

POLICY 1.14 VIOLENCE, ABUSE, NEGLECT AND EXPLOITATION

OVERVIEW

This policy outlines how ILV will respond to allegations of violence, abuse, neglect and exploitation and discrimination.

It applies to all residents in ILV properties and all tenancies managed by ILV (we, our, us).

WORD LIST

Violence: Where someone does things that harm or could harm you. It can be:

- Emotional or psychological: Mental pain, anguish or distress
- Physical: Someone hurts you or threatens to hurt you e.g. hitting, beating.
- Sexual: Someone wants you to do something you do not agree to; unwanted sexual comments; or being forced to watch sexual behaviours
- Witnessing violence against others

Abuse: Abuse is like violence. It happens when someone **you trust or has power over you** deliberately does things that affects or could affect you badly. It can include emotional or psychological abuse, physical abuse or sexual abuse.

Neglect: Neglect happens when someone is meant to look after you but they don't care for you properly or protect you. It includes:

- Physical: You are not protected from harm or do not have access to essentials such as adequate food, shelter, clothing and basic medical care
- Medical: You do not get timely or appropriate medical care for a serious health problem
- Emotional: You do not have anyone who attends to your needs
- Supervisory: You do not have safe and appropriate supervision

Exploitation: It happens when someone you trust or has power over you takes advantage of you. Exploitation can include:

- Financial: Someone illegally takes or misuses your money or other assets or uses your identity
- Economic: Someone treats you like a slave or keeps you in slave like conditions
- Sexual exploitation

Violence, abuse, neglect and exploitation are linked.

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Independent Living Villages Ltd And Controlled Entities (ILV)



POLICY

You have the right to live without violence, abuse, neglect and exploitation.

People with a disability are more often the victims of abuse and neglect than people who don't have disability.

We aim to:

- Prevent violence, abuse, neglect and exploitation
- Identify if it is happening
- Respond if it happens

This policy covers:

- What we will do to try and prevent and identify violence, abuse, neglect and exploitation
- How we will respond to allegations of violence, abuse, neglect and exploitation
- Your options – victims of violence, abuse, neglect and exploitation
- Residents who are violent, abusive or exploit others
- If an ILV staff member is violent, abusive or exploits others

WHAT WE WILL DO TO TRY AND PREVENT AND IDENTIFY VIOLENCE, ABUSE, NEGLECT OR EXPLOITATION

We will:

- Look for any signs that violence, abuse, neglect or exploitation might be happening when we talk or meet with you, for example:
 - Evidence of unexplained injuries (Physical violence or abuse)
 - Poor physical condition (Neglect)
 - Issues with payment of rent or other expenses (Financial abuse)
- Give you the chance to tell us about any issues e.g. via resident feedback
- Check our staff – all staff undergo a Criminal Record Check
- Review our incidents, feedback and complaints

HOW WE WILL RESPOND TO ALLEGATIONS OF VIOLENCE, ABUSE, NEGLECT OR EXPLOITATION

We will take action if we think you might be the victim of violence, abuse, neglect or exploitation.

We might take action because:

- You tell us about something that is happening or has happened to you
- Other people are concerned
- We hear or see something in our dealings with you

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We will follow our incident processes. The key steps are:

The steps we will take are:

Step 1: Listen	We will listen to what you or others tell us about what happened
Step 2: Respond	We will make sure you are safe and supported
Step 3: Report	We will report allegations of violence, abuse, neglect or exploitation e.g. to Police
Step 4: Document	We will write up information about the incident
Step 5: Action	We will review or investigate the allegations
Step 6: Learn	We will look at all incidents and see what we can do to prevent such things happening in the future

YOUR OPTIONS - VICTIMS OF VIOLENCE, ABUSE, NEGLECT OR EXPLOITATION

We will help you if you want to change your living arrangements e.g. if you have been harmed or threatened by another resident in your property or building.

You might want to:

- Stay in your property and have the person who harmed you leave (perpetrator)
- Leave your property

STAYING WHERE YOU CURRENTLY LIVE

The actions we take may vary depending on your living arrangements and your Tenancy Agreement.

We will discuss options and actions you might need to take with you. This may include:

- Getting a final apprehended violence order (**AVO**) against the other person that includes an exclusion order (they cannot enter the property). You can change the locks.
- Us taking action under tenancy law in the relevant Tenancy Tribunal to end their tenancy.

LEAVING THE PROPERTY

If you want to end your tenancy and move out:

- You may be allowed to terminate your lease at short notice
- We may be able to move you (transfer) to another property

We will discuss options and actions you might need to take with you.

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RESIDENTS WHO COMMIT VIOLENCE, ABUSE, NEGLECT OR EXPLOITATION

We will take action against any resident who we have evidence is violent or abusive towards others (perpetrator). The action will depend on the situation and may include:

- Calling the Police and other emergency services if we are concerned about their safety or the safety of others
- Referring them to support services
- Negotiating to relocate them to another property (if this is what the victim wants) and it is safe to do so
- Terminating their tenancy

If we cannot relocate the perpetrator or terminate their tenancy, we may need to relocate the victim to another property e.g. to crisis or transitional accommodation with a plan in place to obtain long term, stable and affordable accommodation.

IF A ILV STAFF MEMBER IS INVOLVED IN VIOLENCE, ABUSE, NEGLECT OR EXPLOITATION

We undertake criminal record checks on all staff when they start working for ILV.

Staff are to report any allegations of violence, abuse, neglect or exploitation to the CEO or the Board Chair (allegations against the CEO).

Where there is an allegation of violence, abuse, neglect or exploitation against a staff member, we will stand them down from any contact with residents. We will conduct an investigation as per our incident management policy.

RELATED POLICIES, LEGISLATION OR OTHER RESOURCES

Legislation and Guidelines

- *Operational Guideline – General Conduct – Responding to Abuse, Neglect and Exploitation (v 1.0)* National Disability Insurance Scheme 14 July 2014
- Applicable tenancy legislation
 - Residential Tenancy Act 2010 (NSW)
 - Residential Tenancies Regulation 2019 (NSW)

Policies

- ILV Policy 1.10 Transfers
- ILV Policy 1.16 Incident Management

Resources

- It Stops Here: Standing together to end domestic and family violence (www.women.nsw.gov.au)
- Tenanhelp Tenanhelp.com.au (State specific information for tenants)
- Disability Housing Information line 1800 843 929 or email housinginfo@pwd.org.au Information for people living in SDA properties and their supporters

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