

Late submission for Inquiry into abuse in Disability Services Stage 1

From 2008- 2014 I worked for Yooralla as a trainer and assessor developing and delivering tailored training people with a wide range of disabilities. In 2012 our department received a directive from our CEO Sanjib Roy to provide training for Yooralla's residential and day service clients in rights and reporting of abuse. This was due to allegations of sexual assault by a Yooralla staff member that had by a number of clients. In addition, it was found that these allegations had not adequately been responded to by the organisation. I was asked to develop and implement a program that taught clients about what abuse is, their rights and how to report these incidents. The program was delivered to over 200 clients across many services, both on and off sites where clients received supports. This program was the Life Skills: 'Speaking Up' Program and was delivered at Yooralla residential, day service, supported employment and disability education services across the state of Victoria. Uptake was good but some services avoided deliveries, notably those where abuse had previously occurred or subsequently occurred. Where regional managers put pressure on service managers to participate, uptake was better.

During this period I gathered many insights into the strengths and weaknesses in client reporting mechanisms, some of which I'd like to share with this inquiry.

- I. Workforce recruitment, screening and induction, training and supervision: Yooralla implemented shadow shifting for new DSW's which monitored how they interacted with clients while under supervision. I think this is a good practice but once this process is finished, clients revert to the usual safeguards. Clients I worked with accessed ongoing supports and needed assistance with many areas of their lives and self care. Nearly all the clients I met in training session relied on staff for reporting, here lies the inherent problem- staff have a conflict of interest when it comes to reporting. Their self interest, that of their colleagues, may not be conducive to reporting or even being client-centred. The many services I visited varied widely in the quality of service and client satisfaction, this seemed to depend on the attitude of staff and particularly the attitude fed down by service and regional managers.

Some services fostered a client centred explorative, responsive approach, while at others there seemed to be a culture of fear and harassment for both client and direct support staff. To put it simply when I facilitated clients to use Yooralla's compliments, suggestions and complaints process... usually there were only either compliments, suggestions or complaints depending on how the service was run. In situations where clients were unhappy, the culture around clients and staff in the service was usually poor in general, this was observable in the service managers approach. When I considered that most clients would rely on staff for help with reporting this was particularly disturbing.

Another disturbing element for me was that once the program had passed HDAA audit it was effectively shut down, giving me a sense that this area was only truly prioritized when 'someone was watching'. The program has been delivered again recently but I am constantly being contacted for assistance because most the resources have been misplaced. The

responsibility for running this program has given to a team of advocates as an additional task, no longer prioritized or properly resourced by the management of the organisation.

My recommendations in this area are:

- Training in developing and implementing individualised client safety plans for use by staff, that include each pwd's communication methods and chosen support people.
- Staff probation period feedback from clients in their services
- Psychological testing for support staff
- Training in clear risk assessment guidelines for staff
- Monitoring of service staff by an independent body, that has powers to protect whistleblowers
- Monthly service 'report cards' monitored by external body, these should be completed by each client in ongoing support

II. Provider registration requirements

Disability service provider that work with client who have reporting support needs should be required to evidence at regular intervals:

- Individual client safety and reporting plans/strategies, tailored to a pwd's abilities
- External assessment and reporting on client satisfaction with their service, monthly
- Clear risk assessment guidelines, reporting procedures and the right supports for those reporting (eg. Access to counseling services or advocates)
- Be able to provide evidence/plan of how they mitigate inherent conflicts of interest in the client to staff reporting process

III. Systems and handling of complaints

- Most clients I met across Yooralla were illiterate or very poor literacy skills, many in ongoing supports did not have use of their hands, many had intellectual as well as a physical disability... Basically, many barriers to reporting and complaints- they would require support from staff to make a complaint or report abuse. I would prefer to see plans and technology used to provide each person a way of reporting autonomously depending on their ability. This would require planning, problem solving and regular roleplays (a bit like a fire drill) to ensure the client can act out their safety plan
- Clients will require ease of access to ensure responsiveness
- Independent service 'report cards' facilitated and monitored externally
- Clear guidelines and procedures for risk assessment and supports for this process (eg. counselors and advocates)
- Mitigation of staff conflicts of interest in reporting eg. If I make this complaint about our service for you, my manager may stop giving me as many shifts.
- Client safety plans should be part of each organizations OH&S requirements

- The client needs to understand their safety and reporting procedures- with visual aid etc so they can understand it independently. Where this is not possible other safeguards need to be developed for the individual pwd
- Staff need to know all the options for reporting and complaints... eg. Many staff had never heard of the disability services commissioner

IV. The impact of current systemic safeguards on the rights and protections of people accessing disability supports

- Clients in ongoing care rely on others to help them report, usually staff with conflicts of interests inherent. This does not mean that the staff member won't help, it just means that they might not.
- Many clients I met that had experienced reporting said that nothing had happened. Sometimes this was accurate, other times they had not received timely feedback, sometimes they had forgotten the outcome and had no way of tracking the process. I suggested that staff put together a visual aid to help the person tracking a complaint/report.
- If reporting didn't work, often clients 'gave up', this was exacerbated by the extra layer of difficulty involved in gaining support with this process. To mitigate this I personally monitored all complaints that were made. I found follow up and responses were mixed. Sometimes I would have to step in again to provide follow up myself, to get an adequate result.
- If a staff member does not help a client adequately with reporting and follow up it can impact the pwd's view of reporting generally, creating a sense that there is no point speaking up.
- Clients living in services are able to protect/report for each other, particularly when given the right training or support. I found many willing to 'look out for others' in their service, this needs to be capitalized on.
- Services that received good feedback from clients, were just as busy as the others, they were under resourced etc... the difference was staff! Client centred, supportive of each other, able to approach management without fear and responsive to issues as they were raised. These services provided activities that clients chose, DSW's trained each other in client communication methods and they were able to draw information from clients even if the client could not speak. In these cases, staff benefited from the training I delivered by learning about options and resources to help clients report... clients learned about what abuse is, their rights and what to do if something went wrong... Everyone was affirmed by the process and I would leave with a compliment about the service, by the clients themselves. I would like this to be the normal experience of pwd's who require ongoing care and support.

There is so much more I could say on this and I have a lot of supporting materials that I would be willing to contribute. I've attached some of this to my submission, but I'm happy to help out in any way I can going forward. I was always passionate about client's rights but conducting the Life Skills: 'Speaking Up' Program has made me realize that

many vulnerable clients are a risk and require a more holistic and independent channel for seek support with reporting and complaints about their services and staff.

- Carmen Harris