

POLICY 1.2 - VIOLENCE, ABUSE, NEGLECT, EXPLOITATION, AND DISCRIMINATION POLICY

Wonderland Community Services (WCS) is committed to providing participants/young persons access to support free from violence, abuse, neglect, exploitation, or discrimination, and helps ensure these issues do not affect their wider lives. This is a clear and guaranteed right, supported by many of our policies and procedures. This policy explains it clearly to help WCS prevent violence, abuse, neglect, exploitation, and discrimination. This will include disability support workers working with NDIS participants/young people.

WCS has a report form which all staff should access on their WCS App – for Reporting Incidents including any suspicion of abuse or neglect for a vulnerable participant/young person. Please see below our responsibility also as Mandatory Reporters in both Queensland and in Tasmania.

Please note that Mandatory Reporting is the primary responsibility of the worker themselves however WCS will provide support to the worker to help make a report and guide the worker to ensure that reporting is prompt, using the right forms and protocol etc.

Defining Abuse

The following definitions give full information on the types of abuse that may occur:

- Physical abuse occurs when a person has suffered or is at risk of suffering, non-accidental physical trauma or injury. Physical abuse can include:
 - hitting
 - shaking
 - throwing
 - burning
 - biting
 - poisoning

Physical abuse does not always leave visible marks or injuries. It is not how bad the mark or injury is, but rather the act itself that causes injury or trauma to the person.

- Sexual abuse occurs when someone uses their power or authority to involve a person in sexual activity.

Sexual abuse can be physical, verbal, or emotional and can include:

- kissing or holding someone in a sexual manner
- exposing a sexual body part
- having sexual relations with a child under 16 years of age
- talking in a sexually explicit way that is not age or developmentally appropriate
- making obscene phone calls or remarks
- sending obscene mobile text messages or emails
- fondling a person in a sexual manner
- persistently intruding on a person's privacy
- penetrating the person's vagina or anus by penis, finger or any other object
- oral sex
- rape
- incest

- showing pornographic films, magazines, or photographs (includes; M-rated films with sex scenes being displayed)
 - having a person pose or perform in a sexual manner
 - forcing a person to watch a sexual act
 - prostitution
- Emotional abuse occurs when a person's social, emotional, cognitive or intellectual development is impaired or threatened. It can include emotional deprivation due to persistent:
 - rejection
 - hostility
 - teasing/bullying
 - yelling
 - criticism
 - exposure of a person to domestic and family violence.
- Neglect occurs when a person's basic needs in life are not met, and their health and development are affected.
Basic needs include:
 - food
 - housing
 - health care
 - adequate clothing
 - personal hygiene
 - hygienic living conditions
 - timely provision of medical treatment
 - adequate supervision
- People, and especially persons with disabilities, are vulnerable to exploitation by the powerful. This may be private and secret, for example, the sexual exploitation of children or disabled persons within families. It may be commercially driven, for example, child labour (including sexual exploitation), advertising aimed at, or using, children or disabled persons; or politically driven.
- Discrimination can be direct or indirect. Indirect discrimination is the inequitable treatment of one group disadvantaging another, as opposed to direct discrimination in which the focus of discriminatory attitudes, actions, and policies is the group itself. Discrimination can act at the level of the individual but can also be institutional. Institutional discrimination occurs when the structures or operating policies of organisations result in certain sections of the community being disadvantaged. This concept is most familiar as institutional racism but can apply to any group disadvantaged by stigma and discrimination, including children.

Informing Participants/Young People of their Rights

Each participant/young person is informed of their rights as part of their intake and can freely access these rights through our websites or whenever requested.

This includes the right that:

- Participants/young people and nominated representatives have the right to be free from violence, abuse, neglect, exploitation, or discrimination; and be protected through access to police, rescue, ambulance, and Child Safety where required.

Each participant/young person is also 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. Please refer to our Advocacy Policy for full details.

Where Abuse Has or May Have Occurred

Allegations and incidents of violence, abuse, neglect, exploitation or discrimination will be acted upon. All staff members must treat all allegations of violence, abuse, neglect, exploitation or discrimination with full seriousness, make a record of the conversation, and report the allegations to senior staff immediately. Senior staff is to then act upon this information appropriately, including further debriefing with the participant/young person and facilitating other services (e.g. to police, rescue, ambulance, and Child Safety) as required, necessary or appropriate. *Please note* our responsibility as Mandatory Reporters and the need to make calls and use forms online in order to provide reports directly to Child Safety where a person is 18 years or under.

Each participant/young person affected by violence, abuse, neglect, exploitation or discrimination will be supported and assisted. This is also an intrinsic part of our duty of care (please see Duty of Care/Dignity of Risk Policy) and an essential part of the conduct of all staff (please see staff Code of Conduct). The support and assistance provided will always be individual and based on the participant's/young person's situation, needs, and what is suitable for them based on best practice and professional advice. WCS will coordinate with all other supports and services of affected participants/young people to enable the best outcomes possible and continuity of care.

If any incident occurs where a participant/young person is responsible for violence, abuse, neglect, exploitation or discrimination a full review of their support and requirements will be made by WCS. This will include an investigation into the root behaviour and if it has developed from violence, abuse, neglect, exploitation or discrimination they have been taught or experienced themselves. Where possible appropriate supports will be developed that will not allow a reoccurrence of the situation, and utilisation of capacity supports will be recommended to help manage behaviours. If WCS cannot meet the participant's/young person's requirements safely we will not be able to continue our service and will recommend more suitable supports outside of the company where able.

Records will be made of any details and outcomes of reviews and investigations where applicable, and action will be taken to prevent similar incidents from occurring again (please see our Incident Reporting Policy and Processes for further details).

Staff Screening and Management

All staff are required to have the relevant state clearance, NDIS Screening checks, and police checks to work with WCS, which identifies any past incidents of violence, abuse, neglect, exploitation or discrimination. WCS will not proceed with the application of any staff member with such a record or who is unable to provide these documents. Any incident of violence, abuse, neglect, exploitation or discrimination by a staff member against a participant/young person will result in immediate termination of employment, and a full incident report will be provided to the police to ascertain if further action should

be taken in their case. Any form of a sexual relationship with a participant/young person is strictly prohibited. WCS will provide all further evidence necessary in such situations.

Records will be made of any details and outcomes of reviews and investigations where applicable, and action will be taken to prevent similar incidents from occurring again (please see our policy 1.8 Incident Reporting Policy and Processes for further details).

Queensland – Mandatory Reporting

Under the Child Protection Act 1999 (Qld), certain professionals (mandatory reporters) must report any reasonable suspicion that a child or young person (under 18 years) has:

- suffered or is suffering significant harm
- is at unacceptable risk of such harm from physical or sexual abuse, neglect, or other forms of abuse, and lacks a parent or guardian able and willing to protect them

Designated Mandatory Reporters in QLD include:

- Teachers (including early childhood education professionals)
- Doctors
- Registered nurses
- Police officers with child protection responsibilities
- Certain public service workers (e.g. Child Safety employees)
- Approved providers, supervisors, and qualified educators in approved early childhood services (certificate III level and above, non-volunteers)

Anyone, including the general public, can report suspected harm—but only the above-listed roles are legally required reporters

If there is an urgent or life-threatening situation, call 000 and also report formally. Concerns can be made via the Regional Intake Service or After-Hours Service Centre (24/7)

Reports remain confidential; mandatory reporters can request feedback on a report after reporting

Tasmania – Mandatory Reporting

Under the Children, Young Persons and Their Families Act 1997 (TAS), specific professionals (known as mandatory reporters or prescribed persons) must notify authorities as soon as practicable if they believe a child or unborn baby:

- has suffered, is suffering, or is at risk of abuse, neglect, or serious harm
- is being threatened, or their guardian is unwilling or unable to protect them
- is under 16 and not attending school without justification

Individuals who must report include:

- Medical practitioners, dentists, nurses, psychologists
- Police officers and probation officers
- School principals, teachers, early childhood educators, childcare providers
- Ministers of religion
- Social workers and community care workers employed or volunteering in government-funded services for children

Reports are made to the Strong Families Safe Kids Advice & Referral Line (via phone or online) or to Tasmania Police if a crime is suspected (e.g. physical or sexual abuse)

You cannot report anonymously, you must identify yourself, though your identity remains confidential unless legal proceedings require disclosure. Failing to report is a criminal offence with serious penalties

Reports need to include specific reasons: why, when, how, who else knows, the specific risks, and who is involved

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07.11.2021	Toni Mehigan	Policy created
21.02.2024	Bronwyn McMullen	Review and update
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