certain behaviour support and intervention practices, accommodation choices or service delivery decisions.

#### **12.11 RESPONSIBILITIES**

The **Practice Manager** is responsible, and will be held accountable for the following:

- ensuring the policy is effectively implemented in the service for which they have control;
- monitoring staff compliance with the requirements of the policy;
- ensuring staff are provided with training and information on the importance of recognising and respecting the legal and human rights of people who use the service;
- ensuring staff are provided with training and information so they are skilled in identifying and addressing risk factors and in responding effectively and proactively to allegations of abuse or assault.
- ensuring staff are familiar with the requirements of the policy, and have sufficient skills, knowledge and ability to meet the requirements.

**All Staff and Volunteers** will be held accountable for the following:

- complying with the requirements of this policy;
- completing mandatory training in relation to this policy.

## **12.12 EQUITY AND ACCESS CONSIDERATIONS**

Autism Understanding is committed to ensuring fair and equal access to physical environments, information, communication and services. For the communication and implementation of this policy, this may include:

- Considering the suitability of physical environments; and
- The use of augmentative and alternative communication methods to supplement or replace speech or writing for those with impairments in the production or comprehension of spoken or written language. These methods include the display of text, large print, tactile communication, easy English, accessible multimedia and accessible information and communications technology.

## **13 ACCESS TO SERVICES POLICY**

---

### **13.1 INTRODUCTION**

The United Nations Convention on the Rights of Persons with Disabilities, the National Disability Insurance Scheme Act 2013, and National Quality Indicators promote access, inclusion and choice for people with disability, and a focus on their individual needs, goals and aspirations. Autism Understanding aims to promote these principles within all aspects of policy and service delivery.

Autism Understanding is committed to providing people with a high standard of service aimed at meeting individual need and promoting a sense of dignity, purpose and security. Autism Understanding is committed to ensuring that it provides a consistent and transparent approach to all people entering or exiting the service.

Autism Understanding's access to services is clear, transparent and non-discriminatory to ensure equity and fairness is applied. Information about Autism Understanding will be easy to read and widely available. Autism Understanding will work with other service providers and community supports to share information and establish relevant networks placing the needs of people at the centre of their supports.

### **13.2 PURPOSE**

The Purpose of this policy is to clarify the service entry and exit process for Autism Understanding participants, including those people provided funding through the National Disability Insurance Scheme (NDIS). It is not the intent of this policy to label a person, but it is recognised that this can be an unintended consequence of being determined eligible for disability services. The purpose of defining access and exit is to enable people with a disability to access supports and services, and to ensure that services are directed towards the intended target group. Autism Understanding promotes the full and equal enjoyment of all human rights and fundamental freedoms by all people with disability, and respect for their inherent dignity.

The policy provides direction for Autism Understanding staff when considering the referral or request for supports and services to the organisation, or considering the exit of a person from the organisation. Where Autism Understanding may not be resourced to provide a potential or existing participant the necessary and required supports Autism Understanding will encourage and assist them to identify alternative services to meet their needs.

Autism Understanding is obliged to provide potential and existing participants and their family members/carers with clear and concise information about access to services, capacity and waiting times for supports to commence or be implemented and transparent processes to ensure an appropriate exit from the organisation.

### **13.3 SCOPE**

This policy applies to all existing and potential Autism Understanding participants and their family members/carers who have requested or are currently receiving supports and services.



#### 13.4 DEFINITIONS

- **Entry:** Is the process through which a person enters into a specific support or service arrangement with Autism Understanding .
- **Exit:** The point, at which a person leaves Autism Understanding, no longer requires Autism Understanding support or transfers to another external service provider.
- **Stakeholder:** encompasses (but is not limited to) participants, family members, carers, advocates, guardians and external service providers.
- **Disability Service Standards:** The benchmark by which the rights of people with a disability are upheld.

#### 13.5 PRINCIPLES

- Autism Understanding strives to promote the health, wellbeing, safety and security for all people receiving supports and services;
- Entry and access to services will be provided on the basis of relative need and availability of resources;
- Autism Understanding adopts a non-discriminatory access process that respects age, gender, race, religion, sexual preferences and disability consistent with human rights and other applicable legislation;
- Autism Understanding acknowledges all people have the right to accurate, clear and transparent information about gaining access to and exiting Autism Understanding to inform their decision making;
- Information is not limited to one mode or type and can be changes to suit individual needs and preferences (e.g. translated material ; easy read using pictorial format);
- Services are provided in a flexible, responsive and person centred way to meet each person's individual support needs and goals;
- Autism Understanding staff will assess all participants requesting supports and services, and where limitations of resources, knowledge or skills exist, manage waiting lists for services according to the participants' levels of need;
- Autism Understanding acknowledges that each person has the right to refuse a service or to leave Autism Understanding at any time they choose. Autism Understanding further acknowledges that it may discontinue a service after consultation with the person, their family and other important members of their support network if the service is no longer sustainable or appropriate for the person;
- Autism Understanding is committed to working with and referring to other community services or organisations to meet the multiple needs of people;
- Exit procedures will be fair, transparent, follow due process and uphold the rights of the participants;

- Exit procedures will protect the safety and the integrity of Autism Understanding staff, participants, programs and services. Autism Understanding assists people when they exit the service and provides them with sufficient information on how to reenter the service if and when required; and
- Autism Understanding values feedback from people who use its service and will provide access to Complaints and Compliments processes to help inform and improve service access for others.

### **13.6 RESPONSIBILITIES**

The Practice Manager is responsible for maintaining this policy, its related procedures and associated documents.

The Practice Manager is responsible, and will be held accountable for the following:

- Ensuring the policy is effectively implemented across the service;
- Monitor staff compliance with the requirements of the policy; and
- Ensure training and information is provided to staff to carry out this policy.

**All Staff and Volunteers** will be held accountable for the following:

- Complying with the requirements of this policy.

### **13.7 ENTRY FRAMEWORK**

#### **Entry Criteria:**

Clients or potential clients who would like to use their NDIS funding to access supports and services through Autism Understanding must have a disability which has been assessed as eligible to receive support funding through the National Disability Insurance Scheme. Please refer to [www.ndis.gov.au](http://www.ndis.gov.au) for the latest information on NDIS eligibility requirements and processes.

Clients or potential clients who have not yet been deemed eligible for NDIS support funding are welcome to pay privately for Autism Understanding psychology services. If they become eligible for NDIS funding in future and their plan includes therapeutic supports, they can then choose to access psychology with Autism Understanding or another provider of their choosing using their NDIS plan. Autism Understanding is not able to bill NDIS for supports provided prior to the start date of the NDIS support plan.

### **13.8 ENTRY PROCEDURE**

NDIS Participants, their families, advocates and/or service providers can contact Autism Understanding to enquire about whether our services may suit the participant. The Participant or their parent/carer can then initiate a referral to Autism Understanding and arrange appointments depending on their needs for psychology services.

The Participant's needs will be discussed in more detail at the first appointment to ensure that Autism Understanding staff are able to address the Participant's needs. Autism Understanding staff will develop a Service Agreement with the participant based on the supports identified and person's need using the information obtained at the initial meeting with the person and their family/carer and other members of their support network.

Where the client requires additional supports Autism Understanding is not able to provide, our staff will assist the Participant in identifying a more appropriate service provider or an additional service provider to meet their specific needs. For example, we may be able to provide autism-specific strategies, but would refer the Participant to alternative or additional psychology services if they also require support around an eating disorder or sexual assault, which is outside of our area of expertise.

### **13.9 EXIT FRAMEWORK**

#### **Exit Criteria:**

A person may leave Autism Understanding for a number of reasons or circumstances including:

- The person feels they no longer require psychology services, or the focus of their psychology needs has changed;
- The person would prefer to see a different psychologist or try a therapeutic approach not available at Autism Understanding;
- Relocation to an area outside Autism Understanding 's area of service delivery;
- Lack of available resources, or funding;
- The death of a person using the service;
- The person and/or family member/carer engages in behaviour which is unacceptable to Autism Understanding such as violence, abuse, aggression, theft or property damage; and
- Continued non-payment of service delivery fees incurred during support and services provided by Autism Understanding .

### **13.10 EXIT PROCEDURE**

Autism Understanding empowers it's clients and their families to make their own decisions about whether they would like to commence and continue with psychology services. Participants are not pressured to make further appointments, and encouraged to cancel appointments if they feel they are no longer needed. If Participants are unsure about whether they require further appointments, we encourage them to consider this in their own time at home (so they don't feel pressured to make a decision on the spot), and then contact us if they would like any further appointments. Autism Understanding staff explain to participants that they can discontinue or take a break from psychology services at any time, and return to the service whenever they choose to do so.

If Participants choose to share their intention to move on to other services, Autism Understanding staff will support the Participants' choice and control by assisting them to identify other services to meet their needs. As appropriate to their circumstances, the participant is given information about referral processes or supported introduction to other

service providers, community agencies organisations, which can offer supports and services they require after they have exited Autism Understanding.

Autism Understanding acknowledges that exiting a service provider can be a daunting, stressful and anxious process for people using the service as well as their family members and carers. Autism Understanding ensures that an exit occurs in a professional, planned and collaborative manner (where Participants and their families choose to include us in this process). Autism Understanding staff will take care to ensure that Participants understand that the psychologist is not disappointed if the Participant chooses to leave. Seeking a second opinion, trying a different approach, prioritising other services or taking a break from psychology is all part of the Participant's own decision-making and empowerment.

### **13.11 PERSON'S CONSENT TO EXIT NOT GIVEN**

Participants are informed of their rights and responsibilities contained in the service agreement document. In rare cases, a Participant may not be offered further psychology appointments due to their behaviour towards Autism Understanding staff or other clients of our service, or repeated difficulties in paying for psychology services rendered. The reason for Autism Understanding no longer being able to offer psychology appointments will be explained to the Participant, their family and relevant stakeholders (i.e. the Coordinator of Supports). Autism Understanding may implement a person's exit under the following circumstances:

- Aggressive or threatening behaviour towards Autism Understanding staff or clients;
- Financial requirements are consistently not being met.

The service exit will only be actioned after discussion and consultation with the person, their family/carer and other important stakeholders. Participants wishing to make a complaint regarding their exit are provided with details on the process of complaint.

### **13.12 FILES AND DOCUMENTATION**

Upon exit all documentation and information developed and implemented by Autism Understanding will remain the property of the service, and will be retained as per the relevant legal requirements for psychology files. Documentation provided by other service providers and included in the person's file that has been used to facilitate the person's support will be copies only, so that Participants and their families retain the originals.

## 14 INDIVIDUAL OUTCOMES POLICY

---

### 14.1 INTRODUCTION

Autism Understanding is committed to pursuing the rights and principles of equality, independence, choice and inclusion that underpin a person-centred philosophy. Autism Understanding promotes the implementation of person-centred approaches to planning and practice to support people with disability to develop and maintain their skills and capacities, and to have a lifestyle based on their own interests and aspirations.

### 14.2 PURPOSE

The purpose of this Policy is to set out guiding person centred principles to lifestyle planning and review with people who use Autism Understanding supports and services. These principles demonstrate a commitment to putting the person, their families and carers at the centre of decision making about how Autism Understanding will guide and provide effective supports to them.

Autism Understanding has incorporated several key elements to assist participants and their families/carers develop person centred support pathways:

- Placing the person and their families/carers at the centre of the their planning and review process;
- Considers each person as an individual;
- The person and their family/carer is provided the choice to have as much, or as little choice and control when planning, developing, implementing and reviewing their support pathways;
- Assists the person to set goals for what's required now and also longer term goals for the future;
- Actively listen to the person, their family, support staff and and other important stakeholders during all steps of the planning and review processes;
- Autism Understanding supports the person and their family/carers with access to current and accessible information about appropriate and accessible resources and services to help them make informed decisions and choices; and
- Implementing flexibility into the planning, development and review steps to capture the ongoing changing needs of participants and their families/carers.

### 14.3 DEFINITIONS

- **Person centred planning:** discovers and acts on what is important to a person. It is a way of helping people who want to make some changes in their life. It is an empowering approach to helping people plan their future and organise the supports and services they need.

- **Person centred approaches:** design and deliver services and supports based on what is important to a person.
- **Participant:** a person who receives supports and services from Autism Understanding.
- **Support pathway:** The steps that participants and their family/carers develop to to achieve their goals and positive outcomes in their lives.

#### 14.4 SCOPE

The policy and procedures relating to support planning and review have been developed and will be implemented to meet the requirements of the NDIS Act (2013) and the NDIS Practice Standards and National Quality Indicators. This policy applies to:

- All people who are currently provided supports and services at Autism Understanding;
- All people who will use supports and services provided by Autism Understanding in the future;
- All service types and models of support offered by Autism Understanding ; and
- All Autism Understanding policies, practices and systems that relate to people who use our services receiving support.

#### 14.5 PRINCIPLES

The following principles should underpin all stages of the planning and review process with participants, their families and carers establishing their chosen support pathways:

##### **Person at the centre**

The person with disability is central to planning and decision making that helps achieve their preferred lifestyle. The person chooses the level of participation in planning according to her or his preference and ability, and is encouraged and supported to have as much control as possible over the whole planning process.

##### **Inclusion of others:**

In accordance with the person's wishes, family members, friends, significant others and other service providers common to the person are actively included in the planning and review process to support their ongoing involvement in the person's life, and to encourage and assist growth of the person's networks and community engagement.

##### **Personal priorities and strengths:**

Planning is oriented towards the person's present and future priorities, and focuses on the person's abilities, interests, dreams and aspirations, and the supports required to realise them.

**Considering culture:**

Planning takes into consideration the culture, language, religious beliefs and priorities of all people. Planning with a person is undertaken with regard to social customs and traditions, and the individual's own culture and beliefs.

**Shared commitment:**

All those involved in planning with the person commit to changes that the person and those close to the person have agreed are needed to achieve a lifestyle of her or his choice.

**Continuous process:**

Planning with the person at the centre is a continuous process of listening, learning and further action and is not a one-off event. It is based on the assumption that people with disability have futures, and that their aspirations will change and grow with their experiences.

**Regular Review:**

Plans are reviewed with the person at regular intervals to assess ongoing changes and learnings, and to ensure that planned activities are being achieved and are still relevant to the person's goals. As a minimum requirement plans are reviewed every year.

**14.6 POLICY**

Autism Understanding staff will respect and value the diversity and strengths of participants. Support will be person focused, person centered and provide opportunities for participants and their families/carers to increase their life satisfaction. The aim of individual planning and review is to support people to move toward a more positive lifestyle through enhancing decision making opportunities and facilitating social integration, participation and inclusion in the community. Each participant's support pathway will be developed with the person's interests, needs and aspirations at the centre of the planning process. The person's support pathway will include achievable goals as identified from the person and their family's point of view. The support pathway will be implemented following the agreed supports utilising resources identified by the person, their family and Autism Understanding.

Autism Understanding believes that every individual has a right to make their own decisions and to have the choices to enable them to fully participate in the community and life itself. The individual (person), their families, carers and advocates (supporters) are at the centre of decision making. Each person is afforded the opportunity to exercise as much or as little control in the planning, implementation and review of services and supports they receive. With the introduction of the National Disability Insurance Scheme (NDIS), Autism Understanding acknowledges the majority of planning and review will be undertaken using the resources provided by The National Disability Insurance Scheme (NDIS). However, Autism Understanding will still require a level of planning and review, particularly in the case of scheduling support paths and ensuring that the supports put in place are meeting the person's needs and desires under their NDIS support plan.

Autism Understanding staff will be positive and nonjudgmental in their approach with the person they support as well as their families and carers. Support should be delivered to the best of each worker's ability regardless of the person's nationality, race, religion, gender, sexuality, political belief, disability, medical status, illness. It is also expected that support time is focused on assisting each person to achieve their goals and aspirations.

## **15 DIVERSITY AND INCLUSION POLICY**

---

### **15.1 INTRODUCTION**

This policy details the requirement for all Autism Understanding workers to understand and recognise how to incorporate a diverse and inclusive culture for all clients of our organisation.

### **15.2 APPLICABLE TO**

All clients of Autism Understanding and is to be upheld by all workers, volunteers, managers, subcontractors and other associates of Autism Understanding .

### **15.3 SCOPE**

It is important to understand and support the differences of people engaged with our services, including but not limited to differences in gender, race, religion, culture, language/communication, physical appearance, and sexual preference.

This recognition and support of difference in other people enables us to:

- Understand and better support persons accessing our services;
- Create and work within a safe and nurturing environment for ourselves and our clients; and
- Inspire client and worker motivation, satisfaction and engagement.

It is also important to understand and support persons with 'Culturally and Linguistically Diverse' (CALD) needs. Persons who have CALD needs may not understand or speak English well and may have particular cultural, religious and spiritual needs. It is important to respect these needs and make reasonable steps to accommodate these needs.

### **15.4 PROMOTING DIVERSITY AND INCLUSION**

Workers must understand and follow the principles that a person centred approach involves:

- All supports must be delivered in a way that is culturally responsive and respectful of the diverse needs and preference of others;
- Providing positive support for people to exercise choice and control over their lives, by facilitating and maintaining relationships and connection to communities;
- Listening and learning to understand the way people communicate, including their communication preferences and wishes;



- Ensuring that people with high support needs and/or communication difficulty are well supported to enable communication of their wishes and input into their supports;
- Providing information in a format that supports the person (for example, plain English, Communication Pictographs (COMPIC), photos, picture cards, audio hearing), and as relevant, their family and friends, to identify and report abuse or neglect;
- Ensuring appropriate physical, emotional and psychological support is available to and easily accessible by everyone;
- The person's social network are encouraged to become involved with their therapy supports; and
- The person's whole life is considered in the formulation of the person's supports.

## **16 COMPLAINTS AND FEEDBACK POLICY**

---

### **16.1 INTRODUCTION**

Autism Understanding views feedback and complaints as ways to help us improve our services and create greater service user satisfaction and outcomes. Our Complaints Management process ensures that problems you have with Autism Understanding services, decisions and policies, are valued and listened to with open ears, taken seriously and dealt with promptly and in ways that are culturally appropriate. Your concerns will be treated as a priority. We will keep you fully informed and are committed to working with you towards a satisfactory resolution.

### **16.2 PURPOSE**

The purpose of this policy is to outline how people are able to provide feedback and make complaints about any aspect of Autism Understanding and the process that we will take to address and/or respond to the complaint.

### **16.3 SCOPE**

This policy applies to stakeholders of the organisation including: service users, families and carers, contractors, other service providers and members of the community. Issues raised by staff would generally be dealt with under our Grievance and Dispute Resolution policy, however from time to time staff may raise issues or provide feedback that is best dealt with under this policy.

### **16.4 POLICY**

Autism Understanding is committed to managing complaints in an accountable, transparent, timely and meaningful way and in the most direct way possible. Autism Understanding supports and encourages the rights of our service users, their families/carers and stakeholders to lodge and pursue any complaint in relation to any aspect of Autism Understanding services or operations.

The organisation is committed to the following complaints management principles:

- assisting people to make a complaint in whatever way is meaningful for them;
- complaints can be lodged without fear of retribution;
- protecting confidentiality and privacy of complainants;
- complaints are assessed fairly, objectively and professionally;
- openness and accountability;
- complaints are resolved in a timely manner;

- ensuring the application of procedural fairness and natural justice for all involved;
- encouraging the development of harmonious partnerships;
- integration of complaints information into the organisation's improvement process.

Autism Understanding expects that most complaints/feedback will be able to be addressed and responded to by the people directly involved. Any serious or unresolved complaints will be dealt with by the Manager. Where complaints require investigation or more formal review we will ensure that sufficient resources are allocated as a means to ensure that complaints are proficiently managed and investigated.

Complaint Management Stages include:

- acknowledgment of receipt of complaint
- complaint assessment;
- investigation of complaint;
- complaint response;
- communicating the decision; and
- complaint closed.

## **16.5 PROCEDURES**

Any individual, stakeholder or agency wishing to lodge a complaint against services, management or employees of Autism Understanding will be provided with information regarding the organisation's Complaints Management policy and process. Any complaint will be heard with open ears and a willingness to assist complainant.

Information will be provided in a format that is easily understood and considered effort will be provided to ensure complainant is fully informed re the Complaint Management process. Complaints may be lodged by a third party on behalf of another person, if their permission and consent has been given.

Autism Understanding will afford all complaints the highest standard of confidentiality. Complaint matters will only be discussed with those on a need to know basis and will not be a matter of discussion between any other individuals. All documentation will be retained in a secure place.

All staff will handle complaints with:

- courtesy and encouragement;
- sensitivity to the needs of complainant;
- efficiency and effectiveness;

- timeliness- complaints received will be formally acknowledged within two (2) days of receipt and the complaint responded to within thirty (30) days;
- empathy – understanding others feelings and perspective of issues involved;
- provide details regarding external support agencies that may assist them with complaints resolution if required. Some of these bodies are listed in this policy.

The following details relating to the complaint will be documented in Autism Understanding Complaints Register;

- nature of complaint;
- witness responses;
- findings and outcomes.

Complaints will be resolved within a practicable timeframe – ideally the organisation will diligently work to resolve the complaint within thirty (30) working days of receipt. Persons who have lodged a complaint will be regularly updated and advised of progress within agreed intervals (eg. weekly). If it is perceived that a delay may be experienced, this delay will be clearly articulated in writing to complainant.

Autism Understanding will undertake to fully inform any employee that is the subject of a complaint of the nature of the complaint and of the process being implemented to resolve complaint. If required, the employee concerned will be provided with a seven (7) day timeframe in which to submit a written response and/or seek further advice.

If a complaint is received that alleges criminal activity or provides information about possible criminal activity, it must be referred to the Manager immediately. The Manager will contact the police or other relevant authorities.

Individual or parties with a complaint may make contact with the following bodies should the complaints remain unresolved or at any time in the complaints process.

#### **National Quality and Safeguard Commission**

A complaint can be made to the NDIS Commission by:

- Phoning: 1800 035 544 (free call from landlines) or TTY 133 677. Interpreters can be arranged.
- National Relay Service and ask for 1800 035 544.

## **16.6 COMPLAINTS MANAGEMENT**

As part of the organisations commitment to implementing a Quality Management System, Autism Understanding has adopted an online complaints reporting system. As part of its ongoing commitment to effective reporting processes Autism Understanding will maintain all complaint information using the NDIS (Complaints Management and Resolution) Rules 2018. Adopting this complaints reporting system assists Autism Understanding in reviewing service performance, and progress against implementing the quality requirements and meeting the NDIS (Complaints Management and Resolution) Rules 2018. All complaint details are treated with privacy and confidentiality through the

NDIS Complaint Handling reporting process. It is the responsibility of the Operations Manager to complete the complaint online reporting process.

#### **16.7 COMPLAINTS RELATING TO ABUSE AND NEGLECT**

Autism Understanding takes reports of abuse and neglect very seriously. It is mandatory for any report of abuse or neglect reported to Autism Understanding by staff, participants, families, carers other stakeholders or members of the public to be reported by Autism Understanding to the Police and to National Quality and Safeguard Commission. Any reports of abuse or neglect reported are to be immediately forwarded to the Manager. Direct reporting to the Police and NDIS Quality and Safeguards Commission will be the responsibility of the Manager.

#### **16.8 ADVOCACY AND SUPPORT FOR PEOPLE USING THE SERVICE**

People who access supports and services provided by Autism Understanding have different types of support networks. Some people have families who are closely involved in their lives or may be reliant on legally appointed guardians to make particular decisions for them. Other people are represented by advocacy services and for some participants these advocates are their only support network.

An advocate must represent the best interests of a person, and in the absence of a family member or any other person having a close relationship with the person, may be the contact person for issues or complaints made by or relating to the person.

A Participant has the opportunity to nominate an advocate on the service agreement. Other people may be the passive recipients of informal advocacy support, and in this case, Autism Understanding will have to consider what information about a person is appropriate for sharing with an informal advocate.

#### **16.9 RESPONSIBILITIES**

The Autism Understanding Manager is responsible for approving and monitoring the implementation of this policy.

**The Manager** is responsible for ensuring that:

- all stakeholders are aware of and understand their rights and responsibilities in relation to the making a complaint and managing a complaint;
- all employees, volunteers, and students have been provided with training in relation to this policy as required, and;
- ongoing support and guidance is provided to all employees in relation to implementing this policy
- all complaints and feedback are dealt with and recorded in accordance with this policy; and
- Complaints and feedback data is analysed annually and used to inform systems improvements.

**All employees** are responsible for ensuring that:

- complaints and feedback are viewed as opportunities to improve the organisation;
- they attempt to resolve and address any complaints or issues raised with them in line with their authority;
- they are aware of and understand this policy and procedures and seek clarification if they do not understand; and
- they follow the policy and procedures outlined in this policy.

**Participants, families, carers** and other important stakeholders are responsible for:

- Using this complaints process to raise issues with the organisation.

#### **16.10 EQUITY AND ACCESS CONSIDERATIONS**

Employees, volunteers and students are to ensure that services are provided with sensitivity to, and awareness of, people with culturally diverse or indigenous backgrounds, and cultural practices. This is to be carried out without deviating from Autism Understanding 's Complaints Management - policy and procedure or legislative responsibilities. Information provided to a person, their family/carer person responsible or other support person about legal rights, options and support services, must be provided in a format that suits their individual communication needs.

#### **16.11 COMMUNICATION**

Communication about this policy should be implemented in a way that suits each person with regard to their cultural background e.g. use of an interpreter or easy to read documents. This policy will be communicated to Autism Understanding staff through professional development opportunities, accessible through this NDIS Policy Manual (displayed at the front desk) and made available on request.

#### **16.12 BREACHES TO POLICY**

Staff are expected to follow this policy. Failure to follow Autism Understanding policies and procedures will be treated seriously and may result in disciplinary action. Serious breaches of policy resulting in gross misconduct could result in termination of employment.

## 17 COMPLAINTS HANDLING POLICY

---

### 17.1 INTRODUCTION

The following policy and procedures have been developed and will be implemented to meet the requirements of:

- the NDIS Act 2013 and the NDIS Practice Standards.
- The NDIS (Complaints Management and Resolution) Rules 2018;
- The NDIS Quality Indicators.

### 17.2 COMPLAINT HANDLING POLICY

Each person who receives a service from Autism Understanding will be encouraged and supported as necessary, to make complaints about the type or quality of services provided to him or her.

The right to raise service issues or complain about how the service is provided extends to 'interested parties' such as the person's family, friends, advocate and guardian, and to other members of the community who can demonstrate a genuine interest in the life and circumstances of the person (e.g. other service providers).

The right to complain or raise service issues includes 'Community Visitors' appointed by the Minister for Disability Services, Autism Understanding staff complaining on behalf of a person receiving services, and to persons who feel that they are eligible to receive a service from Autism Understanding but who are denied access.

Autism Understanding will provide appropriate avenues for participants to state and have resolved to their satisfaction any complaints about the service they receive, without fear of penalty or victimisation.

The complaint management processes are designed to achieve resolution at the earliest possible time and provide an opportunity to Autism Understanding to review service delivery and achieve service improvement.

All complaints shall be handled according to policies regarding privacy, dignity and confidentiality.

Where a matter cannot be resolved within Autism Understanding, then it may be taken to an independent mediator.

Complaints are a mechanism for continuous improvements in all services.

### 17.3 DEFINITION OF TERMS

A "**Complaint**" is defined as a claim by an interested party that Autism Understanding has acted unreasonably towards a person:

- by either providing or not providing a service;

- by withdrawing or varying a service;
- in the way in which Autism Understanding has provided a service;
- in the way Autism Understanding administers a service.

It is likely to be considered “**Unreasonable Conduct**”, if the service provided does not conform to the norms and standards of practice in the relevant disability service. What is important is what another competent, diligent service provider would have done in equivalent circumstances, and what fair-minded observers would be likely to consider reasonable conduct.

#### 17.4 PRINCIPLES

The following principles capture the spirit and intent of the policy and procedures that will be implemented by Autism Understanding to efficiently and effectively respond to complaints, and to ensure that the quality of services is continuously improved [from good to better within available resources].

- **INFORMING:** there is no point in having a complaint handling system if the individuals expected to use it don't know about it. When making a service agreement, Participants and their families/carers/advocates are informed that we have a Complaints and Feedback Policy and a Complaint Handling Policy within our NDIS Policy Manual, and they are welcome to request a copy of these policies at any time. This information can be made available in large print on request.
- **SUPPORTING:** persons who wish to make a complaint might need some help in putting their complaint into words, obtaining the assistance of an interpreter, or an advocate or friend to support them. Autism Understanding staff should provide all assistance and support necessary to ensure the complaint is made.
- **RECEIVING:** complaints need to be accepted politely and with respect. Persons wishing to make a complaint will be deterred from doing so if they feel that they will not be taken seriously.

Autism Understanding staff when receiving a complaint should not be judgemental, be defensive, or offer their personal opinion as to whether or not they think that the complaint is well-founded, and should be helpful and respectful of the linguistic or cultural background of the person lodging the complaint.

The staff person receiving the complaint should ascertain whether the person wishes to lodge a formal complaint [either verbally or in writing]. If it is not clear from what the person has said, it is important to ask the question: “Would you like me to treat this as a complaint”?

If the answer is yes, then the person is to be invited to complete the ‘Complaint Form’ or a member of staff may complete the form if appropriate. The procedures for complaint handling must then be followed.

- **PROTECTING:** Autism Understanding will ensure that the person is protected against recrimination or reprisals if they exercise their right to complain. The complaints system will be fair to all parties [ie. the person making the complaint and Autism Understanding staff] and follow the principles of ‘natural justice’ [ie. staff must not jump to conclusions about where the fault, if any, may lie].



- **RESOLVING:** the emphasis of the complaints system should be on resolving problems at the earliest possible stage. The earliest resolution is better for everyone.
- **REVIEWING:** persons who are dissatisfied with the outcome of their complaint should be able to request a further review by the Manager.

### **17.5 AWARENESS OF THE COMPLAINT PROCESS**

The Manager will ensure that the complaint process described in this policy is clearly explained and understood by staff during their induction to Autism Understanding. Autism Understanding provides training to staff about Complaint Handling, within structured in-service training programs. The Manager will reinforce to staff the confidentiality aspects of complaints and that staff may not disclose (at any stage of the complaint) any details of a complaint that they have received except to report it to the appropriate staff member.

When making a service agreement with new clients to Autism Understanding, Participants and their families/carers/advocates are informed that we have a Complaints and Feedback Policy and a Complaint Handling Policy within our NDIS Policy Manual, and that they are welcome to request a copy of these policies at any time.

Autism Understanding provides access to the Complaint Handling Policy at the front desk. It can be emailed or printed and provided to Participants, families, carers, advocates, service providers or other stakeholders on request.

### **17.6 INFORMAL COMPLAINT HANDLING PROCEDURE**

#### **Staff Member Receives an Initial Verbal Complaint:**

- The staff member receiving the complaint informs the Manager to discuss the issue with the person raising the issue/complaint;
- The Manager identifies and clarifies the person's complaint and the outcomes expected by the complainant;
- Where the issue can be resolved through mutual agreement, then this should be undertaken and the informal complaint has been resolved; and
- Where appropriate an Incident Report may need to be completed.

### **17.7 FORMAL COMPLAINT HANDLING PROCEDURE**

Where the complaint cannot be mutually resolved, the Manager will inform the complainant of Autism Understanding complaints handling processes and procedures;

The person will be provided a 'Complaint Form', which summarises:

- the complaint;

- the outcomes expected by the complainant; and
- provides contact information for the complainant.

The Manager will assist the person with completing the Complaint Form where needed;

### **17.8 RESONSIBILITIES TO COMPLAINT HANDLING**

**Manager:**

Review 'Complaint Form' and determine if immediate action can be taken to resolve the complaint. If appropriate, seek to immediately resolve the complaint and verbally advise complainant of action being taken, and in writing where requested.

Decide whether the complaint is serious and requires further reporting immediately. A complaint would be considered serious if it is:

- potentially involving a criminal action such as assault, abuse or fraud that needs to be investigated by the Police;
- potentially related to a complaint about neglect of client needs;
- about the unprofessional or unethical behaviour of a staff member (breaches Policies and Procedures of Autism Understanding ).

Notes immediate action taken or recommendations if any. This should occur as soon as possible and no later than 48 hours after a complaint has been received.

### **17.9 COMPLAINT DOCUMENTATION**

All complaints will be recorded and copies kept in relevant files. Accurate written records must be kept of all communications that form part of the complaint process. This includes notes taken of conversations between the parties which relate to management of the complaint and all agreed actions and decisions made in relation to the complaint. All records must be marked "Confidential".

- Only the people who are directly involved in the complaint, or in helping to resolve it, are to have access to information about the complaint.
- All documentation of complaints managed under this policy will be held by the Manager.
- Complaint documentation is to be kept separate from client or staff files.
- Complaints will be kept confidential and will be dealt with in an agreed time frame (no longer than six weeks).

- Confidentiality and Recording: the privacy and confidentiality of parties will be respected to the extent practicable and appropriate; accurate records will be kept by each staff member dealing with the complaint, including recording of reasons for all significant decisions.

#### **17.10 TIME-LINE OF COMPLAINTS MANAGEMENT**

Complaints received by Autism Understanding will be responded to in a timely manner. Consideration of factors that may influence the response timeframe, such as potential risks posed to a person or agency will be considered.

Autism Understanding will acknowledge complaints as soon as possible following receipt of the complaint. Acknowledgement will include advising the complainant of the Autism Understanding staff who will be handling the complaint and an anticipated time when that person will make further contact. Acknowledgement may be made in person, by phone, email or in writing.

**Timeframe for acknowledging complaints: within 48 hours of receipt.**

Response to a complaint should commence as soon as practicable, within two weeks of receipt. For complex complaints and complaints of a sensitive nature it may be necessary to investigate the matter or seek information from external parties. When a matter is going to take a longer period of time to resolve, the complainant should be kept informed of progress at regular intervals, at least every week or as agreed with the complainant.

**Timeframe for response to a complaint: within 2 weeks of a complaint**

Finalisation of a complaint will be dependent on the response required. Complaints that are unambiguous in nature should aim to have an outcome within two weeks of the commencement of investigation. Complaints of a complex and sensitive nature may take a longer period to finalise, dependent on results of any investigation or enquiries made. The complainant should be contacted at the end of the complaint handling process to communicate the resolution achieved, any agreed outcomes and to discuss any ongoing issues that may remain.

**Timeframe for finalisation of a complaint: within 4 weeks of a complaint for simple matters, within 6 weeks for complex matters**

Follow up of a complaint resolution or outcome will be undertaken by Autism Understanding within 4 weeks of finalisation to ensure that the resolution/outcome agreed upon has resulted in maintaining or improving a client's service and or workplace environment. This should occur within four weeks of the finalisation of a complaint investigation. After a resolution has been reached, written or verbal reports will be made available to all parties concerned.

#### **17.11 PROCESS OF APPEAL**

A complainant may not be satisfied with the initial response provided to a complaint. In such instances Autism Understanding will review the complaint handling process followed in the initial response and may further investigate matters and/or reconsider the original decision when appropriate.

## **17.12 EXTERNAL AGENCIES FOR COMPLAINTS**

### **National Quality and Safeguard Commission**

A complaint can be made to the NDIS Commission by:

- Phoning: 1800 035 544 (free call from landlines) or TTY 133 677. Interpreters can be arranged.
- National Relay Service and ask for 1800 035 544.

## **17.13 COMPLAINT HANDLING PROCEDURE**

### **What is a complaint?**

A “**Complaint**” is a claim by a person that Autism Understanding has acted unreasonably towards any person receiving services.

#### **Plain English:**

If you think that something should have been done differently or that something has not been done, then you have a right to make a complaint and have it fixed.

### **What should I do if I have a complaint?**

The person will raise the matter with a staff member or the Manager to identify what the issue is and how they expect it can be resolved.

#### **Plain English:**

You need to tell the person providing a service about what issue you have about the service provided. You should clearly state what the problem is and how you would like it to be resolved. It may be necessary for you to raise the issue with the Manager to give them an opportunity to resolve the issue.

### **What if the complaint is not resolved?**

When an issue cannot be resolved to the satisfaction of the person, the Manager will explain the complaint handling process used by Autism Understanding. Where the person decides to make a formal complaint, the Manager will assist the person to complete a Complaint Form.

#### **Plain English:**

When you are not satisfied with the way the complaint has been handled, you should make a formal complaint. The Manager will explain what to do and help you fill in the form [if you are unable to fill in the form the Manager will fill it in with you].

**What then happens to your complaint?**

When the Manager receives a complaint form, he or she will talk to the staff and find out what ways the complaint may be able to be resolved. In some cases the Manager may need to ask a staff member or an independent person to investigate the matter and provide a report on the issue. If an investigation is needed to examine the matter, the person making the complaint will be informed of progress during the investigation.

**Plain English:**

You will be told what is happening about the complaint as soon as possible. The Manager will talk to the staff and may be able to give you a satisfactory resolution to the matter. If the issue is more complex, then you will be told in writing within 5 days of the complaint, what action is being taken by Autism Understanding . When an investigation of the issue is needed, you will be regularly informed of what is happening.

**What if my complaint is not resolved?**

When the complaint has been investigated the Manager will contact the person making the complaint and explain how Autism Understanding plans to resolve the matter. The person making the complaint may accept the proposed resolution and the issue is then considered resolved. However the person may wish to appeal this decision and ask the Manager to consider their appeal. If the appeal is unsuccessful, the Manager will explain about other external agencies that can be asked to assist with the complaint.

**Plain English:**

You will be told by the Manager what Autism Understanding will be able to do to resolve the matter. If you are happy with this result, the issue is considered to be resolved. If you are unhappy with the result, then you can appeal the matter to the Manager. If you are still unhappy with the result, then the Manager will assist you by providing information on external agencies that can assist you with the complaint.

## 18 SERVICE MANAGEMENT POLICY

---

### 18.1 INTRODUCTION

The NDIS Act (2013) and NDIS Practice Standards identify that each person has the right to receive services which respect and promote their legal and human rights and which place them at the centre of decision making on all aspects of the way they live their life.

Using the NDIS Practice Standards to measure the continued performance and quality of services at Autism Understanding is fundamental to a person centred service system that enables its participants, their families/carers to exercise choice and flexibility in accessing their supports and services.

### 18.2 PURPOSE

The purpose of this policy is to outline how participants will be provided services from Autism Understanding and the key processes and policies that link to this delivery of the service consistent with the NDIS Practice Standards. For Autism Understanding to deliver high-quality services and supports to our participants, their families and carers, we must be attentive to their needs and strengths, their limitations and to the needs of their families and their communities.

Our service delivery policy provides a framework and describes how we take an organised and responsive approach to our core business — the way we consult with participants to obtain access to services, understand their needs and goals, assist participants and their families to plan and schedule required supports and services, undertake activities, cooperate with other providers and agencies, provide feedback and review participant progress against their person centred pathways.

Having clear, written procedures for the delivery of services against the NDIS Practice Standards provides clarity to participants and their families and carers about what they can expect from us within our resource constraints. Being focused on responsiveness to their needs and strengths at all stages of the delivery of a service helps us to assist each person to work towards effective and achievable service delivery.

### 18.3 DEFINITIONS

- **Confidential:** to keep your information private and safe;
- **Decision making:** to have a say about the things that are important to you;
- **Dignity:** treat a person with respect
- **Dispute:** you do not agree with something a person says or does.

- **Independent:** to do something by yourself.
- **Integration:** to bring all people together
- **Participation:** to join in with other people, or to join in community events
- **Privacy:** to have time and space by yourself.
- **Service provider:** a business that does work to help people with a disability.
- **Valued status:** you know what you do and what you think is important. The community also knows that you are important.

#### 18.4 SCOPE

This policy applies to all stakeholders of the organisation including: participants, families, staff, carers, contractors, other service providers and members of the community.

#### 18.5 POLICY STATEMENT

Autism Understanding aims to provide participants and their key stakeholders quality supports and services in line with the NDIS Practice Standards. Autism Understanding recognises it's participants at the centre of decision making processes, service delivery and offers maximum choice and control in all interactions in relation to service delivery.

It is committed to delivering services and activities that respond to the needs and strengths of those people who use our service, their families, carers and their communities.

The objectives for Autism Understanding in its delivery of supports and services is to adhere to the following practice requirements:

- each participant of Autism Understanding is aware of their rights;
- facilitate the planning and provision of services, supports and other initiatives for participants, their families and carers;
- promote and protect the rights of Autism Understanding participants
- support the provision of high-quality personalised and person centred services;
- ensure efficient and effective use of participants' individualised funding in the provision of person centred supports and services.

We want those who use our service to be confident that their needs and issues have been understood, that there is a clear plan for the services they will receive from us, and that there is assistance available to build relationships with other agencies as appropriate.

## **18.6 PRINCIPLES**

People with a disability have the same rights and responsibilities as other members of the community and should be empowered to exercise those rights and responsibilities.

People with a disability have the same rights as other members of the community to:

- respect for their human worth and dignity as individuals
- live free from abuse, neglect or exploitation
- realise their individual capacity for physical, social, emotional and intellectual development
- exercise control over their own lives
- participate actively in the decisions that affect their lives and have information and be supported, where necessary, to enable this to occur
- access information and communicate in a manner appropriate to their communication and cultural needs
- services that support their quality of life.



## 19 FREEDOM FROM ABUSE POLICY

---

### 19.1 INTRODUCTION

The provisions of the NDIS Act (2013) and supporting NDIS Practice Standards clearly outline the obligations that service providers have to ensure the rights of people with a disability are met as equal members of society.

It is Autism Understanding policy to work within the framework of relevant legislation and the United Nations Convention on the Rights of Persons with Disabilities to ensure the human and legal rights of people using its services are upheld in relation to the prevention, identification and reporting of sexual, physical, emotional and financial abuse. The allegation may refer to abuse by employees, other people using the service or members of the community.

### 19.2 PURPOSE

Autism Understanding affirms the right of people with disabilities to live their lives free from neglect, abuse and exploitation. The purpose of this policy is to:

- promote the human rights of the people accessing supports and services provided;
- create a service environment where risks to the rights and well-being of people receiving supports and services are minimised; and
- ensure that if we become aware of an instance of abuse or neglect, we respond promptly, professionally and compassionately to address the situation in accordance with the requirements of NDIS Practice Standards.

### 19.3 SCOPE

The scope of this policy applies to all of our services that are funded by National Disability Insurance Scheme. The policy applies to all employees, students, volunteers, advocates, contractors and others who may act on behalf of the organisation from time to time.

### 19.4 DEFINITIONS

- **Abuse** refers to sexual assault, physical, emotional, financial and systemic abuse, domestic violence, constraints, restrictive practices and to neglect;
- **Advocate** is a person who promotes, supports and represents the rights and interests of another person. They may at times act, speak or respond on behalf of another person;

- **Duty of Care** refers to the requirement Autism Understanding has to take reasonable care to avoid foreseeable harm to a person it supports;
- A **Guardian** is a substitute decision maker with authority to make personal or lifestyle decisions about the person under guardianship;
- A **Manager** for reporting purposes in this policy is the next person in line to receive a report of abuse or take action on an allegation of abuse;
- A **Person** responsible is someone who has the authority to consent to treatment for a person who is unable to give a valid consent to their own medical treatment. Sometimes a person is unable to make the decision or does not understand what the treatment is about or its effect. In these cases a person responsible can give substitute consent on behalf of the person.
- A **Support Person** is someone who is engaged to assist a person who has been abused and may be required to talk to Police, a sexual assault worker or legal representative. The support person does not have the same function as a person responsible and cannot make decisions for the person. The person may be a member of Autism Understanding staff who is known and trusted by the person. The support person may be also from an Advocacy service;
- **Neglect** is the failure of a person responsible to provide the necessities of life. Necessities of life can include shelter, adequate food, clothing, or medical care. Neglect may also involve the refusal to permit others to provide appropriate care for that person.
- **Person** in this policy, refers to a person receiving services from Autism Understanding .

A person has capacity to make an informed decision if she or he is unable to understand the general nature and effect of a particular decision or action, can weigh up the consequences of different options and can communicate their decision.

## 19.5 PRINCIPLES

Autism Understanding acknowledges everyone is entitled to feel safe, and to live in an environment in which they are protected from assault, neglect, exploitation or any other form of abuse. Any suspected or alleged abuse must be responded to promptly and sensitively, with the aim being to protect the individual(s) from harm.

Autism Understanding has a process for monitoring and responding to all critical incidents, including reports of abuse. The following Principles are observed by the organisation in response to an allegation of abuse. Autism Understanding ensures that the intent of the following principles is reflected in the operational procedures.

## 19.6 PREVENTING ABUSE

Autism Understanding takes reasonable steps to ensure that all paid and unpaid workers understand and perform their roles in preventing abuse of people using its service by any person.

### **19.7 IDENTIFYING ABUSE**

Paid and unpaid workers engaged by Autism Understanding understand the behaviours or actions that constitute abuse.

Paid and unpaid workers engaged by Autism Understanding are able to recognise signs that may be indicators of abuse.

Paid and unpaid workers recognise that people with challenging behaviour, and people who are non-verbal or who experience communication difficulties, may be more vulnerable to abuse.

### **19.8 REPORTING ABUSE**

The procedures for reporting allegations or suspicions of person abuse are clearly articulated and include the responsibilities of all parties involved in the process.

The culture of the organisation or service will encourage and support any person who has witnessed abuse of a person or persons, or suspects that abuse has occurred, to make a report of abuse and be confident of doing so without fear of retaliation and in a supportive environment.

All paid and unpaid workers are aware of their responsibility to report allegations of abuse in accordance with the service provider's documented procedures.

### **19.9 RESPONDING TO A REPORT OF ABUSE**

Response is prompt, appropriate and in accordance with clearly documented procedures. The response should include appropriate reporting to Police, and the provision of medical care, including transfer to hospital by an ambulance and referral to a Sexual Assault Service if the assault is of a sexual nature. When the victim is unable to give consent, the family, guardian or other support person are notified of the incident as soon as possible.

If it is appropriate and the victim has given consent, the family or guardian of the victim, or other support person, are informed of the allegation of abuse as soon as possible after the report is made. All aspects of the incident are documented in accurate written accounts, including any follow up actions.

### **19.10 RESPONDING TO ABUSE OF A CLIENT BY A MEMBER OF STAFF**

All incidents and allegations of abuse are documented and reported to a manager. All reasonable steps are taken to ensure that the client is protected from further harm by preventing contact with the alleged offender.

The rights of the alleged offender and responsibilities of the employer are adhered to in accordance with the

appropriate legislation.

#### **19.11 RESPONDING TO ABUSE OF A CLIENT BY ANOTHER CLIENT**

Autism Understanding manages the interactions between persons using the service to avoid incidents of abuse, and record in behaviour management plans and Client Risk Profiles the triggers that may cause one client to harm another. If behaviour management strategies fail to prevent the abuse of one person by another, actions are implemented to protect any person/s from further harm.

A review of the circumstances pertaining to the event is conducted within a reasonable timeframe.

Any behaviour management strategies implemented by the service are safe, respectful of the person and non-abusive.

#### **19.12 PRIVACY AND CONFIDENTIALITY**

Access to records is restricted to those who are directly involved in reporting and responding to the incident to ensure that individuals' rights to privacy are upheld.

A key staff member is appointed to be the sole contact for the family, guardian or other support person in providing information relating to the incident and any subsequent investigations.

#### **19.13 RESPONSIBILITIES**

Autism Understanding response process does not compromise any investigation by the Police or other external agencies. Staff and witnesses cooperate with the investigations of Police and other agencies as required.

People are assisted by an independent support person during their contact with the Police and other agencies.

The roles and responsibilities of management, staff and volunteers in responding to a report or allegation of abuse are documented and clearly defined.

#### **19.14 POLICY STATEMENT**

Autism Understanding has a duty of care to ensure that the rights of people using the service are respected, their well-being is safeguarded, and that they are not exposed to any form of abuse and neglect while in our service. We expect that everyone who is associated with Autism Understanding and is involved in providing services to people will share our commitment to maintaining an organisational culture that:

- upholds the value and dignity of Participants;
- builds trusting relationships with Participants, their families and carers;
- provides services in an environment that is safe and welcoming for everyone;
- empowers people by helping them to understand their rights;
- makes everyone feel safe to raise concerns;
- responds proactively to concerns and complaints when they arise; and
- fosters collaboration with other organisations in upholding a person's human rights and preventing abuse and neglect.

Staff and volunteers will promptly report concerns about the safety of Participants (including environmental hazards) to the manager so that appropriate action can be taken. The Manager, staff, students and volunteers are aware of Autism Understanding procedures through orientation and induction processes. This policy and supporting documents are reviewed as part of the organisation's quality improvement program.

#### **19.15 REPORTING PROCEDURES**

The following procedures will ensure that we act in accordance with this policy.

##### **Reporting Abuse to Police:**

##### **Emergency – Dial 000**

When a person/s has been assaulted or is in immediate danger of an assault the Police must be called (see below for exceptions).

If a person sustains an injury as the result of an assault the Ambulance Service must be called.

##### **Reporting to Police:**

- **Sexual Assault:** Sexual assault of a person is a serious offence and must be reported to the Police (see below for exceptions).
- **Physical Assault:** Any other physical assault of a client must be reported to the Police (see below for exceptions).
- **Other Assault:** A report of domestic violence, or abuse by neglect and restricted practices, and emotional, financial and systems abuse, must be reported to a manager as soon as possible and may be reported to the Police.

**Exceptions:**

- A report to the Police about an assault may not be required if any of the following conditions exist:
- An incident that would usually be classed as assault, is caused by a person with an intellectual disability who lacks understanding of the behaviour; and
- physical contact occurring between participants (e.g. pushing or striking) that are appropriate for resolution using behaviour management strategies, and are reported internally.
- If in doubt about reporting abuse the Police may be contacted for advice.

**19.16 SERVICE PROCEDURES**

A report of abuse may be received from:

- a person using the service by verbal or written communication or any other communication system;
- a member of staff or any other person, who may witness abuse of a person and make a report; or
- a member of staff upon observing one or more indicators of abuse suspects that a person/s have been or are being abused.

The following procedures must be followed where abuse of any sort towards a client is known or suspected.

**Emergency Response:**

- Staff who are present at the time of an assault should take appropriate measures to maintain their own safety, and that of other participants and staff.
- Staff at the scene must ensure that the person/s (the victim) is protected from any further harm or contact with the person who is the source of abuse (the offender).
- Staff at the scene must notify the doctor or ambulance if the person receiving support or any other person is injured.
- Staff at the scene must immediately advise the manager of the incident.
- Staff at the scene must contact the Police if a person has been physically or sexually assaulted or dies as the result of an assault.
- Staff at the scene must also contact the local Sexual Assault Service if a person has been sexually assaulted.

**19.17 PROTECTING EVIDENCE**

- Staff at the scene must use their best endeavours to ensure that any evidence the Police may require in their investigation is not disturbed.

- Evidence may be lost if a victim of sexual assault bathes soon after the assault. Try to delay bathing until the Police arrive if the victim is not distressed by the delay.
- If possible, preserve the victim's clothing as evidence following an assault of any type.
- If possible, isolate the area where the incident occurred and do not allow anyone to enter the area until the Police arrive.
- Apart from ascertaining their physical condition and state of mind, avoid questioning the person about the incident to reduce contamination of their recall and confusion about the events.

**The Manager's Role:**

- The manager should ensure that all emergency procedures have been followed and the appropriate emergency services have been called.
- The manager must ensure that the victim's wishes are followed in relation to advising family, guardian or other support person about the incident, where the victim is capable of making this known. When the victim is not capable then the manager should make sure the appropriate person is notified of the incident as soon as possible and within 12 hours of the report being made.
- The manager is responsible for ensuring that documentation of the incident is completed.

**Abuse by a Member of Staff:**

- If it is witnessed or suspected that a member of staff has abused a person/s, the manager must be informed immediately.
- If it is suspected that the manager is involved in the abuse the matter must be reported to the police immediately.
- Where management reasonably believes that a member of staff is the source of abuse of a person using the service the matter must be referred to the Police. The referral will be managed by the Manager.
- Any cases of suspected abuse by a member of staff must be reported to the organisations current main point of contact. Where a person is provided supports through a National Disability Insurance Scheme support agreement the matter will be directly reported to the NSW Ombudsman's Office. This will be facilitated by the Manager. The Manager will provide ongoing communication, documentation and assistance to the NDIS Quality and Safeguard Commission in the management of this matter.
- A member of staff who is reasonably suspected of abusing a person must not be permitted to have any unsupervised contact with the person, and may be immediately transferred to alternative duties or performance management actioned (immediate dismissal or suspension on full pay) following the allegation and until the matter is fully investigated and resolved.
- Any allegations of abuse by a member of staff towards a person provided a service will be the subject of internal investigations within Autism Understanding , and by the Police.

- If an investigation finds that a member of staff has abused a person, the matter may warrant dismissal of the staff member by Autism Understanding as well as any action taken by the Police.
- If a staff member accompanies the offender who is another staff member to the police station to provide support, the staff member must not give an opinion about the offender or the alleged incident or give the offender legal advice. The staff member should be replaced by an independent support person or a legal adviser as soon as possible.

**Abuse by Another Person Using the Service:**

- When one person is the suspected or known source of abuse towards another person using the service, staff must ensure that the rights of both people are observed during the response and reporting processes.
- Any decisions made in relation to managing the incident must be fully documented for future reference, along with the reason for the decision and the name and contact details of the person making the decision.
- The manager must ensure that the wishes of the victim and the offender are followed in relation to advising family, guardian or other support person about the incident, where they are capable of making this known. When the victim and/or the offender are not capable then the line manager will notify the appropriate person of the incident as soon as possible and within 12 hours of the report being made.
- The manager will facilitate access to appropriate support, where practical, for both person's, their families and staff, and ensure they have information about available services.
- If a manager reasonably believes that an incident between two persons is abuse or assault the matter must be referred to the NSW Police.
- If a staff member accompanies the offender, who is a person receiving service, to the police station to provide support, the staff member must not give an opinion about the offender or the alleged incident, give the offender legal advice, question the offender on behalf of the police or interpret the offender's answers. The staff member should be replaced by an independent support person or a legal adviser as soon as possible.

**Financial Abuse:**

- When there is an allegation of financial abuse, the manager must notify the person, their family/carer, guardian and/or the administrator of the person's finances. The matter may be reported to the Police.

**19.18 COMMUNICATION**

- The manager should appoint a contact person to communicate with the victim and family, guardian or other support person to ensure that information relating to the incident is provided through one coordinated source.
- Information being relayed to the victim must be provided in a form that is understandable, and this includes ensuring that a support person is available who knows the victim's communication requirements.



- When the victim is unable to make decisions about any aspect of the incident, a family member or guardian must be present to make decisions on the victim's behalf. Where this relates to medical treatment or forensic examination consent must be provided by a person responsible in accordance with the Guardianship Act.

#### **19.19 SUPPORT FOR THE PERSON**

- The victim and family, guardian or other support person should be assisted to access any debriefing, counselling, legal or other support services if that is their wish.
- People who are victims of abuse and their families or guardians should be referred to Victims Services provider to be advised of their rights, and the support services that are available to them.
- The Manager will facilitate access for victims of violent crimes and their families who may be eligible to apply for counselling with the Approved Counselling Service provided by Victims Services providers.
- Autism Understanding must ensure that the people involved, both victim and offender, are adequately supported by an independent person, who could be a relative, friend, advocacy service or legal practitioner.
- The victim, family, guardian or other support person will have the choice of pursuing the matter through the legal system and must be supported to access the services and advice they require.
- Information provided to a person, family/carer guardian or other support person about legal rights, options and support services must be provided in a format that suits their individual communication needs.

#### **19.20 SUPPORT FOR THE STAFF, VOLUNTEER OR STUDENT**

The staff member, volunteer or student will be offered a debriefing session within 24 hours of the incident occurring. This will be facilitated by a member of the management team. Our team includes psychologists who can provide debriefing sessions. Alternatively we can arrange a counselling session with an external psychologist.

#### **19.21 PRIVACY AND CONFIDENTIALITY**

All staff members who are in contact with the victim or the offender will maintain confidentiality of information between the individuals who are directly involved in responding to the incident. Confidentiality must be maintained when making a report to external agencies. Failure to do so may prejudice any subsequent investigation and cause unnecessary hurt or embarrassment to individuals. Failure to maintain privacy and confidentiality in relation to the matter may result in disciplinary action including dismissal from employment with Autism Understanding .

#### **19.22 RECORD KEEPING**

It is imperative that comprehensive and accurate documentation is maintained in the interests of all parties, and to ensure accountability and transparency in decision- making. A detailed written report should be completed as soon as possible to ensure it is an accurate record of the incident. The report should include:

- the nature and extent of the incident;
- a description of the incident completed as soon after the event as possible and being an exact record of the events;
- additional reports written by other witnesses or persons present at the time the incident occurred;
- the name and contact details of all those involved, particularly in relation to decisions that are made as a result of the incident;
- the response provided to the person making the allegation;
- the date and signature of the person making the report;
- ongoing actions required to resolve the matter; and
- the outcome, although, depending on the nature of the incident an outcome may be delayed.

Autism Understanding will prepare a report to meet the requirements of the NDIS Quality and Safeguard Commission.

### **19.23 MANAGING RISKS**

The manager and staff must assess the risk of further incidents and update any risk management plans pertaining to the event and the person/s involved. The manager and staff must review the Client Risk Profile of any person/s involved in the incident to assess and manage the risk of further incidents of abuse.

#### **Responsibilities:**

- The Manager is responsible for the final review of this policy
- The Manager is responsible for maintaining this policy, its related procedures and associated documents.
- All employees, volunteers and students who work with people using the service are responsible for complying with this policy.

### **19.24 ADVOCACY AND SUPPORT FOR PEOPLE USING THIS SERVICE**

People who access supports and services provided by Autism Understanding have different types of support networks. Some people have families who are closely involved in their lives or may be reliant on legally appointed guardians to make particular decisions for them. Other people are represented by advocacy services. For some participants these advocates are their only support network.

An advocate must represent the best interests of a person, and in the absence of a family member or any other person having a close relationship with the person, may be the contact person for issues relating to the person. Other people may be the passive recipients of informal advocacy support, and in this case, Autism Understanding will have to consider what information about a person is appropriate for sharing with an informal advocate.

The issue of information sharing arises in the Freedom from Abuse Policy and a balance is required between:

- ensuring that people who have an important relationship with the person receiving a Autism Understanding service are informed when there is an allegation of abuse involving that person; and
- obeying the law as it applies to upholding individuals' rights to privacy.

### **19.25 EQUITY AND ACCESS CONSIDERATIONS**

Employees, volunteers and students are to ensure that services are provided with sensitivity to, and awareness of, people with culturally diverse or indigenous backgrounds, and cultural practices. This is to be carried out without deviating from Autism Understanding Freedom from Abuse - policy and procedure or legislative responsibilities. Information provided to a person, their family/carer, person responsible or other support person about legal rights, options and support services, must be provided in a format that suits their individual communication needs.

#### **Intellectual Disability Rights Service (IDRS): Telephone Contact – 02 9318 0144 or 1800 666 611**

The IDRS provides telephone advice on a range of legal issues and representation in priority areas such as criminal law, care and protection and guardianship.

#### **Criminal Justice Support Network (CJSN): Telephone Contact – 1300 665 908 (24 Hours)**

CJSN is a State-wide support and information service for people with an intellectual disability who are involved in criminal matters (whether they are victims, witnesses, suspects or defendants). CJSN, amongst other things, can provide support workers to assist a person with an intellectual disability at police interviews, at court and at related legal appointments.

#### **Community Legal Centres NSW (CLCNSW): Telephone Contact – 02 9212 7333**

CLC are independent organisations that provide free legal advice, information and referrals for individuals and communities in NSW, especially people on low incomes or otherwise disadvantaged in their access to justice.

### **19.26 COMPLAINTS**

#### **National Quality and Safeguard Commission**

A complaint can be made to the NDIS Commission by:

- Phoning: 1800 035 544 (free call from landlines) or TTY 133 677. Interpreters can be arranged.
- National Relay Service and ask for 1800 035 544.

## 20 DUTY OF CARE POLICY AND PROCEDURE

---

### 20.1 INTRODUCTION

The following policy and procedures have been developed and will be implemented to meet the requirements of:

- the NDIS Act (2013) and the National Practice Standards.

### 20.2 DUTY OF CARE POLICY

Autism Understanding shall ensure that all staff provide a standard of care commensurate with their skills, experience and position that ensures the best outcome for each client and that respects the participants' right to choose.

Autism Understanding believes that all people with a disability have the same rights as other members of society and shall assist the client to enjoy the broadest range of life opportunities and experiences, in an environment of care, support, information and education.

In supporting the fulfilment of personal goals, individuals shall not be prevented from taking reasonable risks and making mistakes while gaining independence and learning how to make decisions. Participants shall be provided with the appropriate level of support depending on their skill and experiences where appropriate a risk assessment will be conducted.

In the case of unaccompanied or unsupported client activities, where a degree of significant risk may be involved, documentation shall be maintained detailing the relevant level of skill.

### 20.3 PRINCIPLES OF DUTY OF CARE

If it were reasonably foreseeable that a client would cause harm to another person or property and reasonable action was not taken to avoid or minimise the risk, and harm resulted, a breach of duty of care would have occurred.

**Challenging Behaviour** - Care workers have a legal duty to take action to address challenging behaviours that are harmful to the person themselves or to others. However, a person's duty of care does not require them to do anything unlawful. The relevant offences here are wrongful imprisonment or assault.

**Dignity of Risk** is the belief that each person with a disability is entitled to experience and learn from life situations even if these, on occasions, may involve some risk to their well-being. Each person with a disability experiencing a risk, of which they have been informed, is to receive support in the situation.

**Duty of Care** is the obligation to take reasonable care to avoid injury to a person whom it can be reasonably foreseen might be injured by an act, or omission. It is the basis for civil (court) action.

**Negligence** is not providing the standard of care required by a staff member's position, qualifications and experience, and resulting in injury to the person with a disability in a staff member's care. This can result in a civil action against the staff member and/or the employer.

To establish negligence it must be shown that:

- a duty of care exists;
- there was a breach of duty, meaning the accident could have reasonably been foreseen, and the person failed to take reasonable steps to prevent the accident from occurring;
- harm was suffered; and
- the harm was a result of the breach of the duty of care (i.e. there was a relationship between the breach of care and the harm suffered).

**Assault** is any harmful or offensive or unwanted touching of another person; any non-trivial touching of another person; any act intended to arouse fear of touching is also an assault. Accidental touching is not an assault.

**Wrongful imprisonment** is deliberately confining a person to a particular place.

Assault and wrongful imprisonment are civil wrongs (so that the 'victim' can sue the person/organisation for damages) and criminal offences (the person may be prosecuted by the police) unless the person can show a defence recognised at law. These defences are:

- Self-defence, that is the use of reasonable force or confinement in defence of an actual or imminent attack on a person or property. An attack is 'imminent' if it is about to happen. Force may not be seen as 'reasonable' if it is more than the minimum needed or if it is disproportionate to the harm being prevented.
- Necessity, that is the use of reasonable force on, or confinement of, a person to prevent an imminent and great danger to a person or to property (eg. grabbing a client who is about to walk in front of a car).
- Free consent by the person who may require behaviour interventions (eg. a restrictive procedure) and who has a general understanding of the nature of what is consented to. Consent may be withdrawn at any time (eg. If the person has previously consented to a behaviour management procedure but physically resists it at the time, this amounts to a withdrawal of consent). If an adult is unable to consent on his or his own behalf, the Guardianship Tribunal can give a guardian the power of consent.

If an unforeseen incident occurs that creates a crisis, such as attacking another person, urgent actions need to be taken. Reasonable force or confinement can be used if necessary to prevent harm to a person or property. If this is kept to a minimum, a defence of 'self defence' or 'necessity' usually applies. If the situation occurs regularly, a positive behaviour change strategy should be implemented and the consent of the Guardianship Tribunal may be required.

#### **20.4 DUTY OF CARE PROCEDURES**

All Autism Understanding staff members are to work cooperatively with participants and their authorised representatives to develop strategies and to identify solutions for issues that challenge duty of care for staff members and dignity of risk for participants.

This process will involve the following steps:

- Identify issues for staff members, the client and his/her family, other participants and others in the community.
- Provide information to the client, their family/guardian and staff members about considerations involved in evaluating the issues. This is to include information that identifies duty of care obligations and the client's right to experience and learn from risk taking.
- Person centred plans in consultation with the client, family/guardian/advocate and staff members and are to commence with the least restrictive options for the client.
- Consideration during the development of a person centred plan is given to all alternatives to the client's behaviour that will maintain a positive outcome whilst reducing risk/s. Where appropriate a risk assessment will be conducted. Refer to separate WHS policy.
- Staff members are to continue to offer support to participants to assist them to meet his or her individual goals.
- Provide education to participants about risks associated with actions and implement risk minimisation strategies.
- Any decision-making processes and the implementation of each stage of this process are to be documented in the client's file.
- If, at the end of this process, the client is unable to obtain the necessary skills to carry out the activities then the duty of care of staff members outweighs the dignity of risk. Therefore the activity cannot proceed and this must be explained to the client.
- Staff members exercising their duty of care and providing the normal daily requirements to a client, who resists assistance without having an understanding of the situation, will not usually require advice from the Guardianship Tribunal. Advice is required, however, if the client resists whilst having a full understanding of the situation, or if staff actions may constitute assault or wrongful imprisonment.

**Duty of Care Checklist:**

- Assess the likelihood and extent of foreseeable harm.
- Assess the likelihood and extent of foreseeable benefit.
- Look for ways that the risk of harm can be minimised without sacrificing the benefit.
- Balance the foreseeable harm against the benefit.

## **21 DECISION MAKING AND INFORMED CONSENT POLICY**

---

### **21.1 INTRODUCTION**

This policy details the requirement for all Autism Understanding workers to understand and recognise how to effectively communicate with all parties involved in the delivery of services to the Participant, and to use this knowledge to assist with decision making and making informed consent.

### **21.2 PURPOSE**

All Participants have the right to decide who has access to information they have shared with a third party or health professional.

### **21.3 PROCEDURE**

Autism Understanding employees delivering services are bound to comply with the statutory duty of confidentiality. This section imposes a duty on every employee or agent, not to disclose information that could identify a person who has received (or is receiving) a public sector service. An exception to this duty occurs if the person's prior consent is obtained and only in an appropriate forum (i.e. case conferencing, referral). In the case of Participants who may have difficulty communicating, either an Interpreter or Advocacy Service will be used to ensure that consent is informed. Autism Understanding must comply with all legal reporting obligations which may impel the organisation to breach standard privacy requirements, including:

- Reporting of child &/or elder abuse;
- Contacting Police and/or Ambulance services during times of imminent danger to the client &/or others;
- Upon receipt of a court order which impels the organisation to reveal information shared by a client &/or contained within a client file.

#### **When is consent required?**

Any time a decision is to be made or with all matters relating to engagement and support of the client, including but not limited to:

- Sharing confidential, sensitive or private information
- Upon signing a service agreement, prior to providing services on every occasion or when making decisions about the service arrangements
- When taking or using pictures of the client

NB: The only time consent is not required is when the client is having a medical emergency and consent is not able to be given (e.g. person is unconscious).

## **22 PRIVACY, DIGNITY AND CONFIDENTIALITY POLICY**

---

### **22.1 INTRODUCTION**

The following policy and procedures have been developed and will be implemented to meet the requirements of the NDIS Act (2013) and the NDIS Practice Standards; and other legislative or related provisions.

### **22.2 POLICY**

Each individual who is provided with a service by Autism Understanding will be accorded the same level of privacy, dignity and confidentiality as would be expected by other members of the community. This right to privacy, dignity and confidentiality applies to each individual irrespective of the origin, nature, type, degree or effects of any disability[ies] that an individual may have. This right also extends to cover information which Autism Understanding staff may obtain, or be provided with during the course of their duties, concerning the families, friends, advocates or guardians of such individuals. For the purposes of this policy, all information about an individual [medical, financial or otherwise] who is provided with a service by Autism Understanding is to be treated in the strictest confidence. A range of specific issues need to be considered by staff in the delivery of services to individuals receiving services.

### **22.3 CONFIDENTIALITY POLICY**

Information recorded by Autism Understanding about an individual, will be the minimum necessary to enable the efficient and effective provision of services to him/her. Such information will be provided on a 'need-to-know' basis only [e.g. the relevant staff person would 'need to know' that the individual has an appointment at a particular place and time, if the individual will require his/her assistance to get there]. If being aware of particular information about an individual is necessary to be able to provide an appropriate service to him/her, then there is a 'need to know'.

Each service user will be informed about:

- what information Autism Understanding is maintaining on him/her;
- the reasons why such information is being kept;
- where the information is being kept;
- who can access the information;
- his/her right to inspect their personal records and 'file notes'; and,
- right to complain if he/she feels that their privacy, dignity and confidentiality is not being respected by Autism Understanding.

All records and 'file notes' remain the property of Autism Understanding and cannot be removed, either in part or whole, by any service user or his/her representative. The written consent of the service user [or that of his/her



representative as appropriate], is required before any information about the individual is sought from, or released to, another service agency or external person by Autism Understanding .

#### **22.4 PROCEDURES FOR SERVICE USER CONFIDENTIALITY**

All information maintained by Autism Understanding on service users [inclusive of information concerning their families, friends, advocates or guardians], must be securely locked away when not required for service provision. Service user information must only be made accessible to other Autism Understanding staff on a 'need-to-know' basis, and must not be provided by Autism Understanding to any other person/agency without the expressed consent of the concerned individual or with the approval of Autism Understanding if the individual is unable to consent themselves for whatever reason, and if there is no other person legally able to consent on his/her behalf.

Information recorded by Autism Understanding on any individual must be accurate or to the point, objective, legible, identify the person recording the information and the date, and the information recorded must be for the sole purpose of helping to ensure that the best possible services are provided to him/her. No records or 'file notes' about an individual should be photocopied unless the copy is to be forwarded by Autism Understanding to the appropriate service agency or external person with the written consent of the concerned individual.

No records or 'file notes' are to be removed from the place where they are normally kept secured, unless it is to photocopy same for the abovementioned purpose, or to archive such records or 'file notes' for storage when they are no longer required for service provision [e.g. the individual has left Autism Understanding].

The written consent of the individual, is required before any information about the individual is sought from, or released to, another service agency or external person by Autism Understanding . The attached 'consent form' must be completed and attached to the individual's records or 'file notes' each time information is requested or released by Autism Understanding. A copy of the completed 'consent form' will usually need to be provided to the person/service agency that information is being requested from, before such information will be provided.

Requested information on an individual must be clearly marked 'strictly personal and confidential'. The information must be forwarded/addressed to a specific contact person. Before any information is provided by telephone/email Autism Understanding should ensure that the information is only being provided to go directly to the person it is intended for, and will not go through any 'third parties'. This enables the release of the requested information to be authorised before it is provided, and also enables Autism Understanding to check the enquirer's name, telephone number and his/her employing service agency. This information must be recorded on the 'Consent to Release/Request Information Form'.

#### **22.5 PROCEDURE FOR MAINTAINING SERVICE USER FILES**

The service user or their person with authority is informed of the type, the reason, the format of information collected and how it can be accessed. All information maintained by Autism Understanding staff on service users [inclusive of information concerning their families, friends, advocates or guardians], must be securely locked away when not required for service provision if not kept electronically. The service user file is maintained in the required format and there is regular amalgamation of records into the service user file. All staff providing a service to a service user is responsible for documenting significant issues and events in the work with the service user. Relevant information is placed in the service user's file. When a service user exits Autism Understanding , the service user file will be closed and archived. The file remains the property of Autism Understanding .

## **23 CLIENT RECORD POLICY**

---

### **23.1 INTRODUCTION**

Autism Understanding is committed to collecting, keeping and disposing of client records in ways that protect our Participants' privacy, ensures their confidentiality is maintained, and enables the organisation to provide the most appropriate service to each client.

### **23.2 PURPOSE**

All Participants have the right to:

- Upon a written request from themselves or their nominated representative, access information held in their Client file; and
- Have an understanding that Autism Understanding will keep individual Client files as part of Service delivery, general administration and other purposes that facilitate service provision.

### **23.3 PROCEDURE**

At the point of referral/intake the client will be fully informed in respect to the operating/managing of their Client file throughout the provision of the service Autism Understanding will develop and maintain the client's file and keep records of all information collected through the referral process/assessment process and continuing service delivery.

All Client files shall be kept in a secure environment and shall be only available to Staff/Volunteers of this organisation as required. To ensure that Client's records files are accurate and current, all files shall be regularly updated and include correspondence as well as service provision information.

Client details may not be discussed directly or indirectly with anyone unless the client or their authorised delegate/advocate has signed a client consent form.

Client files will be kept for a period of seven years after cessation of service. The files of clients that were under the aged of 18 must be kept until the client reaches the age of 25 years old. The files of clients that were of Aboriginal or Torres Straight Islander decent and born prior to 1985, must be kept indefinitely.

## **24 INFECTION CONTROL POLICY**

---

### **24.1 INFECTION CONTROL POLICY**

Autism Understanding shall ensure that the work environment is maintained in a manner that enhances the safety and well-being of participants, staff and visitors. Autism Understanding has a statutory obligation to provide a safe and healthy work environment for all its staff, participants and visitors. Autism Understanding is committed to preventing or minimizing infectious diseases within the workplace.

All staff members are to be thoroughly familiar with the requirements and procedures in respect of following safe work practices and to follow instructions with regard to the prevention and control of infectious diseases in the workplace.

### **24.2 INFECTION CONTROL PROCEDURE**

#### **General Infection Control Guidelines:**

In general terms, the transmission of some infectious diseases can be prevented or minimised following basic personal hygiene measures such as:

- washing hands before eating meals, after going to the toilet, after using a handkerchief;
- refraining from coughing, sneezing, or spitting over food or working surfaces;
- attending to any cuts or abrasions immediately, no matter how superficial, by washing hands and arms thoroughly, irrigating the wound liberally and receiving First-Aid treatment; and
- all blood should be considered infective. Staff should adopt universal infection control procedures, such as the wearing of gloves.
- It is not likely that staff will come into contact with blood in the day to day work of a psychology practice. However if a client cuts themselves, provide them and/or their parents/carers with access to a sink for cleaning the wound and first aid equipment (i.e. bandaids) so they can care for their own wounds.

Staff, participants or visitors who suspect that they have an infectious disease should see their medical practitioner. Where it has been confirmed that a person has an infectious disease, and their infection status could pose health risks to other staff, participants or visitors, then the person has a duty to notify the Autism Understanding Manager. If a staff member considers that they may be at risk or suspect that they may have been exposed to an infectious disease, either during the course of their employment with Autism Understanding, or whilst previously employed by another employer, they are to discuss the matter with the Manager or seek advice from their own doctor. To minimise the potential risk for occupational transmission of infectious diseases, all staff at risk of contracting infectious diseases, should adopt the universal application of appropriate infection control and accident prevention procedures.

**Universal Infection Control Procedures:**

Many infectious diseases can be present in the body when no symptoms and signs may be evident. Therefore staff should assume that the blood and body substances of all people, be considered potential sources of infection and exposure to these substances is always prevented.

The following procedures should be followed:

- employ good personal hygiene standards such as washing hands after toileting and prior to food preparation;
- wash hands before and after contact with people who receive assistance;
- if staff have exposed cuts, exudative lesions or grazes on his/her body these should be covered with waterproof dressings before attending to people;
- use disposable gloves, and wash thoroughly hands and lower arms and any other bodily parts in contact with blood, or bodily fluids with soap and water if soiled;
- avoid touching open wounds or sores;
- rinse eyes and face for several minutes with running water if blood or body fluids are splashed in those areas;
- thoroughly clean and disinfect wounds, abrasions, etc with an appropriate disinfectant;
- keep wounds/cuts clean and cover with impervious dressing;
- it is advised that staff with cuts and abrasions are referred to a medical practitioner if a tetanus booster has not been received within the last 5 years; and
- carpeted areas should be washed with soap and water.

If a staff member, client or visitor is suspected of carrying an infectious disease, the staff is to refer the person to their own treatment medical practitioner. The Manager would only need to be notified when it is considered that other people may be at risk of contracting the infectious disease.

## **25 PROFESSIONAL BOUNDARIES POLICY**

---

### **25.1 INTRODUCTION**

It is recognised that employees of Autism Understanding must establish rapport with the people we support and provide support that optimises outcomes for those we support. However ALL employees are responsible for ensuring that appropriate professional boundaries are established and maintained between themselves and those we support.

Employees and Volunteers must make it clear at all times to those we support (current) and former supported individuals that the only relationship between them is a professional one. Clear boundaries help develop trusting relationships with those we support so that they know what to expect from employees and volunteers of Autism Understanding. Boundaries help develop professionalism by encouraging high standards of work and by maintaining consistency between different workers.

### **25.2 POLICY**

#### **Employees Responsible & Authorities**

- The Manager has overall responsibility to ensure the guidelines are followed.
- All staff are to be individually responsible for applying and maintaining appropriate professional boundaries in their day to day work and for raising any associated issues or training needs to their manager.

#### **Working with Clients (those we support)**

- Boundaries define the limits of behaviour which allow a health professional and the supported individual to engage in a supportive relationship safely. Boundaries are based on respect, trust and the appropriate use of authority.
- The relationship between employee and the supported individual is a therapeutic relationship which must focus solely upon the meeting the needs of the supported individual consistent with the Duty of care owed to those we support and consistent with industry best practice. It is not established to build personal connection or social contacts for staff.
- Moving the focus of care away from meeting the needs of those we support towards meeting the employee's own needs is an unaccepted abuse of authority.

#### **Befriending**

Employees and Volunteers must never overstep professional boundaries and confuse befriending with friendships. There is a difference between being friendly rather than being friends with those we support.

Employees and Volunteers are engaged to work with the supported individuals as part of their contract of work and it is potentially an abuse of power to represent the relationship as a friendship. A professional relationship ensures the focus remains on the people we support.

### **Breaches of Professional Boundaries**

The following represent breaches of professional boundaries, at Autism Understanding ;

- Socialising with those we support and provide services to outside of work;
- Intimate or personal relationship with an individual who you support;
- Subtle inappropriate behaviour such as inappropriate dress, inappropriate questioning about sexual habits;
- Giving out personal information about staff to those we support – this includes personal mobile phone numbers and email addresses;
- Condoning or participating in illegal activities with those we support;
- Giving and receiving personal gifts from those we support (staff can accept gifts up to \$20 annually). The offering of a gift may be emotionally or culturally significant to the client or their family and so should be handled sensitively;
- Lending or borrowing money or property from those we support and provide services to;
- Accepting supported individuals as friends on Facebook or other form of social media;
- Placing photos of those we support and provide services to on your Facebook page or other form of social media;
- Providing services outside the scope of Autism Understanding Services; and
- Taking photos of those we support and provide services to with mobile phones and retaining photos.

### **Influence**

Employees must be careful not to influence those we support with their own beliefs and personal values. Employees should be aware that they have the potential to influence vulnerable and disadvantaged people that we support.

### **Complaints**

Those we support must not be discouraged from accessing support when making a complaint. At all times employees will be approachable and supportive to ensure that those we support are heard and responded to in a respectful manner.

### **Privacy**

Employees must respect Participants' rights to privacy and be sensitive and responsive to any personal and cultural needs for privacy that may arise.

### **Creating Independence**

Employees have a responsibility to discourage an over reliance of the client on one employee. The people we support are to be encouraged to maintain independence and build external relationships of their choice.

### **Managing Boundary Issues**

- An employee or volunteer of Autism Understanding should seek the guidance of their manager if they are unsure about the nature of a relationship developing with a person that they support or if they need advice on how they intend to deal with a situation.
- Other people in your team, particularly those who are likely to work with the supported individual must also be aware of where a boundary has been blurred or crossed.
- A Written record of a broken or blurred boundary must be kept in the Feedback/Concern/Complaint Register
- Boundary issues should be discussed with the manager and within each team on a regular basis and on occasion at specific training.

### **Monitoring and Review**

- Managers will be responsible for monitoring of these guidelines. Transgressions will be reviewed with individual employees and volunteers and recorded through the formal warning process.
- Significant and/or repeated breaches of this policy will lead to disciplinary action, up to and including termination of the employment relationship between the employee / volunteer and Autism Understanding.

## **26 COMMUNICATION AND CONSULTATION POLICY**

---

### **26.1 SERVICE USER COMMUNICATION POLICY**

Autism Understanding will ensure that its service users have access to the support they require to ensure they can, as independently as possible, gain information which will allow them to make informed choices, and allow them to communicate their needs and aspirations to others. Where assistance with communication is necessary, staff will encourage each service user to be professionally assessed and, where required, obtain an individualized communication system or communication training programme. Staff, whilst not being directly responsible for providing service users with communication assessments will cooperate with professions engaged by the service user or their carer/s for these purposes and will utilize, where recommended, augmentative communication systems to ensure the effective delivery of services to individual service users.

### **26.2 STAFF AND SERVICE USER COMMUNICATION AND CONSULTATION POLICY**

The Managers positions shall encourage and promote consultation with staff members and service users in matters regarding policy changes and future directions for service programs.

### **26.3 INDIVIDUAL COMMUNICATION PROCEDURES**

#### **Establishing Service User Communication Systems:**

The Manager will establish if service users entering the service have been assessed by an appropriate professional (eg. a Speech Pathologist), regarding their communication needs and where indicated as being necessary, have a communication system which is:

- Understandable to themselves;
- Functional across all domains in which the service user needs to communicate;
- Is in a form which enables others (including the wider community) to understand the communicative intent of the service user, and
- A functional part of the service user's behaviour intervention and support plan (where required).

#### **Service User Communication Assessment:**

Where a service user has not been assessed and is experiencing difficulties with communication, Autism Understanding management will encourage the service user or their alternative decision maker to accept a referral to an appropriate agency for professional assessment and support.

#### **Staff Training For Service User Communication Systems:**

When necessary the Manager will facilitate training for all staff on:



- The broader topic of communication disorders experienced by people with a disability, including its relation to behaviour problems;
- Programming issues and techniques for addressing communication disorders in people with a disability;
- The use of an individual service user's communication system/s and preferred method/s of communication.

**Documentation of Individual Service User Communication System:**

The psychologist allocated to a Participant will ensure that the Participant's file contains:

- Clear identification of the Participant's communication skills, abilities, and needs (including assessment reports);
- Where established, written guidelines for staff on how to utilize the Participant's communication system or identified preferred communication method, and
- A system for monitoring the effectiveness of the system/method.

Staff will ensure that, where possible, information provided to the Participant is in a manner in-keeping with the service user's specific communication needs and abilities. This includes written documentation and verbal communications.

- Managers will ensure that staff are instructed in the correct use of each communication system.
- Managers is responsible for monitoring the use of all communication systems, ensuring that each system is being used correctly and providing feedback or assistance to staff where necessary, if there are problems.
- Staff are responsible for assisting the Manager by notifying the Manager if there are problems using the communication systems as instructed and participating in any training or support opportunities available.
- Computer screens must not be visible to members of the public. Participants information / files are not to be left on unattended desks. Staff must log off their computer when they leave their desk and must not reveal their access password to anyone.
- Hard copies of information regarding Participants will be stored in a filing cabinet that is kept locked when the office is unattended, with keys only available to authorised staff.
- Participants (and carer where relevant) information that is in electronic form and stored on Autism Understanding computer network will be password protected so that information is only accessible to authorised staff.
- Participant files, or individual sections or pages of files, are not to be removed from Autism Understanding premises in any format, unless Autism Understanding is so directed by an authority with the legal mandate to give the direction to do so. Information from a participant file is not to be copied, except as part of a back up procedure, without the express permission of the participant .

## **27 WORKER SCREENING POLICY**

---

### **27.1 INTRODUCTION**

Autism Understanding requires that all employees, volunteers and contractors undertake worker screening.

The purpose of this policy is to safeguard Autism Understanding and its participants against recruiting employees or volunteers who have been convicted of criminal offences that would raise reasonable doubts about their suitability to provide care and support to people with disabilities.

### **27.2 PROCEDURE**

The following procedures are to be implemented to ensure that employees, volunteers and contractors have appropriate clearances prior to undertaking any duties for Autism Understanding .

Autism Understanding will:

- Inform all prospective applicants for paid or voluntary positions with Autism Understanding that they will be required to provide a satisfactory police clearance, at least one referee check and valid WWCC.
- Require short-listed applicants (employees or volunteers) to provide documentary proof of identity, such as a passport or driver's licence, when attending the selection interview.
- Require applicants to complete and sign a standard "Authority to Release Record of Convictions" form at the interview, including any former names or aliases they have lived under in the past ten years, and witness the signature.
- Return the signed and witnessed form to the applicant and require that they submit it to the Police Department, at their own expense, if they become the recommended candidate.
- If the recommended applicant has resided in other police jurisdictions (i.e., other States of Australia or overseas), require the recommended applicant to supply similar police clearances from the relevant jurisdiction(s). These costs will also be re-imbursed if the recommended applicant is subsequently appointed.
- If the recommended applicant has any recorded criminal convictions, the Manager will determine whether the specified conviction would be likely to place the participants of Autism Understanding at any risk or breach Autism Understanding duty of care obligations.
- Base its determination on whether the conviction has been for an offence which directly relates to the duties, whether the position being sought would offer unsupervised opportunities for a similar offence to take place, whether the offence has occurred recently, whether there are single or multiple convictions and whether the conviction(s) reflect generally on the suitability of the person to become an employee or volunteer with Autism Understanding .

### **27.3 PERFORMANCE STANDARDS**

The following performance standards must be met to ensure that the procedures specified above are implemented effectively:

- All prospective employees and volunteers have been informed in writing of the requirement of successful candidates to provide a satisfactory police clearance and WWCC.
- Applicants have provided proof of identity at the interview and the nature of those documents are recorded in the interview notes.
- The recommended applicant has submitted the "Authority to Release Record of Convictions" to the relevant authorities in all jurisdictions in which they have resided over the past ten years and copies have been stored on the personal file.
- In the event of any criminal convictions having been recorded against the person, the Manager has made a formal determination about the person's suitability as an employee or volunteer and a copy of the determination has been stored on the personal file.

## **28 EMPLOYEE TRAINING AND DEVELOPMENT**

---

### **28.1 INTRODUCTION**

Autism Understanding is an organisation established for the purpose of supporting people with disabilities and their families. This services offered by Autism Understanding include individual and group support.

Autism Understanding is committed to ensuring that all employees are trained and resourced to achieve Autism Understanding mission and objectives. The policy aims to achieve this objective by linking training and development to a formal supervision process and performance based appraisal system and by promoting sound working practices. The policy will assist Autism Understanding to meet its obligations under the NDIS Practice Standards to practice sound management standards which maximise outcomes for participants.

### **28.2 PURPOSE**

The purpose of this policy is to set out specific procedures and performance standards to ensure quality training and development of employees. This policy is framed around NDIS Practice Standards and provides for the:

Identification and documentation of specific employee training needs.

- Documentation of financial resources available and utilised for employee training and development.
- Investigation and approval of specific training programs.
- Identification and documentation of work-related improvements achieved from training. This policy applies to all of Autism Understanding programs and activities.

### **28.3 PROCEDURE**

The following procedures are to be implemented to ensure that Autism Understanding meets its policy objective of ensuring that all employees are trained and resourced to achieve Autism Understanding mission and objectives.

Autism Understanding will:

- Establish formal induction procedures for all employees and volunteers.
- Organise necessary basic training for all employees and volunteers in accordance with the Policy on Occupational Health and Safety.
- Identify further training and development opportunities for individual employees through the formal supervision and performance review system outlined in the Policy on Employee Supervision and Appraisal.
- Encourage and utilise industry provided training programs wherever feasible.

- Promptly investigate, remedy and document any employee grievance regarding training and development.

#### **28.4 PERFORMANCE STANDARDS**

The following performance standards must be met to ensure that the procedures are implemented effectively:

- All new employees have been provided with a copy of Autism Understanding Policy on Employee Training and Development and a staff copy of the policy is kept at the front desk.
- New employees and volunteers have successfully completed the induction program within one month of appointment.
- New employees and volunteers have successfully completed the training specified in the Policy on Occupational Health and Safety within six months of appointment.
- All employees have a documented further training and development plan within 12 months of appointment.
- Training and development activities identified in the employee's training and development plan have been completed within the agreed time-frame.
- Employee Training and Development Records have been maintained and updated for all agency employees.
- All training and development activities have been recorded on the individual Employee Training and Development Records, which have been collated and reported to the management committee on a quarterly basis.
- Any grievances that have been lodged have been addressed in accordance with the training and development principles and procedures outlined in this policy and the Policy on Staff Grievances.

## **29 MAINTENANCE, RECORDS AND AUDIT POLICY**

---

### **29.1 INTRODUCTION**

Autism Understanding will partake in audits and assist with maintenance of up to date records of information and circumstances surrounding both clients and workers of Autism Understanding .

### **29.2 PROCEDURE**

At Autism Understanding, we recognise that record keeping is important to:

- Communicate between parties about the progress, history, planning and circumstances of a client
- To meet legislative and professional registration requirements
- To reduce risk
- To allow transparency with clinical decision making
- To support accountability

We also recognise that auditing assists us to:

- Reduce risk
- To monitor the quality of record keeping
- To see whether additional training is required or whether documents need reviewing
- To assess whether we are meeting legislative and framework requirements

#### **Record Keeping**

Is the process of documenting information related to clinical and business processes. It may be documented in either electronic or hard copy format and must be stored according to our Privacy and Confidentiality and Information Security policies and procedures.

Types of documents that assist us with record keeping include, but are not limited to:

- Hard copy and electronic copies of service agreements
- Progress notes on the services provided to the client
- Client appointment booking system (i.e. HALAXY)

- Reports

Autism Understanding administration employees will securely store all records once they have been electronically sent. They are categorised and can be accessed by authorized persons on demand. Autism Understanding will store all hard copy records for 7 years in a secure location before destroying them securely to avoid leakage of personal and sensitive information.

### **Terms of Business**

Autism Understanding is committed to working with the NDIS terms of business and as such has adopted its values into our policies and procedures. We will review this commitment annually on the provider portal, in addition to ensuring that we have provided current contact details. We understand that failure to abide by the terms of business may mean delayed payment from the NDIS.

If requested by the NDIS, we are able to provide within 14 business days a copy of:

- Our company's applicable financial statements
- Our company's current insurance certificate
- Any other documents that support the providing of supports under the NDIS framework

### **Auditing**

Autism Understanding maintains a high quality standard in regards to providing supports to our clients and as such we conduct internal auditing of:

- Record keeping (3 monthly audit)
- Skill and knowledge (3 monthly review on top of ad hoc clinical reasoning in person and by email/phone correspondence)
- Documentation, policies, procedures against legislation, standards, industry updates, coroner recommendations and best practice (bi- annually).

In the event that the NDIS would like to audit our organisational processes/ record keeping/ provision of supports, they will be given:

- Authorised access to the requested information (upon signing a confidentiality waiver and providing verification of identity), including on site visits (with consent of the participant) and access to our electronic databases.
- Will make efforts to ensure that any subcontractors of Autism Understanding are made available for interview

- Reasonable assistance in person to allow the NDIS representatives to complete their audit, providing 14 business days (or a reasonable time) is given to allow the director to become available.
- Provide any other information to assist the NDIS representatives to complete their audit

The requirement of the above must not impede the client's access to pre-booked services or the running of the business to a reasonable degree.



## 30 ACKNOWLEDGEMENT FORM

---

I \_\_\_\_\_ (please print name) acknowledge that I received a copy of this Autism Understanding NDIS Policy Manual and that I have read and understood it.

Signed:

Dated: