

# Policy checklist

This checklist is closely aligned to the Preventing and responding to abuse of older people *NSW Interagency Policy 2015*. It forms one of several tools being developed by the NSW Elder Abuse Helpline and Resource Unit to assist agencies respond to, and prevent the abuse of older people that live in the community.

This checklist is provided to support agencies in redrafting or writing a policy in relation to the abuse of older people.

It is suggested that staff responsible for writing or aligning existing policies within their agency review the checklist and note any gaps, enabling further discussion and decisions about content.

## Terminology

For the purposes of this template the following terminology will be used:

- 'Agency' will be used throughout this document as a collective and generic term to mean: any government, non-government, community service, organisation or service provider.
- 'Managers' will include: all senior staff such as directors, supervisors, program managers and senior coordinators.
- 'Staff' will include: all staff in the agency, for example front line and direct care staff and volunteers unless specified.

## Policy implementation plan suggestions

1. Develop a procedural document and communication plan.
2. Train existing staff about the policy and the abuse of older people at regular intervals.
3. Include information about the abuse of older people policy in orientation procedures for new staff.
4. Include the abuse of older people as a permanent agenda item at relevant meetings as part of a prevention strategy.
5. Review the policy at regular intervals.
6. Collaborate at an interagency level to effect long term change and prevent abuse from reoccurring.

<b>Introduction - a clear introduction that identifies:</b>		
The policy owner.		
How the policy will be implemented including staff awareness and training.		
Related policies and legislation.		
A policy review date.		
<b>Purpose - a clear purpose is outlined that:</b>		
Guides staff in providing a consistent response in addressing abuse of older people in the community, both suspected and actual abuse.		
Protects and supports staff to encourage reporting.		
Upholds the rights, dignity and respect of older people.		
Values response mechanisms such as inter agency and multidisciplinary approaches to manage suspected and actual cases of abuse of older people.		
Makes reference to the Preventing and responding to abuse of older people: NSW interagency policy 2015 (NSW Policy).		
Supports a collaborative effort aimed at achieving a unified approach to the abuse of older people within NSW.		
Articulates a commitment to prevention and early intervention strategies such as forming regional partnerships and service systems. An example could be developing an interagency collaborative at the regional or sub regional level and where referral protocols and pathways are developed.		
Addresses systemic issues that are identified locally or within a specified region.		
<b>Definition of abuse - an overall definition of the abuse of older people is provided that:</b>		
References the World Health Organisation definition as articulated in the NSW Policy.		
Lists the forms of abuse including types and signs exemplified in the NSW Policy.		
<b>Scope - the parameters of the policy outlines:</b>		
Who the policy is for.		
What the policy covers and does not cover (e.g. does not cover abuse of older people in a Commonwealth residential aged care facility).		
The role of the agency and their overall responsibility in managing the abuse of older people.		
Procedures that will be developed to guide policy implementation.		
The limitations to the policy based on the agency role.		
Related policies or procedures within the agency and how staff can access these.		
<b>Key Principles of working with older people - key principles are outlined that:</b>		
Align to: <ul style="list-style-type: none"> <li>• NSW Interagency Policy</li> <li>• United Nations principles for Older Persons</li> <li>• NSW Charter of Victims Rights and NSW Code of Practice for the Charter of Victims Rights</li> <li>• Home Care Standards.</li> </ul>		
Consider the views of the older person even when they cannot make their own decisions.		
State how older people will be supported and respected to make their own decisions, by offering choices, including the decision not to act or refuse services if they are competent to make that decision.		
Focus on the safety and on going protection of the older person who has been abused when responding.		

Identify the legal remedies and protections available for older people who are victims of crimes: violence, sexual assault, physical assault, domestic violence, abuse, threats, fraud, neglect, stalking, intimidation and harassment.		
Take account of the diverse needs of the older person such as Aboriginality, culture, disability, religion, gender and sexuality.		
Acknowledge that the needs of the older person at risk of abuse and the abuser should be kept separate at all times, especially if the abuser is the carer.		
Articulate that confidentiality cannot be guaranteed where the safety of others is involved.		
Support the reporting of the abuse of an older person without fear of retaliation and retribution in a supportive environment.		
<b>Commitment - to deal effectively with the abuse of an older person by:</b>		
Creating a climate of trust where staff are encouraged and confident about identifying and responding to abuse.		
Protecting and supporting staff from any adverse action when making a report.		
Developing a process to deal with reports thoroughly and prevent it from reoccurring.		
Providing adequate resources to provide training for staff about identifying and responding to abuse.		
Managing workplace issues that the allegations identify or may result from a report of abuse and/or address any other problems.		
Working collaboratively within the agency and across agencies to achieve the best outcome for the older person and prevent abuse from reoccurring.		
Reassessing/reviewing the policy periodically.		
<b>Identifying abuse - details the five (5) forms of abuse outlining definitions and indicators consistent with NSW policy as:</b>		
Financial abuse definition and signs.		
Psychological abuse (including social isolation) definition and signs.		
Physical abuse definition and signs.		
Neglect definition and signs.		
Sexual abuse definition and signs.		
<b>Risk factors - vulnerability or risk factors can be present for both the older person and the alleged abuser and outlines:</b>		
Local demographics where older people are at risk (e.g. high numbers of older people, social isolation due to rural and remote factors, high incidence of domestic violence or other identified data, lack of services or accommodation including respite, poverty, cultural factors that impact).		
Common risk factors consistent with the NSW policy for older people such as: <ul style="list-style-type: none"> <li>Social isolation, confusion, deteriorating health, cognitive decline, dementia and capacity issues including behaviour changes such as violence and aggression, family history of abuse including domestic violence, family dysfunction, substance abuse and gambling, financial difficulties, inability to advocate or modify environment, cultural factors and dependency.</li> </ul>		
Common risk factors consistent with the NSW policy for abusers (carers and family members especially) such as: <ul style="list-style-type: none"> <li>Financial, emotional and physical situations sleep deprivation, challenging behaviours of older person, lack of support from family, community and service system, cognitive decline, cultural issues, lack of skill in caring role, family history of abuse including domestic violence.</li> </ul>		

<b>Key considerations in responding to abuse of older people - providing an appropriate, adequate and timely response with a focus on the safety of the older person, the carer and staff member by:</b>		
Outlining responsibilities of staff in relation to their duty of care.		
Developing local procedures and protocols that align to the NSW Policy.		
Responding promptly.		
Identifying what the older person wants in relation to care/case planning.		
Establishing a first point of contact within the agency.		
Considering referral options even if they fall outside the responsibility of the agency.		
Seeking opportunities to work collaboratively.		
Consideration of a case management approach.		
Reporting and consulting a manager.		
Documenting, recording and monitoring as appropriate.		
<b>Information sharing - Protecting personal information provided to the agency by:</b>		
Explaining privacy, confidentiality and duty of care.		
<p>Listing exemptions in release of information in responding to the abuse of an older person by referencing and summarising the impact of appropriate legislation:</p> <p>NSW legislation</p> <ul style="list-style-type: none"> <li>• <i>Crimes Act, 1900</i></li> <li>• <i>Crimes (Domestic and Personal Violence) Act 2007</i></li> <li>• <i>Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Act 2013</i></li> <li>• <i>Health Records and Information Privacy Act 2002</i></li> <li>• <i>Privacy and Personal Information Protection Act 1998.</i></li> </ul> <p>Federal legislation</p> <ul style="list-style-type: none"> <li>• <i>Privacy Act 1988</i></li> <li>• <i>Privacy Amendment (Enhancing Privacy Protection) Act 2015.</i></li> </ul>		
<b>Emergency response - describes the types of situations and responses to an emergency such as:</b>		
<p>Situations where an emergency service is contacted and where the police must be called regardless of the victims views, such as:</p> <ul style="list-style-type: none"> <li>• serious injury</li> <li>• access to a gun and threats to cause injury</li> <li>• using or carrying a weapon and likely to cause injury or instil fear in a reasonable person</li> <li>• an immediate and serious threat to an individuals or public safety exists</li> <li>• staff are threatened.</li> </ul>		
Protecting evidence for a Police investigation.		
Seeking guidance from NSW Police or other emergency service.		
Training and support to staff.		
Maintaining an up to date list of resources.		
<b>Mental capacity and consent - describes how capacity and consent relate to responding to the abuse of an older person in line with local guidelines and NSW policy:</b>		

Definition of capacity as it relates to an older person.		
Assessment of capacity.		
Considerations of capacity as it relates to informed consent.		
Lack of capacity and other options such as guardianship and powers of attorney.		
<b>Cultural considerations - reflect the role culture plays in understanding, identifying and responding to the abuse of older people where service delivery reflects:</b>		
Aboriginal and Torres Strait Islander older people.		
When and what type of information can be shared, consistent with legislation stated.		
See advice from the person's local Aboriginal community.		
Provision of options and service delivery that is flexible and culturally responsive to build family and community resilience.		
Support from Aboriginal-specific organisations, depending on the person's choice and circumstances.		
That elder abuse is something that can happen to any older Aboriginal person, not just Elders.		
The difference in life expectancy of Aboriginal people compared to non-Aboriginal people.		
The role of kinship in Aboriginal communities.		
Cultural and Linguistically Diverse (CALD) older people.		
Informed and sensitive support to older people in CALD communities acknowledging the role of family.		
Culturally appropriate services used such as interpreter services, bilingual community or health workers, GP or specialist services.		
De-identified consultation with community development workers from the cultural background of the family concerned as well as within your agency where possible.		
<b>Consider any other considerations in your area you wish to include</b>		
Lesbian, Gay, Bisexual, Transgender, Intersex.		
Women experiencing domestic and family violence.		
<b>Staff roles and responsibilities - identifies staff roles with a purpose to:</b>		
Allocate key responsibilities in relation to the abuse of older people.		
Also refer to <i>NSW Interagency Policy</i> .		
<b>Appendices -useful resources and references populated such as:</b>		
<b>Useful contacts</b>		
<b>Legislative and other references</b>		
<b>Other</b>		