Local Coordination Operational Policy - Safeguarding

Purpose

This Policy outlines the safeguarding supports and mechanisms that promote, enhance and protect a person, that may be included in their individual Local Coordination plan.

Scope

This Policy applies to all Local Coordination areas and is applicable to people with disability accessing Local Coordination support.

Definitions

Term	Definition
Carer	Carer is a person, such as a family member or friend, who provides ongoing support and assistance to a person with disability in an unpaid capacity (apart from a pension or allowance).
Community based safeguards	These are those that are not formally part of the disability services system. These include advocacy organisations, community visitor schemes, Public Advocates or Guardians, Ombudsman, anti-discrimination and consumer protection legislation.
Individual level safeguards	Include both informal and formal safeguards for people with disability. Formal safeguards include rules for restrictive practices and serious incident reporting. Informal safeguards are examples of the concept that people are more likely to be safe when they are actively involved with their family and the community. The things that make people safe can be seen as the same things that are needed to have a good life. For example, caring relationships and enhanced opportunities for participation in daily life.

Term	Definition
Safeguards	Safeguards are supports and mechanisms that promote, enhance and protect a person in the following domains: • Human rights • Decision-making, choice and control • Safety and wellbeing • Citizenship and quality of life.
Service level safeguards	Include quality frameworks, complaints mechanisms and workforce requirements such as qualifications, recruitment practices and performance standards.
System level safeguards	Include internal and external processes for making complaints, processes to have decisions reviewed by an independent body and statutory powers.

Responsibilities

Compliance with this policy is mandatory.

Principles

The principles that underpin this policy and guide the practice of safeguarding are:

- developmental – each person's individual plan should include supports and strategies that increase their skill and capacity in order to minimise vulnerability and risk
- self-determination – maximise a person with disability's full involvement in the consideration and determination of their own safeguards, to the extent of their capacity
- individualised – the consideration and determination of safeguards is relevant to a person's circumstances and proportionate to their level of vulnerability and risk
- responsive – safeguards should be responsive to the circumstances of a person at a particular time, and may need to change over time as their circumstances change
- based on assumption of capacity - all people with disability have capacity to make decisions and exercise choice, regardless of their disability, unless proven otherwise for a specific decision. Capacity is decision-specific. People with disability who require support to make decisions and exercise choice should have access to the support they need
- based on minimum restriction – safeguards enhance the safety and wellbeing of the person and other community members, while imposing the least possible restriction on a person and their choices.

Introduction

When people are vulnerable and at risk of experiencing compromised human rights or individual outcomes, safeguards can provide preventative and proactive responses which maximise the person's skills and capacity, and/or address the environment and supports to minimise their vulnerability and risk.

As part of the Local Coordination planning process, safeguards for the person with disability are assessed and included in the plan, if required.

Safeguards should include a range of informal and formal supports, and mechanisms operating at the level of the person, their community, their disability services, and overarching government systems and legislation.

Implementation

This Policy will be implemented in Local Coordination areas.

The consideration and determination of individual safeguards may be required in the everyday life of a person and/or in a particular decision, choice or situation.

People supporting the person with disability in the consideration and determination of safeguards should, as far as possible, be free from conflict of interest and objectively focus on the person's interests in these considerations.

When developing or reviewing a plan, consideration should be given to the person's identified strengths, vulnerabilities and potential risks, and to incorporating safeguards, capacity and skill building into the plan strategies. A balance needs to be achieved between meeting duty of care responsibilities and acknowledging the person's freedom to make decisions. All people have the freedom to make decisions and choices that expose their own self to a level of risk. All people also have freedom to make mistakes, and learn and grow from trial and error. This is referred to as dignity of risk.

The Planning and Assessment Tool, used by a Local Coordinator when developing a person's individual plan, includes an assessment of vulnerability and risk for the person with disability and assesses the person's decision-making ability. This informs planning with regard to the safeguards that are currently in place and those that are recommended to be included.

When there are situations where the person with disability is unable to assess and identify risks, their family, carer and/or advocate should also be involved in the consideration and safeguards.

Other mechanisms operate to assist in safeguarding people with disability, their family and carers. Such mechanisms include the People at Risk Team, Serious Incident Reporting, Positive Behaviour Support plans, and the role of the Regional Intensive Support Coordinator. The relevant policies and procedures for these mechanisms can be found in 'Other Related Documents'.

Other related documents

National Standards for Disability Services

Local Coordination Operational Policies:

- Prioritisation of Plans
- Support Needs Assessment
- Supported Decision Making

People at Risk Policy, Procedure and Operational Guidelines

Serious Incident Reporting Guidelines and Process Fact sheet

Planning and Assessment Tool: Adult/Child

Department of Communities Path to Safety: Western Australia's strategy to reduce family and domestic violence 2020 - 2030

Department of Communities Family and Domestic Violence Action Plan 2020 - 2022

Department of Communities Policy – Authorisation of restrictive practices in funded Disability Services

Document control

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Amendments

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