

# Violence, Abuse, Neglect, Exploitation, and Discrimination Policy and Procedure



Effective: 15/01/2025

## Policy Statement

INCLUSIVE TRAILS is committed to ensuring a safe and respectful environment for individuals with disabilities, employees, and visitors. This policy outlines the procedures to prevent and respond to violence, abuse, neglect, exploitation, and discrimination.

### 1. Purpose

The purpose of this policy is to establish a framework for identifying, preventing, and responding to incidents of violence, abuse, neglect, exploitation, and discrimination against individuals with disabilities. This includes ensuring that all reports are handled appropriately and that appropriate measures are taken to protect the well-being of all involved.

### 2. Scope

This policy applies to all employees, subcontractors, volunteers, participants and their family members or nominees and visitors associated with INCLUSIVE TRAILS. It covers all services provided by INCLUSIVE TRAILS under the NDIS and outside of the scope of the NDIS.

### 3. Definitions

**Violence:** Any physical force or power used against a person, group, or community that results in injury, death, psychological harm, maldevelopment, or deprivation.

**Abuse:** Any action or inaction that causes harm or distress to a person. This can include physical, emotional, sexual, or financial abuse.

**Neglect:** The failure to provide necessary care, assistance, guidance, or attention that causes or is likely to cause harm to a person.

**Exploitation:** Taking advantage of a person for personal gain through threats, coercion, or manipulation.

**Discrimination:** Unfair or less favourable treatment of a person based on a protected characteristic, including but not limited to disability, race, gender, or age.

### 4. Legislative Framework

This policy aligns with the following key pieces of legislation:

**Disability Discrimination Act 1992:** This Act ensures that individuals with disabilities are protected from discrimination, promoting equality and safeguarding against any form of violence, abuse, neglect, exploitation, or discrimination within service delivery.

**NDIS Act 2013:** The NDIS Act establishes the framework for providing support to people with disabilities, mandating that service providers uphold the rights and safety of participants, free from violence, abuse, neglect, exploitation, and discrimination.

**NDIS Code of Conduct:** The Code of Conduct sets out the professional and ethical standards expected of all NDIS workers, requiring them to respect the rights of participants and prevent any behaviours that could lead to violence, abuse, neglect, exploitation, or discrimination.

**Disability Services and Inclusion Act 2023:** This Act establishes comprehensive standards for the provision of disability services, ensuring that all services are delivered in an inclusive and safe manner, with strict measures to prevent and address any form of violence, abuse, neglect, exploitation, or discrimination against individuals with disabilities.

**Australian Human Rights Commission Act 1986:** This Act underpins the protection and promotion of human rights in Australia, reinforcing the obligation of service providers to prevent and address any form of violence, abuse, neglect, exploitation, or discrimination against people with disabilities.

**Fair Work Act 2009:** The Fair Work Act ensures that employees and workers are treated fairly and with respect in the workplace, which extends to the obligation to prevent and respond to any incidents of violence, abuse, neglect, exploitation, or discrimination within the organisation.

## 5. Responsibilities

### Management Responsibilities

- Treat all participants, employees, contractors, visitors and participant nominees and family members with respect and dignity.
- Ensure the implementation, enforcement and review of this policy.
- Provide training and resources to support the prevention and reporting of violence, abuse, neglect, exploitation, and discrimination.
- Respond promptly to all reports, ensuring confidentiality and protection for all involved.
- Investigate complaints and incidents and implement corrective actions.

### Employee/Subcontractor Responsibilities

- Treat all participants, colleagues, visitors and participant nominees and family members with respect and dignity.
- Comply with this policy and procedure.
- Report any incidents of violence, abuse, neglect, exploitation, or discrimination to INCLUSIVE TRAILS.

## 6. Procedure for Handling Incidents

### 6.1 Incident Reporting

- All incidents, including those involving violence, abuse, neglect, exploitation, and discrimination, must be reported to INCLUSIVE TRAILS immediately using our Incident Report Form.
- Ensure that the Incident Report is complete, accurate, and includes relevant details such as date, time, location, individuals involved, and a description of the incident.

### 6.2 NDIS Reportable Incidents

- If the incident involves allegations of violence, abuse, exploitation, neglect or discrimination, it must be reported to the appropriate regulatory authorities in accordance with the NDIS Quality and Safeguards Commission rules.
- INCLUSIVE TRAILS will report the incident to the NDIS Quality and Safeguards Commission and provide necessary support to the individual involved.

### 6.3 Investigation Process

INCLUSIVE TRAILS will:

- Ensure a thorough investigation is conducted for all reported incidents, maintaining privacy and confidentiality.
- Involve relevant persons, including individuals with disabilities, their nominees, and household members in the investigation as required.

- Document findings and implement preventative risk control measures.
- Inform individuals involved of the results of the investigation.

## 7. Procedure for Complaint Handling

INCLUSIVE TRAILS is dedicated to ensuring that any complaints related to violence, abuse, neglect, exploitation, or discrimination are handled promptly, fairly, and confidentially. This section outlines the procedure for lodging and managing complaints.

### 7.1 Complaint Handling

Complaints can be lodged by participants, their nominees, employees, contractors, or any concerned parties.

Persons who wish to make a complaint should report to INCLUSIVE TRAILS via [connect@inclusivetrails.com.au](mailto:connect@inclusivetrails.com.au), phone: 0405 721 887 or post to:

INCLUSIVE TRAILS  
54 TENTH AVE  
JOSLIN, SA, 5070

- All complaints will be taken seriously and investigated promptly, impartially, and confidentially using our Complaints Management procedure.
- Appropriate actions will then be taken to resolve the complaint and prevent recurrence.
- If the complainant is not satisfied, they may request a further review or escalate the complaint to an external body, such as the NDIS Quality and Safeguards Commission.

## 8. Risk Management

INCLUSIVE TRAILS will:

- Implement corrective actions as required by our Risk Management Policy and Procedure based on the investigation findings to gauge the possibility of recurrence and put safety measures in place.
- Regularly review and update prevention strategies and training programs.
- Foster a culture of continuous improvement and learning to enhance the quality of disability services.

## 9. Documentation and Record-Keeping

### a) Accessibility

This Policy and Procedure will be kept in a form that is accessible by staff, contractors and persons with disability receiving supports or services from INCLUSIVE TRAILS, and their household members and nominees.

### b) Copies

INCLUSIVE TRAILS will provide copies of this Policy and Procedure to persons with disability receiving supports or services from INCLUSIVE TRAILS, and their household members and nominees and assist these same persons to understand how the documented system works.

### c) Record Keeping Period

All investigations and resolutions will be kept by INCLUSIVE TRAILS for 7 years from the day the record is made.

## 10. Training and Education

INCLUSIVE TRAILS will provide training and education to all staff, subcontractors, participants, and nominees on their responsibilities under this policy and the correct procedures to follow.

## 11. Review of Policy

This Policy and Procedure will be reviewed annually or as needed to reflect changes in legislation, regulations, or organisational practices. Amendments will be communicated to all relevant parties.

## 12. Contact Information

For inquiries about this Policy or concerns regarding the handling of personal information, individuals may contact INCLUSIVE TRAILS on [connect@inclusivetrails.com.au](mailto:connect@inclusivetrails.com.au) or phone: 0405 721 887 or via post to:

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Policy Review Period: **12 months**

Review Date: **15/01/2026**