



Safeguarding Human Rights Policy (Anti-violence, abuse, neglect, exploitation and/or discrimination)

Version	08.2021	Scheduled review date	08. 2024
---------	---------	-----------------------	----------

Whilst this policy provides a guide, as Cam Can provides people with disabilities and their families with personalised, tailored support that maximises their control over available resources, decision making and choice, there may be times when alternative decisions are made for the benefit of members.

Purpose

This policy provides guidelines to safeguard and protect member's human rights. Cam Can aims to reduce the risk of human rights being compromised, and ensure an appropriate response is taken if they are.

Safeguards are 'rules' in place to help protect people from violence, abuse, neglect, exploitation and/or discrimination.

The policy has been framed around peoples' rights as specified in the *UN Declaration of Human Rights*, the *UN Convention on the Rights of Persons with Disabilities*, and the *National Disability Insurance Scheme (NDIS)*, legislation and *NDIS Practice Standards*.

Scope

This policy applies to members funded by NDIS receiving Cam Can services and Cam Can staff. Compliance with this policy is a condition of appointment for all staff engaged to provide support on behalf of Cam Can.

Examples of human rights should not be compromised, and indicators where they may be, are outlined in Cam Can's *Managing Incidents Involving Members Policy*, which this policy should be read in conjunction with.

Policy Statement

All people have the right to live life and be treated with dignity, respect and be free from any form of violence, abuse, neglect, exploitation and/or discrimination at all times, and in all circumstances. Cam Can is committed to zero tolerance in these areas.

This policy promotes and upholds legal and human rights to protect members against all forms of abuse and neglect. It should be read in conjunction with Cam Can's policies on:

- *Managing Incidents Involving Members*
- *Risk Management*
- *Compliments and Complaints*
- *Privacy, Dignity, Confidentiality and Data Protection.*

Principles

The following principles guide Cam Can's approach to safeguarding members' human rights:

1. Allegations concerning human rights must always be treated seriously and sensitively.
2. Allegations concerning human rights are prioritised and responded to within timeframes outlined in Cam Can's *Managing Incidents Involving Members* policy.
3. Cam Can will ensure it meets all legal police and screening requirements. Additional processes will endeavour to ensure staff are recruited in accordance with Cam Can values and its Code of Conduct.
4. Staff are provided with training in human rights to help recognise signs of concern.
5. Members have a right to access an advocate to support them to address issues relating to their human rights being contravened. Cam Can will support members to find an appropriate advocate, if needed.
6. Members will be made aware when commencing with Cam Can of their rights under NDIS legislation and Practice Standards, and International Conventions.
7. Responsibilities and the process for reporting contraventions of human rights are outlined in Cam Can's *Managing Incidents Involving Members* policy, which staff must fully understand.
8. Member confidentiality is paramount and is guided by adhering to Cam Can's *Policy on Privacy, Dignity, Confidentiality and Data Protection*.
9. Cam Can's individualised service plans (called *It's All About Me*) are used to outline responsibilities of all parties where risks exist, and these are to be reviewed on a regular basis.
10. Cam Can regards contraventions of human rights as serious. It is a shared responsibility (with the member and all parties involved in the member's life) to remain vigilant to its occurrence. Cam Can staff will undertake regular reviews with members to ensure the ongoing quality of its service delivery.
11. Where complaints are made, Cam Can will follow its *Compliments and Complaints Policy and Procedure*.

Reporting

Where a member's safeguards are (or suspected to be) compromised, swift action must be taken. Cam Can's *Managing Incidents Involving Members Policy and Procedures* provides guidelines on steps to take.

Performance Standards

The following performance standards must be met to ensure the *Safeguarding Human Rights Policy* is implemented effectively:

- Cam Can adheres to its NDIS responsibilities and requirements.
- Staff and contractors are provided with training on identifying contraventions of human rights. Additional training is available, if required.
- This policy is available to members, their families, and the general public.
- When identified, issues will be investigated in a fair, timely and open manner.
- Any substantiated matters will be dealt with accordingly and may involve referral to the appropriate regulatory body.
- Substantiated issues are documented in a factual manner and presented to the CEO for review.

Action will be taken against anyone who abuses a person, or anyone who fails to immediately report witnessed or suspected abuse once it becomes known that s/he has withheld information.

Failure to comply with this Policy will be viewed seriously and may result in disciplinary action including dismissal.

Review of the Policy

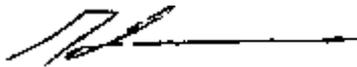
This policy will be reviewed on a three-yearly basis. However, if at any time the legislative, policy or funding environment is so altered that the policy is no longer appropriate in its current form, the policy shall be reviewed immediately and amended accordingly.

Related Documents

- NDIS (Incident Management and Reportable Incidents) Rules 2018.
- NDIS Commission's Reportable Incidents guidance for providers document: [detailed-guidance-incident-management-systems-detailed-guidance-regi.pdf \(ndiscommission.gov.au\)](https://www.ndis.com.au/sites/default/files/2020-06/detailed-guidance-incident-management-systems-detailed-guidance-regi.pdf)
- *NDIS Practice Standards*
- *NDIS Code of Conduct*
- *Cam Can's Managing Incidence Involving Members Policy and Procedure*
- *Reportable incident forms:*
 - *Reportable incident – Immediate notification form*
 - *Reportable incident – 5-day notification form*
- *Cam Can's Risk Management Policy and Procedure*
- *Cam Can's Restrictive Practice Policy and Procedure*
- *Cam Can's Positive Behaviour Support Policy and Procedure*
- *Cam Can's Audit and Risk Committee Terms of Reference*
- *Cam Can's Compliments and Complaints Policy and Procedure*
- *Cam Can's Privacy, Dignity, Confidentiality and Data Protection Policy*

Authority

This policy is issued by:



Marc Lema
MANAGING DIRECTOR



Anthea Lema
DIRECTOR

Date: 19 August 2021

Date: 19 August 2021