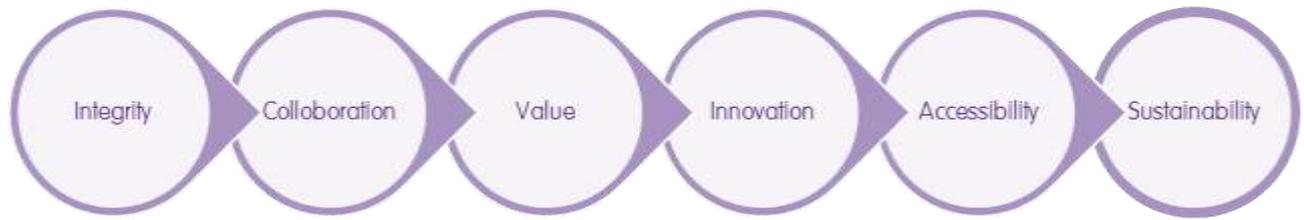


HCA Responding to Allegations Statement



Integrity, Collaboration, Value, Innovative, Accessibility and Sustainability are the values that underpin all of our services and relationships.

Policy Statement

The safety and wellbeing of Customers and staff is paramount to HCA.

HCA has an obligation to provide a safe environment for the customers and HCA staff. Physical and sexual assaults are unacceptable and will be dealt with promptly and appropriately.

Reporting to Police

In some circumstances, there is a mandatory requirement to report an assault to police

Where the customer:

- Is a statutory child protection customer
- Resides in out-of-home care
- Resides in a residential service directly managed by the department, such as youth justice custodial centre, youth justice residential units, secure welfare, or disability accommodation services
- Receives direct service and supports by a registered disability service provider
- Has a disability and is receiving in-home or community-based services and the allegation is against a staff member of either the department or the community service organisation funded by the department to provide the services.

And the incident is reportable under the *Critical customer incident management instruction*:

- Allegation of assault of a customer by a staff member or volunteer carer
- Allegation of assault of a customer by a customer
- Allegation of assault of a customer by a visitor, family member, other non-staff member or member of the community
- Allegation of assault of a staff member, visitor, other non-staff member or member of the community by a customer.

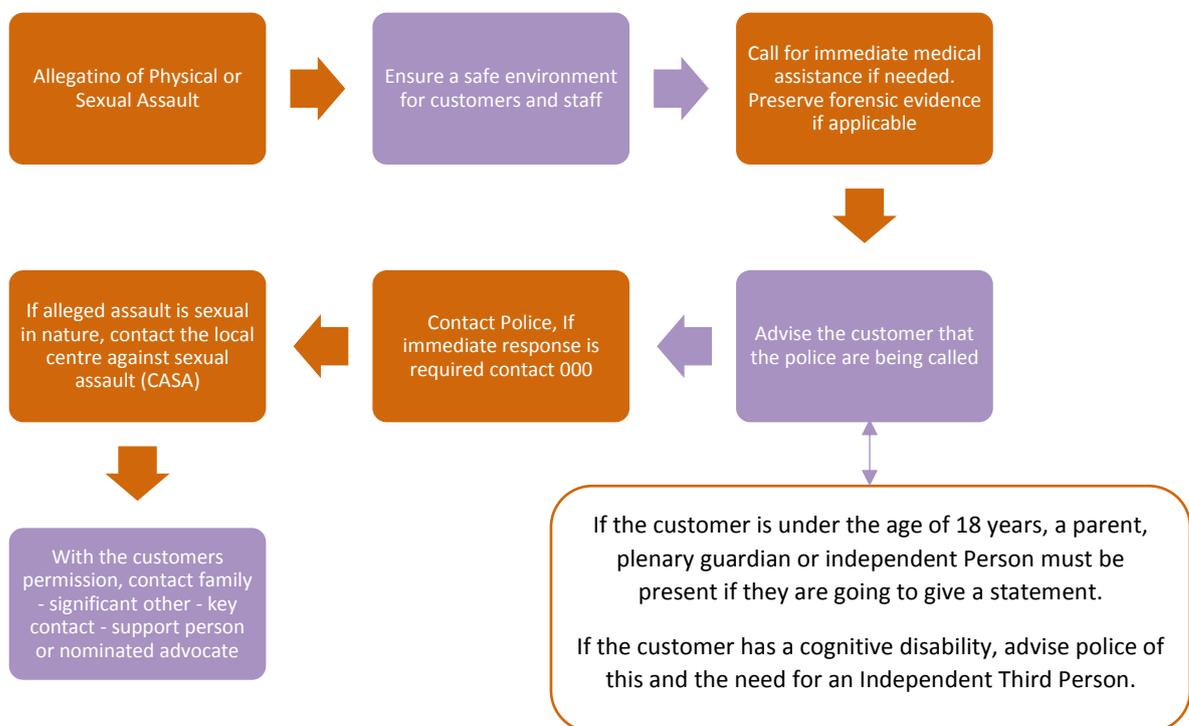
The allegation of assault must be reported to the police, whether or not the customer has consented to the matter being reported. The customer may choose not to participate in the police investigation.

- In-home support staff must contact police if they perceive an immediate risk of harm to the customer from the physical or sexual assault (with or without consent).

- If a customer is not at immediate risk of harm, and consent to report the allegation of assault to the police has not been obtained, the in-home support staff must liaise with their supervisor or the case manager to make the report to police or assist the customer to engage other services as appropriate (such as counselling, sexual assault counselling services or advocacy).

Reporting Flowchart

Flowchart: Immediate response to an allegation of assault;



VIC Department of Human Services Requirements (Victorian Customers Only)

Complete a customer incident report

Under the departmental *Critical client incident management instruction: technical update 2014*, all:

- Category One client incident reports must be sent to the department designated divisional office as soon as possible and at the latest within one working day of the incident or within one working day from first being told of the incident
- Category Two client incident reports must be sent to the department designated divisional office as soon as possible and at the latest within two working days of the incident or two working days from first being told of the incident.

To assist staff in accurate categorisation of reports, further advice is provided regarding allegations of physical and sexual assault in the *Critical client incident management instruction: technical update 2014*.

Please refer to:

- HCA's Critical Incident Reporting Procedure.
- External monitoring

The Disability Services Commissioner

The department has established a protocol for the provision of customer incident reports relating to allegations of staff to customer assault or unexplained injuries within disability services to the Disability Services Commissioner for independent monitoring, review and advice on customer specific issues and trends.

Criminal injuries compensation and victim support

Application for compensation from the Victims of Crime Assistance Tribunal may be pursued by the customer or their legal administrator after the incident has been reported to the police. Departmental staff should consult the Legal Services Branch about potential applications on behalf of children who are subject to Guardianship to the Secretary Orders.

In relation to sexual assault, a centre against sexual assault counsellor/advocate can support customers who wish to pursue compensation.

The victim may also wish to contact the Victims of Crime at <http://www.victimsofcrime.vic.gov.au/> and/or the Court Network on 1800 681 614 or at <http://www.courtnetwork.com.au/>.

Debriefing for staff and customers

After a serious and traumatic incident, it is likely that high levels of stress will be experienced by those connected with the incident. HCA will assist staff with debriefing and counselling through internal and external EAP services. All staff and customers and other witnesses will be supported through any incident that may or has occurred.

References and related policies

The following HCA Policies should be read in conjunction with the following customer statements, management standards or policies;

- HCA Critical Incident Reporting (DHHS Victoria Only)
- HCA Disability Services Standard 1- Rights