



Preventing and Responding to Violence, Abuse, Neglect or Exploitation of Vulnerable Persons Policy

INTE-HR-POL-03

1 Introduction

- 1.1 Woden Community Service and its subsidiaries (WCS) is deeply committed to the safety, dignity and human rights of every person who interacts with or is affected by our work, particularly those who are vulnerable. Violence, abuse, neglect and exploitation (VANE) of vulnerable persons are serious violations of human rights that cause lasting harm. Preventing these harms requires a systemic, whole-of-organisation approach.
- 1.2 This policy reflects WCS's obligations under ACT and Commonwealth legislation and accreditation standards, including the *NDIS Practice Standards (2021, Version 4)*, the *Aged Care Act 2024 (commenced 1 November 2025)* and its *Aged Care Rules 2025*, and the *ACT child protection and human rights framework*.

2 Purpose

- 2.1 This policy aims to:
 - 2.1.1 Affirm WCS's commitment to safeguarding vulnerable persons across all programs and services.
 - 2.1.2 Set out the organisational standards, obligations and accountability structures for preventing and responding to VANE.
 - 2.1.3 Ensure all employees understand their legal and organisational obligations, including mandatory reporting requirements.

- 2.1.4 Meet requirements under the NDIS Practice Standards (Version 4, 2021), the Aged Care Act 2024 and Aged Care Rules 2025, and the ACT child protection and human rights framework.
- 2.2 This Policy supports the Organisation's obligations under applicable legislation, including but not limited to:
 - 2.2.1 Work Health and Safety Act 2011 (ACT)
 - 2.2.2 Children and Young People Act 2008 (ACT)
 - 2.2.3 Aged Care and NDIS Safeguards requirements (where applicable)
 - 2.2.4 Any applicable mandatory reporting obligations

3 Scope

- 3.1 This policy applies to all WCS employees across all programs and service settings, regardless of whether their role directly involves working with vulnerable persons. The perpetrator of VANE may be internal to WCS (an employee or volunteer) or external (a carer, family member, another service user or member of the public).

4 Policy Owner and Review Requirements

- 4.1 Policy Owner
 - 4.1.1 This policy owner for the Preventing and Responding to Violence, Abuse, Neglect or Exploitation of Vulnerable Persons Policy is the Executive Manager Shared Services.
- 4.2 Review Requirements
 - 4.2.1 This policy is to be reviewed every two (2) years and following any significant legislative change or serious incident.

5 Legislative and Regulatory Framework

- 5.1 This policy must be read in conjunction with:
 - 5.1.1 *Aged Care Act 2024 (Cth) and Aged Care Rules 2025* – commenced 1 November 2025
 - 5.1.2 *National Disability Insurance Scheme Act 2013 (Cth)*
 - 5.1.3 *NDIS (Incident Management and Reportable Incidents) Rules 2018*
 - 5.1.4 *NDIS Practice Standards and Quality Indicators, Version 4 (November 2021)*

- 5.1.5 *Crimes (Offences Against Vulnerable People) Legislation Amendment Act 2020 (ACT)*
- 5.1.6 *Working with Vulnerable People (Background Checking) Act 2011 (ACT)*
- 5.1.7 *Children and Young People Act 2008 (ACT)*
- 5.1.8 *Health Records (Privacy and Access) Act 1997 (ACT)*
- 5.1.9 *Human Rights Act 2004 (ACT)*
- 5.1.10 *Fair Work Act 2009 (Cth) – general protections (Part 3-1)*
- 5.1.11 *Australian Charities and Not-for-profits Commission Act 2012 (Cth)*
- 5.1.12 *Work Health and Safety Act 2011 (ACT)*
- 5.1.13 *Work Health and Safety Regulation 2011 (ACT)*
- 5.1.14 *ACT Work Health and Safety (Managing Psychosocial Hazards at Work Code of Practice) 2023*

6 Policy Statements

6.1 Commitment to Safeguarding

- 6.1.1 WCS is committed to promoting and protecting the welfare and human rights of all people who interact with or are affected by the organisation's work. All employees share a collective responsibility to safeguard vulnerable persons and must report identified or suspected VANE to their manager without delay.
- 6.1.2 WCS has zero tolerance for all forms of violence, abuse, neglect and exploitation, including sexual abuse (referred to in some legal and insurance contexts as molestation).
- 6.1.3 All suspected or actual incidents of violence, abuse, neglect or exploitation must be reported immediately in accordance with the Organisation's incident reporting and notifiable events processes, and to relevant external authorities where required by law.
- 6.1.4 The Organisation will identify, assess and manage risks of violence, abuse, neglect and exploitation as part of its broader work health and safety and risk management commitment, including implementing appropriate control measures to eliminate or minimise such risks so far as reasonably practicable.

- 6.1.5 The Organisation applies these expectations across all forms of interaction, including in-person, electronic communication, and interactions occurring outside formal service delivery settings.

6.2 Creating a Safe Environment

- 6.2.1 WCS takes the following systemic measures to create and maintain safe environments:

- 6.2.1.1 Recruitment and Screening: Robust processes apply to all employees and volunteers (refer to WCS **Recruitment Policy** and **Recruitment Procedure**).
- 6.2.1.2 WWVP Registration: All employees working with vulnerable persons hold current Working with Vulnerable People registration under the *Working with Vulnerable People (Background Checking) Act 2011 (ACT)*.
- 6.2.1.3 Aged Care Worker Screening: Employees in risk-assessed aged care roles hold a current Aged Care Worker Screening Check, NDIS Worker Screening Check or AHPRA registration as required under the *Aged Care Act 2024* and *Aged Care Rules 2025*.
- 6.2.1.4 Supervision: Contractors and others without WWVP registration do not have unsupervised access to vulnerable persons.
- 6.2.1.5 Code of Conduct: All employees comply with the WCS **Code of Conduct**, which sets clear standards for behaviour and interactions with service users.
- 6.2.1.6 Training: WCS provides mandatory induction and ongoing training in recognising and responding to VANE, including the NDS 'Understanding Abuse' e-learning module and relevant role-specific training.
- 6.2.1.7 Record Keeping: Employees maintain regular case notes. All records relating to vulnerable persons are stored securely in accordance with the **Information and Knowledge Management Policy**.
- 6.2.1.8 Complaints and Feedback: Service users and carers may raise concerns at any time without adverse consequence (refer to **Complaints and Appeals Policy** and **Complaints and Appeals Procedure**).
- 6.2.1.9 Human Rights: WCS operates within a human rights framework under the *Human Rights Act 2004 (ACT)*. Service users and their carers are made aware of their rights.
- 6.2.1.10 Professional Boundaries: All employees must maintain appropriate professional boundaries in interactions with vulnerable persons. Detailed expectations

regarding appropriate and inappropriate interactions are set out in supporting procedures.

6.3 Mandatory and Voluntary Reporting

6.3.1 WCS complies with all mandatory reporting obligations, including:

6.3.1.1 Reports to Children, Youth and Families (CYF) where there are reasonable grounds to suspect abuse or neglect of a person under 18 (*Children and Young People Act 2008 (ACT)*).

6.3.1.2 Reportable incidents to the NDIS Quality and Safeguards Commissioner under the NDIS (Incident Management and Reportable Incidents) Rules 2018.

6.3.1.3 Reportable incidents under the Serious Incident Response Scheme (SIRS) where a service user receives Commonwealth-funded aged care (*Aged Care Act 2024* and *Aged Care Rules 2025*, commenced 1 November 2025).

6.3.1.4 Reports to police where a criminal offence is suspected or where there is an immediate risk to safety.

6.3.2 WCS cooperates with all reasonable information-sharing requests from statutory authorities.

6.3.3 Employees are not required to investigate or determine whether abuse has occurred. The obligation is to report concerns where reasonable grounds to suspect exist.

6.4 Person-Centred Approach

6.4.1 WCS applies a person-centred, trauma-informed approach to all VANE response processes. The needs, rights and wishes of the vulnerable person and/or their carer or legal guardian are central to all decision-making. The vulnerable person is kept informed and heard throughout, consistent with their capacity and safety.

6.5 Confidentiality and Protections for Employees Who Report

6.5.1 WCS ensures the confidentiality of employees and managers who raise concerns. Information is shared only as required by law or to protect the safety of the vulnerable person. Employees who report VANE in good faith are protected from adverse action under the general protections provisions of the *Fair Work Act 2009 (Cth)* and WCS policy.

6.6 Continuous Improvement

6.6.1 All incidents of actual or VANE must, following conclusion of the matter, be reviewed by the relevant manager. Reviews must examine identification methods,

information flow, reporting processes, communication, and the effectiveness of any risk controls implemented. Outcomes are to be documented and used to inform continuous improvement, including enhancements to procedures, risk controls and staff training.

7 Breaches and Penalties

- 7.1 Failure to comply with this Policy, including failure to report suspected VANE, failure to maintain confidentiality, or conduct constituting VANE, may result in disciplinary action up to and including dismissal, referral to professional regulatory bodies and/or referral to police.
- 7.2 All potential breaches are investigated in accordance with the WCS **Investigation Process**. Adverse action against an employee for making a good-faith VANE report is prohibited under the *Fair Work Act 2009 (Cth)*.
- 7.3 Where an allegation of VANE involves employee conduct, HR must be consulted prior to any disciplinary action. Investigations will be conducted in accordance with the WCS **Investigation Process** to ensure procedural fairness under the *Fair Work Act 2009 (Cth)*.

8 Audits

- 8.1 All records will be subject to ongoing assurance and audits. All records belong to WCS. In most cases, these are admissible as evidence and are subject to relevant Territory and Federal Laws.
- 8.2 The Executive Manager Compliance and Quality is responsible for the development of the audit plan.
- 8.3 The Executive Manager Compliance and Quality is to provide a report to the CEO in relation to the results of audits undertaken during the period.

9 Roles and Responsibilities

- 9.1 WCS is responsible for:
 - 9.1.1 Ensuring Compliance with the Policy.
- 9.2 All Employees are responsible for:
 - 9.2.1 Recognising signs of VANE and reporting concerns to their manager immediately.
 - 9.2.2 Completing all required VANE awareness and mandatory reporting training.

- 9.2.3 Maintaining confidentiality and treating all disclosures seriously.
- 9.2.4 Completing Incident Reports for all actual or suspected VANE incidents.
- 9.3 Managers are responsible for:
 - 9.3.1 Acting promptly on reports of VANE and determining appropriate responses.
 - 9.3.2 Making all required external reports (police, CYPS, NDIS Commission, SIRS).
 - 9.3.3 Escalating employee conduct concerns to the Executive Manager and Human Resources.
 - 9.3.4 Conducting post-incident reviews and updating risk assessments.
 - 9.3.5 Keeping vulnerable persons and/or their carers informed throughout the process.
- 9.4 Executive Managers are responsible for:
 - 9.4.1 Ensuring this policy is embedded across all services in their portfolio.
 - 9.4.2 Authorising formal investigations where required.
 - 9.4.3 Reporting to the CEO on significant VANE incidents and systemic risks.
- 9.5 Human Resources is responsible for:
 - 9.5.1 Supporting investigations involving employee conduct.
 - 9.5.2 Maintaining records of WWVP and aged care worker screening compliance.
 - 9.5.3 Maintaining and reviewing this policy and the associated procedure.
 - 9.5.4 Supporting accreditation compliance across NDIS, aged care and child safety frameworks.

10 Associated documents

- 10.1 Associated WCS documents
 - 10.1.1 Preventing and Responding to VANE of Vulnerable Persons Procedure
 - 10.1.2 Code of Conduct
 - 10.1.3 Background Checking Policy
 - 10.1.4 Recruitment Policy
 - 10.1.5 Recruitment Procedure

- 10.1.6 Complaints and Appeals Policy
- 10.1.7 Complaints and Appeals Procedure
- 10.1.8 Information and Knowledge Management Policy
- 10.1.9 NDIS Employees Handbook
- 10.1.10 Investigation Process
- 10.2 Associated external documents
 - 10.2.1 Aged Care Act 2024 (Cth) and Aged Care Rules 2025 - commenced 1 November 2025
 - 10.2.2 NDIS (Incident Management and Reportable Incidents) Rules 2018
 - 10.2.3 NDIS Practice Standards and Quality Indicators, Version 4 (November 2021)
 - 10.2.4 Crimes (Offences Against Vulnerable People) Legislation Amendment Act 2020 (ACT)
 - 10.2.5 Working with Vulnerable People (Background Checking) Act 2011 (ACT)
 - 10.2.6 Children and Young People Act 2008 (ACT)
 - 10.2.7 Human Rights Act 2004 (ACT)
 - 10.2.8 Fair Work Act 2009 (Cth) - Part 3 -1 (general protections)
 - 10.2.9 Serious Incident Response Scheme - Aged Care Quality and Safety Commission
 - 10.2.10 NDS Zero Tolerance Framework and 'Understanding Abuse' e-learning
 - 10.2.11 Work Health and Safety Act 2011 (ACT)
 - 10.2.12 Work Health and Safety Regulation 2011 (ACT)
 - 10.2.13 ACT Work Health and Safety (Managing Psychosocial Hazards at Work Code of Practice) 2023

11 Definitions

- 11.1 WCS: Woden Community Service and its subsidiaries, including all Services operated by Community Programs, Aged & Community Care and Children's Services, and any other business units.

- 11.2 Employee: means the employees of WCS, and contractors, sub-contractors and consultants employed by WCS, apprentice or trainee, student gaining work experience, and volunteer.
- 11.3 Vulnerable person: A person aged under 18, or another individual who may be unable to take care of themselves or protect themselves against harm or exploitation. This includes older persons, people with disability, people from low socio-economic backgrounds, Aboriginal and Torres Strait Islander people, people who are not native English speakers, and people subject to modern slavery as defined by the ACNC.
- 11.4 Abuse: The violation of a person's human rights through an act or omission by another person. Includes physical, sexual, psychological, emotional, financial and cultural abuse.
- 11.5 Neglect: The failure to provide necessary care, support or guidance to a dependent adult or child by those responsible for their care. Includes physical and emotional neglect.
- 11.6 Exploitation: Treating a person unfairly or dishonestly for personal gain. May form part of a broader pattern of abuse.
- 11.7 Violence: Physical force or behaviour intended to hurt, injure or kill a person.
- 11.8 Reasonable grounds to suspect: Information that would lead a reasonable, objective person to believe VANE has occurred, is occurring or may occur. A low burden of proof applies.
- 11.9 NDIS: National Disability Insurance Scheme.
- 11.10 SIRS: Serious Incident Response Scheme under the Aged Care Act 2024 and Aged Care Rules 2025.
- 11.11 CYPS: Child and Youth Protection Services (ACT Government).
- 11.12 WWVP: Working with Vulnerable People registration under the Working with Vulnerable People (Background Checking) Act 2011 (ACT).
- 11.13 Molestation: A form of sexual abuse involving inappropriate or unlawful sexual behaviour or contact. For the purpose of this Policy, molestation is treated as a form of abuse.