

ELDER ABUSE DECISION TREE - NDIS

WARNING SIGNS & RISKS

- Carer stress &/or controlling attitude
- Dependency
- Family conflict
- Social isolation/lives alone
- Substance abuse
- Communication barriers
- Changes in appearance, behavior, unexplained injuries &/or financial status
- Under-utilised NDIS plan/cancellations
- Evidence-based risk factors

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SUSPECT ABUSE

REPORT CONCERNS TO SUPERVISOR

1. DETERMINE THE PERPETRATOR

IS IT AN EMERGENCY?
i.e. immediate threat to human life or risk of serious property damage.

Call 000

Refer to your Agency's Emergency /Family
Violence Policy.

Refer to **Safe Steps** or **Orange Door** for safety planning
and assistance.

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NDIS PROVIDER

[Home | NDIS Quality and Safeguards Commission](#)
 [\(ndiscommission.gov.au\)](https://www.ndiscommission.gov.au)

NDIS NOMINEE

- ◆ Are they safe today? Consider family violence response (See **Emergency Risk Referrals**) .
 - ◆ Consider nominee revoking process (See Tips).
- [Nominees Operational Guideline - Suspension and cancellation of nominee appointments | NDIS](#)
- ◆ Consider appointing new/additional advocate (See Referrals).
 - ◆ Consider changing/increasing NDIS supports or request a **Change in Circumstances Review**.

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FAMILY MEMBER / OTHER

- ◆ Are they safe today? Consider family violence response (See **Emergency Risk Referrals**) .
 - ◆ Are they a power of attorney? If so, consider POA revoking process.
- They can formally revoke this power by completing the ‘[How to revoke a power of attorney](#)’ form and giving the original, or a certified copy, to their attorney.
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2. DOES THE PARTICIPANT HAVE THE ABILITY TO MAKE DECISIONS IN THIS SITUATION?
Consider Secondary Consultation to reach decision (See tips).

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graph TD; A[ ] --> B[Yes]; A --> C[No or Unsure];
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Yes

CONSENT GIVEN

CONSENT TO ENGAGE WITH SERVICES

- Document the incident/s & participant's consent for further action.
- Consider what interventions are required e.g. family violence support, legal support, Office of Public Advocate, elder abuse case management. Ensure to involve care team — GP, NDIS services, LAC, Nominee (if they have one) emergency accommodation, respite, etc.
- Make referrals — (See Referrals for services listed).
- Arrange assistance and continue to involve participant with ongoing check-in/welfare calls.
- If current supports in the NDIS plan do not meet the needs of the participant, consider lodging a **Change in Circumstances Review**.

Principles: Uphold person's human rights - Enable autonomy by supporting informed choice & genuine control over personal decisions.

Sensitive enquiry: Sensitive practice is the way we treat people. It focuses on creating a sense of trust and safety within the service provider/ participant relationship, and ensures that the participant feels in control of their situation. Be mindful of the impact of trauma from family violence, don't undermine the persons sense of autonomy, respect their privacy, notice the signs, and sensitively enquire (non-judgemental & empathic) when safe to ask (who is present?).

Local Area Coordinator: The LAC can provide secondary consultation and creative solutions to review plan options. Visit in person, at local office or by phone.

Locate your local office's details via this link: <https://www.ndis.gov.au/contact/locations>

No or Unsure

NO CONSENT GIVEN

PARTICIPANT HAS CAPACITY TO MAKE DECISIONS

- Document the incident/s & participant's non consent for further action.
- Consider what existing supports/funding in the NDIS plan can be utilised to support the participant.
- Suggest to the participant that a **re-implementation meeting** can be requested with the LAC to review the existing plan and supports (See Tips).
- Continue to involve participant with ongoing check-in/welfare calls.
- Consider calling listed NDIS contacts e.g. support coordinator or support worker to check-in around participant's welfare and other opportunities to increase support.
- Continue to review risk (i.e. serious risk to life & safety? if so contact emergency services/seek advice and contact NDIS for a **Change in Circumstances Review**).

PARTICIPANT HAS UNCLEAR OR NO CAPACITY TO MAKE DECISIONS

Follow all of the above steps with the addition of:

- Discuss with participant options of new/additional advocate and/or nominee (see Referrals).
- If the participant has a nominee who is not the perpetrator, engage with them to consider the options available. A nominee has the same authority as the participant and can request a **re-implementation meeting** with the LAC to review the existing plan and supports (See Tips) or request a **Change in Circumstances Review**.
- If nominee is the person of concern, consider nominee revoking process (See Tips).
- If there is a decision to be made, call Office of the Public Advocate to discuss making a VCAT application for a substitute decision maker/guardian (See Referrals).

REFERRALS AND CONTACT NUMBERS	
EMERGENCY	
POLICE, FIRE, AMBULANCE	
1800RESPECT	1800 737 732
1800Elder HELP	1800 353 374
Crime Stoppers	1800 333
000	
NDIS hotline	1800 800 110
NDIA Webchat	Contact NDIS
Your local NDIS office	https://www.ndis.gov.au/contact/locations
Mensline Australia (male victims of family violence)	1300 78 99 78
National Disability Abuse and Neglect Hotline	1800 880 052
Disability Gateway	1800 643 787
Dementia Australia	1800 100 500
My Aged Care (MAC)	1800 200 422
Carer Gateway	1800 422 737
Relationships Australia	1300 364 277
VICTORIAN Family Violence SERVICES	
Safe Steps (24 hours)	1800 015 188
◇ Disability & Family Violence Crisis Response Initiative (DFVCRI)	
Seniors Rights Victoria	1300 368 821
Victims of Crime Helpline (male or female)	1800 819 817
InTouch - Multicultural Centre Against Family Violence	1800 755 988
The Rainbow Door	1800 729 367
Djirra (Aboriginal support service)	1800 105 303
LOCAL SERVICES	
The Orange Door (Frankston)	1800 319 353
Better Place Australia – Respecting Elders Program	1800 639 532
NDIS Local Area Coordinator:	https://www.ndis.gov.au/contact/locations
SECONDARY CONSULTATION & ADVICE	
Elder Abuse Liaison Officer	
◇ Peninsula Health	9784 7665
◇ Latrobe Community Health Service	1800 242 696
◇ Melbourne Health	9342 7000
◇ Monash Health	9594 6666
◇ Western Health	8345 6666
Office of the Public Advocate	1300 309 337

TIPS
<u>What is a family violence response?</u>
For immediate risk consider:
⇒ Safe Steps for crisis support including risk assessment, safety planning and assistance with crisis accommodation and care & assistance requirements.
⇒ Police for intervention order to remove perpetrator from home.
⇒ Orange Door (or local family violence service if Orange Door not available in your area) for safety planning, risk assessment and case management.
<u>What is the role of the Disability & Family Crisis Response Initiative (DFVCRI)?</u>
Support for People with Disabilities – Safe Steps Family Violence Response Centre
<u>What is the role of the NDIS Commission?</u>
Home NDIS Quality and Safeguards Commission (ndiscommission.gov.au)
<u>What can be done about changing/revoking a nominee?</u>
The participant can request to have a nominee removed at any time.
The NDIA can also choose to suspend or cancel a nominee if there are grounds to do so, for example harm to a participant, or the nominee failing to comply with their obligations.
Nominees Operational Guideline - Suspension and cancellation of nominee appointments NDIS
<u>How can VCAT /the Office of the Public Advocate help?</u>
Fact sheets for powers of attorney, guardianship and other matters can be found: Home - Office of the Public Advocate
<u>For ongoing support for older people experiencing abuse?</u>
Link participant to specialist services for older people such as Better Place Australia Senior Rights Victoria or ROSE or a family violence service such as The Orange Door
<u>Why should you always consider a secondary consultation?</u>
For information, advice & guidance about service responses & pathways—particularly navigating family violence options.
<u>What strategies can support a participant before the abuse starts?</u>
⇒ Support the participant to understand their rights and here .
⇒ Strengthening informal & formal networks & social supports.
⇒ Support the participant with proactive prevention strategies e.g. What are Re-spectful Relationships and Speak Up and be Safe
Consider choice of :
⇒ NDIS nominee (It will not be necessary to appoint a nominee where it is possible to support, and build the capacity of participants' to make their own decisions for the purposes of the NDIS Act) Nominees Operational Guideline - Appointment of Nominees NDIS .
⇒ A supportive attorney should be ensuring the participants will and preference is driving the decision-making characterised by a relationship of trust, equality & respect .
⇒ PoA—power of attorney has legal obligation to legally must ensure participant is supported to participate in decision making and exercise their wishes
⇒ Circle of support /community visitor or relevant support in your state.
⇒ Find an advocate—Contact VALID or via Disability Advocacy Resource Centre (DARU)
<u>What are your options where the participant does not recognise the behaviour as abuse?</u>
⇒ Secondary consultation —have a de-identified discussion about concerns and options with specialist elder abuse/family violence service, NDIS Local Area Coordinator, or other service as listed .
⇒ Be creative with existing support plan—rearrange services, apply for more, collaborate with other services and supports with consent to reduce risk.
⇒ Take action if nominee/PoA is not acting in the best interests of the participant.

