



Patient/Client/Resident Abuse & Neglect Prevention & Management Procedure

Procedure Number
CHC-PN-0013

Version Nos:
4

1. Purpose

This Procedure is performed as a means of identifying possible neglect and abuse of a patient/consumer, resident, by a West Coast District Health Board (WCDHB) staff member, visitor or relative, and outlines the course of action to be taken by WCDHB staff.

2. Application

This Procedure is to be followed by all staff members throughout the WCDHB.

3. Definitions

For the purposes of this Procedure:

Abuse is taken to mean situations when a person experiences harmful physical, mental, sexual, material and social effects caused by the behaviour of another person with whom they have a relationship implying trust. These definitions are not limited to any WCDHB facility, but relate to any place where an individual may reside. The forms that abuse may take include:

| Type Of Abuse | Description |
|----------------|---|
| Physical | Infliction of physical pain, injury or force |
| Mental/Verbal | Behaviour that causes mental or emotional anguish or fear. |
| Sexual | Sexually abusive and exploitive behaviours involving threats, force, or the inability of the person to give consent. |
| Material | The illegal or improper exploitation and/or use of money or other resources. |
| Discriminatory | Discrimination on the basis of race, ethnic or national origin, religion, ethical belief, gender, sexual orientation, age, disability, marital status, employment status, family status, political opinion |
| Psychological | Use of threats, humiliation, bullying, and any other form of verbal or mental cruelty that results in physical distress, anguish, stress or fear. It includes the denial of basic human rights such as choice, self expression, privacy and dignity |
| Institutional | Mistreatment or abuse by a regime or the individuals within an organisation. |
| Abandonment | Desertion or willful forsaking of an elder by a person having the care and custody, under circumstances in which a reasonable person would continue to provide care of custody. |

Neglect is taken to mean situations when a person experiences harmful physical, mental, material and/or social effects as a result of another person failing to perform behaviours which would reasonably be expected in the relationship. The forms that neglect may take include:

| Type of Neglect | Description |
|-----------------|---|
| Active | Conscious and intentional deprivation by a carer of basic necessities thus resulting in harmful physical, mental material and/or social effects. |
| Passive | Refusal or failure by carer, because of inadequate knowledge, infirmity or disputing the value of the prescribed services, to provide basic necessities consequently resulting in harmful physical, mental, material and/or social effects. |



Self Neglect is taken to mean situations when a person experiences harmful physical, mental, material and/or social effects as a result of failing to provide him/herself with the basic necessities for physical and/or mental well-being.

4. Responsibilities

For the purposes of this Procedure:

Staff Members are to:

- take immediate actions to ensure the safety of the victim and to minimise further harm;
- offer support and advocate if necessary;
- report incident to their Manager/Senior Staff person on duty;
- complete a WCDHB Accident/Incident Report Form

Managers/Senior Staff are to involve other professionals as necessary, i.e. medical assistance, police, counsellors, and if required the General Manager – Secondary Services, Director of Nursing or Risk Manager.

Senior Management are to decide in conjunction with the victim's clinical team if formal legal action is to be taken.

5. Resources Required

This Procedure requires:

- i) WCDHB Accident/Incident Report Form

6. Process

- 1.00 WCDHB is committed to assessment and intervention in relation to the abuse and neglect of vulnerable patients/clients/residents by:
 - increasing awareness and enabling staff to recognise indicators/alert features; and
 - developing specific staff expertise in assessment and intervention; and
 - developing (with reference to national standard frameworks), guidelines and procedures for use where abuse or neglect is identified; and
 - establishing working relationships and referral pathways with community agencies.
- 1.01 Any action that constitutes abuse and/or neglect of any patient/client/resident of the WCDHB is to be fully reported and investigated to ensure:
 - i) corrective action is taken; and
 - ii) prevent/minimise harm to the patient/client/resident; and
 - iii) provide guidelines/recommendations for better practice.
- 1.02 All patients/clients/residents have the right to receive fair treatment, dignity and support, under the Health and Disability Commissioner Code of Rights, whilst receiving a Health or Disability Service, which includes the right to make a complaint (*See WCDHB Complaints Procedure*).



- 1.03 If a staff member suspects neglect or abuse of a patient/client/resident, staff member, visitor or relative, that staff member (in consultation with their Manager or another relevant Manager) is responsible to ensure immediate actions are taken to ensure the safety of the victim and to minimise further harm, and offer support and advocacy if necessary. **NOTE: Should staff believe that the individual is in danger then ALL EFFORTS must focus on patient/client/resident safety and intervention by the appropriate authority.**
- 1.04 Once the safety of the patient/consumer, resident, staff member, visitor or relative has been achieved, staff are to report the concerns/incident and the immediate action taken, to their Manager/Senior Staff person on duty, as well as documenting the concerns, and then complete a WCDHB Accident/Incident Report Form.
- 1.05 The staff member reporting the abuse or neglect may also be required (by their Manager/Senior Staff person on duty) to write a statement of their concerns.
- 1.06 The Manager/Senior Staff person on duty will involve other professionals/agencies as necessary, i.e. medical assistance, police, counsellors, HR Department, and inform the Director of Nursing and General Manager – Secondary Services.
- i) In relation to a child or young person in the community a notification to CYF should be made if there is a belief that they are in need of care and protection;
 - ii) In relation to an Older Person over the age of 65years a referral should be made to Buller REAP Elder Abuse & Neglect Prevention Services
- 1.07 Where the abuse/neglect would appear to have occurred while the patient/client/resident was a consumer of a WCDHB service, the Director of Nursing and General Manager – Secondary Services are to ensure that a full and comprehensive investigation is undertaken that ensures that all parties are consulted and all relevant information gathered.
- 1.08 A decision is then to be made whether formal disciplinary or legal action is to be taken (this is to be made by Director of Nursing and General Manager - Secondary Services), or if other actions such as training or redeployment are to occur. *(as per the requirements of the WCDHB Staff Discipline, Suspension and Dismissal Procedure)*
- 1.09 If a decision is made that formal disciplinary or legal action is to be taken, the Chief Executive Officer is to be informed prior to the action being taken.

7. Precautions And Considerations

- ➔ Any action which constitutes abuse and/or neglect of any patient/client/resident of the WCDHB is to be fully reported and investigated;
- ➔ The safety of the patient/client/resident is to take priority over all other concerns
- ➔ It is a mandatory requirement that all WCDHB staff report any concerns regarding abuse/neglect to their immediate Manager, or another appropriate Manager.



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8. References

Code of Health and Disability Services Consumers' Rights

9. Related Documents

WCDHB Complaints Procedure

WCDHB Accident/Incident Reporting Procedure

WCDHB Staff Discipline, Suspension and Dismissal Procedure

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