

SAFEGUARDING

POLICY AND PROCEDURE

Policy Statement

Mypower Foundations is committed to promoting and protecting individual rights and maximising the choice and control of people with disability in decisions about their lives. This policy outlines the role of safeguarding supports and mechanisms to ensure the safety of people with disability and the quality of services.

Mypower Foundations is dedicated to providing an environment where people with disability to whom it provides services are protected from abuse, neglect or harm and where staff work according to our organisational values.

This policy supports Mypower Foundations in applying the National Standards for Disability Services, in particular Standard 1: Rights. This policy guides contractors in supporting people exercising their rights and exercising choice and control over their services. This policy will support Mypower Foundations applying the NDIS Quality and Safeguarding Practice Standards for Rights and Responsibilities, Provider Governance and Operational Management and Provision of Supports.

Definitions

Safeguarding - actions designed to protect the rights of people to be safe from the risk of harm, abuse and neglect, while maximising the choice and control they have over their lives. Safeguard planning must consider the persons situation and their strengths. This includes any potential risks, corresponding safeguards and strategies to build the person's capacity and skills.

A balance needs to be achieved between meeting duty of care responsibilities and the person's freedom to make decisions. Mypower Foundations supports people with disability to make informed decisions and choices including being aware of any risks or consequences recognising that all people learn and grow from trial and error.

Procedure

- A defined structure is implemented by the Director to meet financial, legislative, regulatory and contractual responsibilities, and to monitor and respond to quality and safeguarding matters associated with delivering supports to participants.

- Safeguarding procedures take into account the diverse needs of individuals, considering factors like cultural background, gender, age, and other relevant characteristics.
- Where a person has specific needs, which require monitoring and/or daily support, employees and contractors are appropriately trained to understand the person's needs and preferences.
- Reasonable adjustments to the support delivery environment are made and monitored to ensure it is fit for purpose and each person's health, privacy, dignity, quality of life and independence is supported.
- Risks to the company, including risks to a person's financial and work health and safety risks, and risks associated with provision of supports are identified, analysed, prioritised and treated.
- Where supports are provided in the client's home, work is undertaken with the person 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.
- Clients are not given financial advice or information other than that which would reasonably be required under the person's plan.
- Records clearly identify the medication and dosage required by each person, including all information required to correctly identify the participant and to safely administer the medication.
- Each client is given information about the use of an advocate and access to an advocate is facilitated where allegations of violence, abuse, neglect, exploitation or discrimination have been made.
- An individual's capacity to make decisions is assessed and the process to obtain informed consent, especially when the person may have impaired decision-making capacity.
- Facilitators will ensure regular engagement with stakeholders, such as service users, families, and other service providers, to share best practices and collaboratively address any potential safeguarding issues.
- Clients and their families are encouraged to use the feedback and complaints avenues outlined in the Complaints and Feedback Procedure to raise concerns or provide feedback on the safeguarding process. Feedback is acted upon and used to enhance safeguarding procedures.
- 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.
- Handover notes between employees and contractors or with other service providers must include formal advice of safeguarding requirements as part of Mypower Foundation's duty of care, subject to any legal privacy considerations and the consent of the person with disability we support.
- All employees and contractors are required to ensure detailed, accurate and up-to-date records and information are maintained for Mypower Foundations to meet its legal, contractual and mandatory reporting requirements. Mypower Foundations relies on this information, and information from individuals, families, advocates and other key stakeholders to regularly monitor service

delivery and inform service review. Information collection and analysis is undertaken to identify early warning signs for overall service improvement and identifies trends in practice and service delivery that could be improved.

- Employees and contractors must record any concerns in the individual progress notes and advise the client's facilitator. Refer to the incident reporting policy and procedure if an incident report is required. All Serious Incident Reports must be completed and lodged with the relevant funding body.
- Any employees reporting safeguarding failures and misconduct will be protected against retaliation, harassment, or victimisation for raising a concern.
- Any person retaliating against a whistleblower will face disciplinary action.
- If, after report is made, and a subsequent investigation finds the concern is validated, appropriate actions are taken, which might include disciplinary measures, process revisions, or, if necessary, involvement of external bodies or law enforcement.
- Information shared is confidential and only disclosed to those necessary for the review and investigation.
- All training undertaken in relation to this and all other policies will be logged in Nightingale under the employee or contractor's file

Responsibility

- All employees and contractors are responsible for safeguarding the wellbeing and safety of people with disability in receipt of service from the organisation. Any employee or contractor aware of any risk to a person with disability, whether that is a concern, or a specific incident must report it immediately to the client's facilitator.
- Mypower Foundations use a values-based approach to recruitment to ensure employees and contractors are able to contribute to the culture of human rights, including the right to be free from harm, abuse and neglect. All prospective employees and contractors are required to undergo preliminary screening before being offered a position at Mypower Foundations.
- Clients with disability will be involved in the process, along with others the person with disability identifies as essential.
- Mandatory training may be required of employees and contractors and assessed on a needs basis.
- All employees, contractors, volunteers or business partners, are responsible for working within the policy and reporting when safeguarding is not adequate. This policy is owned by the Director.
- Mypower Foundation's policy on eliminating restrictive practices applies at the same time as this policy and anytime safeguards are developed.
- Safeguarding improves safety and wellbeing, while imposing the least possible restriction on an individual and their choices.
- Safeguards are responsive to the individual's circumstance and are relevant to the risk within these circumstances. These factors may change over time.

- Every person should be supported to develop their individual skills and capacity and be involved in determining their own safeguards.
- People who need and want support to make decisions will be supported to exercise choice.
- Safeguards can be informal or formal and work at an individual and/or organisational level.
- A persons' money or other property is only used with their consent and for the purposes they intended.
- Supports are provided based on the least intrusive options that meet the person's needs and help achieve desired outcomes.

Relevant Legislation and Policies

- Privacy Act 1988
- Work Health and Safety Act 2011
- Children and Young Persons (Care and Protection) Act 1998 (NSW)
- Disability Inclusion Act 2014 (NSW)
- Ombudsman Act 1974 (NSW)
- Crimes Act 1900 (NSW)
- NSW Disability Services Standards
- National Standards for Disability Services
- Disability Discrimination Act 1992
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
- NDIS Quality and Safeguarding Framework
- Universal Declaration of Human Rights
- United Nations Convention on The Rights of Persons with Disabilities