

## Safeguarding – Key considerations for disability service providers

Safeguarding is a priority focus for the Commission with the adoption of the National Standards for Disability Services ('Standards') from 1 July 2014. All of the Standards have a safeguarding function and Standard 1 on Rights and Standard 4 on Feedback and Complaints provide a particular focus. In line with the Standards, the Commission evaluates how services facilitate safeguarding of vulnerable individuals' human rights and outcomes as part of the Quality System.

Safeguarding the rights of individuals who are vulnerable is not a new consideration for service providers and has always been embedded in practice. To promote understanding and best practice in safeguarding individuals who are vulnerable, and facilitate the implementation of the Standards, the Commission developed the 'Individual Safeguarding Position Paper'. The paper was informed by broad sector consultations in 2012/13 for the project "Independent support and safeguarding for individuals considered most vulnerable". The position paper can be accessed on the [Commission's website](http://disability.wa.gov.au) at disability.wa.gov.au > disability service providers > Quality system.

### Excerpts from the individual safeguarding position paper

Safeguards refer to supports and mechanisms that promote, enhance and protect an individual's:

- human rights
- decision making, choice and control
- safety and wellbeing
- citizenship and quality of life

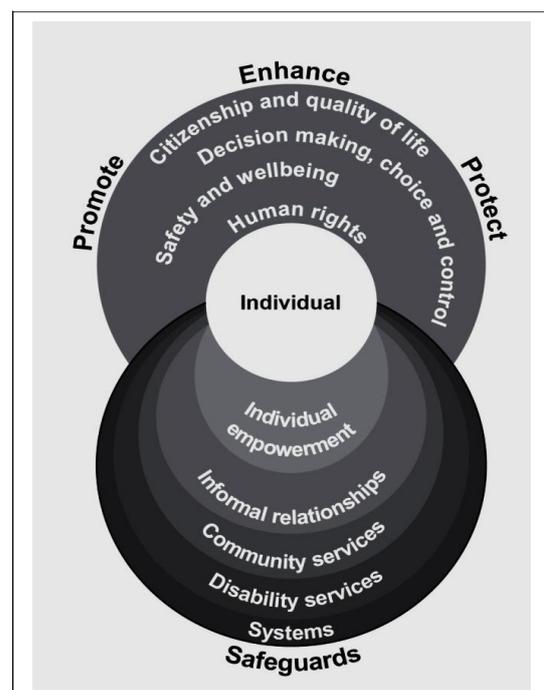
When individuals are vulnerable and at risk of experiencing compromised human rights or individual outcomes, safeguards can provide preventative and reactive responses to minimise an individual's vulnerability and risk.

Safeguards include a range of formal and informal supports and mechanisms operating at the level of the individual, the community, their disability services, and overarching government systems and legislation. There is a range of safeguards that need to be considered:

- individual empowerment
- informal relationships
- independent community services
- disability services safeguards
- systems level safeguards

The position paper provides information on key considerations in the determination of vulnerability and risk, duty of care and dignity of risk; and the range and function of safeguards.

The spectrum of individual safeguards



## Key considerations for disability service providers

The following are proposed as some of the areas service providers need to consider for best practice in facilitating safeguarding of individuals who are vulnerable.

- Implement policies and procedures that include information and guidance on:
  - determining individual vulnerability, risks, duty of care and dignity of risk, determining and facilitating appropriate safeguards
  - documenting and reviewing considerations of vulnerability, risks, duty of care and dignity of risk, and individual safeguards, including in individual plans
  - facilitating safeguarding of individuals who are vulnerable, further to any specific policies and procedures for critical incidents such as abuse and neglect
  - staff roles and responsibilities in relation to safeguarding
- Provide publicly available and accessible service information for individuals, their family, friends, carers and advocates that promote:
  - individuals rights
  - the range of safeguards available
  - the important safeguarding role of family, friends, carers and advocates and how they can be involved
  - independent services that can provide safeguarding (including advocacy, legal advice, complaints and statutory services), and ways to access them
- Staff induction, training and development so:
  - staff and management understand the service's policies and procedures for safeguarding individuals who are considered vulnerable
  - key staff understand and can describe the determinants of individual vulnerability, risk, duty of care, dignity of risk
  - key staff understand the range and function of various safeguards and the importance of independent safeguards and relationship-based safeguards
  - key staff can describe which individuals accessing services are most vulnerable and their safeguards
  - key staff can describe strategies used to facilitate safeguarding of individuals considered vulnerable. Strategies include individual empowerment, the safeguarding role of family, friends, carers and advocates and access to independent advocacy, advice, complaints, statutory safeguards
  - management can describe their legislative responsibilities in relation to facilitating access to independent safeguarding
- Service practices that:
  - ensure individuals, their family, friends, carers and advocates have accessible information on their rights and available safeguards
  - involve individuals as far as possible, to the extent of their capacity, in the determination of their own safeguards and involve their family, friends, carers, advocates and legal representatives as appropriate
  - facilitate individual empowerment
  - maximise and support the safeguarding role of the individual's family, friends, carers and advocates
  - facilitate and support individuals (and their family, friends, carers and advocates) access independent advocacy, legal advice and statutory services as appropriate
  - directly provide activities of safeguarding.