

ELDER ABUSE POLICY AND PROCEDURE

Table of contents

1. Purpose
2. Scope
3. Procedure
4. Media and Confidentiality
5. Support
6. Overview
7. Reporting Elder Abuse to Key Personnel
8. Responding to Elder Abuse
9. Documentation
10. Authorisation and Contacts

Elder abuse policy and procedure

1 Purpose

The purpose of this policy and procedure is to provide a framework for our home care service to manage alleged and suspected elder abuse including assessment, internal reporting, capacity and response.

2 Scope

This policy and procedure applies to:

- (a) Workers (including employees, volunteers, independent contractors and subcontractors); and
- (b) care recipients of our home care service(s).

3 Procedure

This document sets out our internal procedure for responding to allegations or suspicions of elder abuse of a care recipient of our home care service.

4 Media and confidentiality

4.1 Media

Disclosures of alleged or suspected abuse may attract media attention. We will use all reasonable endeavours to protect the privacy interests of all parties involved.

Workers must not make any statement to the media. If a Worker is approached to make a statement or comment they must refer the person to the Head of Member Care and Service Delivery. If the Head of Member Care and Service Delivery is not available, Workers must contact the Chief Operating Officer.

4.2 Confidentiality

In cases of suspected elder abuse, the care recipient's confidentiality is to be respected. The care recipient has the right to decide what personal information is disclosed to outside sources.

5 Support

5.1 Support and advocacy services

We will use all reasonable efforts to provide or make support and counselling available to those who require it including: the care recipient, family, the person reporting the alleged or suspected conduct, Workers and other care recipients.

We will endeavour to provide Workers with the opportunity for debriefing at a service level and support them by providing information about other available counselling options.

We will use all reasonable efforts to ensure that the care recipient subjected, or suspected to be subjected, to any form of abuse or assault is provided with and/or assisted to access opportunities for support, counselling and/or debriefing. This may include providing information on or contacting support or advocacy services.

6 Overview

6.1 What is elder abuse?

“A single, or repeated act, or lack of appropriate action, occurring within any relationship where there is an expectation of trust which causes harm or distress to an older person. Elder abuse can take various forms such as physical, psychological or emotional, sexual, financial or material abuse. It can also be the result of intentional or unintentional neglect.”¹

Abuse of older people can occur in any setting including in residential aged care facilities, in their own home, or in the community.

6.2 Who commits elder abuse?

Perpetrators of abuse can include:

- family members;
- visitors (in a community care or residential aged care setting);
- aged care Workers;
- volunteers; and
- other care recipients.

6.3 Our commitment

We are committed to taking all reasonable steps to ensure the safety of care recipients in the course of providing home care services to them.

7 Reporting elder abuse to key personnel

7.1 Reporting elder abuse

Workers must report all instances of actual, alleged or suspected elder abuse that occur in the provision of any care service immediately to the Community Manager on duty where:

- a care recipient tells you that they are being or have been abused;
- the perpetrator tells you that they are abusing a care recipient;
- you observe an act that may be considered abuse; or
- a care recipient displays a change(s) in behaviour or mood that may be a result of abusive behaviour.

The Community Manager on duty must report the matter to the Head of Care and Member Services.

¹ This definition has been adopted by the World Health Organisation. The definition originated from the United Kingdom Action on Elder Abuse (1995). The definition is also adopted by the International Network for the Prevention of Elder Abuse (INPEA) which was established in 1997. INPEA is committed to the world-wide prevention of the abuse of older people through information dissemination.

7.2 Protection

We are committed to taking all reasonable steps to protect and respect the rights of our Workers who make a report in good faith.

All allegations and suspicions of abuse will be dealt with promptly, seriously, sensitively and confidentially.

Provided a report is made in good faith, we will take all reasonable steps to protect Workers who report actual, alleged or suspected abuse from the possibility of reprisal, demotion or victimisation.

The identity of the Worker who makes the report will be kept confidential, to the extent permitted by law.

We will comply with the management of police check requirements under the *Accountability Principles 2014* to ensure all Workers are suitable to provide care to the aged.

8 Responding to elder abuse

8.1 Assessing the threat

- Immediate threat
- In an emergency situation where there is an immediate threat to a care recipient, Workers should have consideration for the safety of the care recipient and the safety of others.
- The Police and/or the Ambulance should be contacted immediately.
- No immediate threat

On receipt of a report of actual alleged or suspected abuse, if there is no immediate threat, the Community Manager (or delegate) should:

- place the interests of the care recipient first;
- document the events; and
- determine if the care recipient has capacity to understand the circumstances and make decisions.

8.2 Capacity

When responding to suspected or alleged elder abuse, the rights of the care recipient must be respected.

(a) Care recipients with capacity

If the care recipient has the capacity to understand the circumstances and make decisions, the Community Manager should raise the concern with the care recipient and discuss their wishes.

Care recipients with capacity have the right to make their own choices, including the right to refuse assistance. The care recipient must therefore consent for the abuse to be reported to external agencies.

The Community Manager should ensure that the care recipient is made aware of their rights to:

- Make a complaint in accordance with the Complaints Management Policy or through the external complaints mechanisms available, eg the Aged Care Complaints Commissioner on 1800 550 552.
- Contact Advocacy and Support Services.

The Community Manager should also determine whether due to genuine safety concerns for the care recipient or other care recipient, they may need to proceed despite possible issues of consent or confidentiality. If in doubt, Key Personnel should seek legal advice.

➤ Care recipients with impaired capacity

If a care recipient has impaired capacity then the decision making process will be provided and explained to the Authorised Representative.

If the Authorised Representative is not available, the Community Manager should also determine whether due to genuine safety concerns for the care recipient or other care recipients, they should proceed despite possible issues of consent or confidentiality. If in doubt, Key Personnel should seek legal advice.

8.3 Investigation

The Head of Member Care and Service Delivery (or delegate) must conduct an internal investigation without delay into all reported allegations or suspicions of elder abuse.

The Community Manager must take all reasonable steps to avoid contact between the alleged victim and the alleged perpetrator until the reported abuse has been investigated and resolved to the satisfaction of those concerned.

9 Documentation

9.1 Related Documents

- Complaints Management Policy and Procedure
- Notifiable and Compulsory Reporting Policy and Procedure
- Incident Reporting and Incident Investigation Policy and Procedure
- Media Management Policy and Procedure
- Privacy Policy

10 Authorisation and Contacts

Elder Abuse Policy and Procedure Updated August 2017
Date adopted: July 2017
Applies to: All Five Good Friends staff, volunteers, contractors, sole traders and others

Director: Simon Lockyer	Signature: 
Date Authorised: July 2017	Next Review Date: July 2018
Endorsed by: Head of Care and Member Services	