

What is Northcott's policy?

- ✓ Customer's human rights are supported for the prevention, identification and/or reporting of sexual, physical, emotional, financial and other forms of abuse and neglect. The allegation may be abuse by employees, other customers or other adults.
- ✓ We have a zero tolerance policy for staff or volunteer abuse of customers or engaging in grooming behaviours towards customers.
- ✓ All employees and volunteers have a Criminal Record Check completed before starting with us.
- ✓ Employees and volunteers working with people with a disability:
 - Understand the behaviours or actions that indicate abuse and neglect.
 - Are able to recognise signs that may be indicators of abuse and neglect
 - Recognise that people who require behaviour support, are non-verbal or experience communication difficulties may be more vulnerable to abuse and neglect.
- ✓ We support any person who has witnessed or suspects abuse or neglect of a customer to be confident in reporting it without fear of retaliation.
- ✓ All employees and volunteers are aware of their responsibility to report allegations of abuse or neglect by following our procedures.
- ✓ We respond to allegations of abuse and neglect by other adults, family members or carers and provide support to the person to access medical, psychological and legal assistance.
- ✓ We meet our legal requirement to report allegations of abuse and neglect in supported accommodation and respite settings to the NSW Ombudsman.
- ✓ The victim must give their consent before the family or person responsible of the victim, or other support person, is told about the allegation of abuse.
- ✓ All reasonable steps are taken to make sure that the customer is protected from further harm by preventing contact with the alleged offender.
- ✓ When the victim and offender are both customers, they receive equal support by an independent person during the response process.
- ✓ Access to records is restricted to those who are directly involved in reporting and responding to the incident to ensure that individuals' rights to privacy are upheld.

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Who needs to know about this policy and procedure?

- All Staff

What are the procedures?

Stage	What needs to be done?	Who does it?
<p>Observing and responding to current abuse and neglect incidents</p>	<ol style="list-style-type: none"> 1. Keep yourself safe 2. Ensure that customers and any other people present are safe 3. If you think the customer or another person is in immediate danger call the Police <ul style="list-style-type: none"> ○ Do not move or touch any evidence the Police may need in their investigation. ○ If possible, isolate the area where the incident occurred and do not allow anyone to enter the area until the Police arrive. ○ In cases of alleged sexual assault preserve the victim's clothing, bedding or other relevant material where possible. Try and delay bathing/showering until the Police arrive (if the victim is not distressed by the delay). ○ Do not ask the customer questions about what happened. That is the role of the Police. 4. If a customer or another person is injured call an Ambulance 5. If there has been a recent incident of sexual assault encourage and support the victim to attend the nearest NSW Health Sexual Assault Centre (Open 24 hours) 6. Immediately advise your Manager who will notify other relevant Management and staff 	<p>Person observing the current abuse and neglect</p>

Stage	What needs to be done?	Who does it?
<p>Receiving an allegation or suspecting abuse or neglect of a customer</p>	<p>7. Refer to Responding to a Customer's Disclosure of Abuse Procedure for guidance on managing situations where customers choose to disclose directly to staff</p> <p>8. Immediately inform your Manager</p> <ul style="list-style-type: none"> ○ Refer to Appendix 1 Indicators of Abuse. ○ You need to report situations where it is suspected or reported that abuse and neglect is continuing despite initial strategies to address the concerns. The Manager Prevention and Response to Abuse and Neglect and the Multidisciplinary Services Practice Manager will arrange a case conference with relevant staff to further discuss the issue and develop a plan of action. ○ If an incident occurs with a customer that you know lives in supported accommodation you or your Manager must liaise with the Manager Prevention and Response to Abuse and Neglect to determine if a notification to the NSW Ombudsman needs to be made (see Reporting to NSW Ombudsman page 6). ○ Abuse by an Employee – Refer to Allegations of Customer Abuse by an Employee Procedure ○ Abuse by another Customer – See Page 9 ○ Financial Abuse – See Page 10 <p>9. Notify other relevant Northcott Management and if further guidance is required, contact the Manager – Prevention and Response to Abuse and Neglect.</p>	<p>Person receiving or suspecting abuse or neglect</p>
<p>Reporting the Incident and Managing the incident</p>	<p>10. Complete an Incident Report Form within 24 hours and forward to your manager for entry onto RiskMan or if you have access enter it directly onto RiskMan within 48 hours.</p> <ul style="list-style-type: none"> ○ The incident type is 'Adult Abuse and Neglect'. ○ The incident rating is 3 or above. 	<p>Manager</p>

Stage	What needs to be done?	Who does it?
	<ul style="list-style-type: none"> ○ If the incident relates to 2 or more customers, separate entries must be made for each customer. <p>11. Any decisions made in relation to managing the incident must be documented in RiskMan including the reason for any decisions made and the name and contact details of the person making the decision.</p> <p>12. Consult with Level 4 Manager to appoint a contact person to communicate with the victim and family, person responsible or other support person. You must have consent from the victim to inform their family or person responsible of the alleged abuse.</p> <ul style="list-style-type: none"> ○ Information given to the victim must be in a form that is understandable. ○ If the victim is unable to make decisions about any aspect of the incident, a family member or person responsible must be present to make decisions on the victim's behalf. Consent for medical treatment or forensic examination must be provided by a person responsible in line with the Guardianship Act, 1987. <p>13. Make sure all employees who are in contact with the victim or the offender maintain confidentiality of information.</p>	
	<p>13. Consult with the Manager – Prevention and Response to Abuse and Neglect to consider:</p> <ul style="list-style-type: none"> ○ If it is an allegation of current recent abuse/neglect or about past abuse/neglect ○ If the customer has made a direct disclosure (i.e. speaking up to seek help) or not. ○ The type and severity of the abuse/neglect ○ Who is the source of harm to the customer (e.g. family member, staff, another customer, stranger) ○ when will that person next be in contact with the customer ○ What support needs to be provided to stop this 	<p>Level 4 Manager</p>

Stage	What needs to be done?	Who does it?
	<p>abuse from happening again.</p> <p>14. Consult with a Level 3 Manager and Manager – Prevention of Abuse and Neglect to decide the appropriate plan of action to:</p> <ul style="list-style-type: none"> ○ meet the crisis needs of the victim ○ maintain safety of others ○ tell the victim's family/person responsible and/or chosen support person with the victim's consent. ○ determine who else needs to be involved e.g. advocate, Public Guardian, other support services 	
<p>Reporting Abuse to the Police</p>	<p>15. Consult with Manager – Prevention and Response to Abuse and Neglect to assess if the allegation needs to be reported to the Police. There are circumstances where we do not need customer consent to inform the Police</p> <ul style="list-style-type: none"> ○ An allegation of sexual assault, serious physical assault or other serious crime must be reported to the Police. It is an offence to hide a serious crime that is punishable by imprisonment for 5 years or more, such as sexual assault, serious physical assault or criminal negligence causing grievous bodily harm or death. <p>16. In the case of minor offences where no one is hurt, nominate a staff member to talk with the alleged victim to find out their wishes before making a decision not to report a crime to the Police.</p>	<p>Level 3/4 Manager</p>
	<p>17. Consult relevant external organisations e.g. Police Assistance Line, NSW Ombudsman for further advice if it is unclear whether the Police should be informed.</p> <p>18. Tell the CEO before the Police are involved where possible.</p> <p>19. Call the police.</p> <ul style="list-style-type: none"> ○ Tell the Police if consent has not been given by the victim for the report. 	

Stage	What needs to be done?	Who does it?
	<ul style="list-style-type: none"> ○ Clearly state the victim's wish to not participate in an interview with the Police if that is the victim's decision. <p>20. If the victim does agree to an interview, ensure they have the option of an independent support person</p> <p>21. Information you need from the Police:</p> <ul style="list-style-type: none"> ○ The event number and the names and contact details of the officers who responded ○ When Police will be able to tell you if they will investigate or take other action ○ What information (if any) about the involvement of the Police can be shared and with who ○ Details of any Apprehended Violence Orders (and their conditions), charges, bail conditions and court dates where relevant 	
<p>Follow up with Police</p>	<p>22. Cooperate with the Police during their investigation.</p> <ul style="list-style-type: none"> ○ If the Police or another investigating body is involved, they may provide guidance about how the investigation will take place and what we need to do. If the police are likely to investigate, you need to ask advice from the police before giving details of the allegation to the alleged offender. 	<p>Level 3 Manager</p>
<p>Support for Customers</p>	<p>23. Assist the victim and family, person responsible or other support person to access Victims Services NSW and any other debriefing, counselling, legal or other support services if that is their wish.</p> <p>24. Refer to Where can I get help?</p> <p>25. Make sure that customers, both victim and offender, are supported by an independent person, who could be a relative, friend, advocacy service or legal practitioner.</p> <p>26. Support the victim, family, person responsible or other support person to take the matter through the legal system and access the services and advice</p>	<p>Employees</p>

Stage	What needs to be done?	Who does it?
	<p>they want. Refer to Where can I get help?</p> <p>27. Give Information to the customer, person responsible or other support person about legal rights, options and support services, in a format that suits their communication needs.</p>	
Support for Employees	<p>28. Consult with your Level 3 Manager to offer affected employees a debriefing session within 24 hours of the incident.</p> <p>29. Give employees information on how to access the Employee Assistance Program (Actevate ph: 1300 663 155).</p>	Supervisor

For Customers living in Accommodation - this can be Northcott accommodation or another service provider

Stage	What needs to be done?	Who does it?
Reporting to the NSW Ombudsman	<ol style="list-style-type: none"> 1. Notify the NSW Ombudsman if the incident is a reportable incident <ul style="list-style-type: none"> ○ If the incident relates to a customer attending a Northcott operated service, for example a day program who lives in supported accommodation operated by another provider, there must be close communication between Northcott and the supported accommodation provider when reporting and investigating the allegation. 2. Inform the CEO of the requirement to notify the Ombudsman 3. Work in collaboration with relevant staff. 4. Enter progress into RiskMan journal entries 5. Complete Notification Form Part A within the 30 day timeframe. 6. Add details of notification to the Northcott Ombudsman Reportable Incidents Spreadsheet 7. Get the completed Notification Form Part A form signed by 	Manager – Prevention and Response to Abuse and Neglect

Stage	What needs to be done?	Who does it?
	<p>the CEO or Level 2 Manager.</p> <p>8. Send the signed Notification Form Part A to the NSW Ombudsman by Registered Post.</p> <p>9. The NSW Ombudsman will tell us by mail if a Notification Form – Part B is necessary once they have reviewed the Part A paperwork. The Part B Form is completed once investigation into the reportable incident is completed and a risk management response is finalised.</p> <p>10. Upload copies of both the completed <i>Notification Form – Part A</i> and <i>Notification Form – Part B</i> into the Riskman entry, along with any other documentation relating to the incident.</p>	
Investigation of the Incident	<p>30. Identify risks resulting from the allegation.</p> <ul style="list-style-type: none"> ○ This may include addressing ongoing safety concerns, looking after all people involved and managing organisational priorities. <p>31. Collect evidence.</p> <ul style="list-style-type: none"> ○ Some examples of evidence collection include: interviewing the parties involved in the allegation, observing changes in behaviour, and locating documents that may help provide details about the allegation. <p>32. Log all evidence in RiskMan.</p>	Level 3 Manager/ Manager – Prevention and Response to Abuse and Neglect
Finalising an Investigation	<p>33. Use all the evidence to determine the finding.</p> <ul style="list-style-type: none"> ○ The final risk assessment and any action taken to manage ongoing risks. ○ Any final management action that may need to be taken. <p>34. Record the findings in Riskman for that allegation.</p> <p>35. Update any risk management plans relating to the incident.</p> <p>36. Notify customers involved that the risk management plan has been updated.</p>	Manager – Prevention and Response to Abuse and Neglect

Stage	What needs to be done?	Who does it?
	<p>37. Review the Customer Risk Profile of any customers involved in the incident.</p> <p>38. Assess and manage the risk of further incidents of abuse. Refer to Appendix 1 Indicators of Abuse.</p>	<p>Supervisor and employees</p>

Abuse By Another Customer

- When one customer is the suspected or known source of abuse towards another customer, employees must ensure that the rights of both customers are observed during the response and reporting processes.
- Any incident of abuse between customers must be entered into Riskman, as an 'Adult Abuse & Neglect' incident type, with a minimum incident rating of 3.
- The supervisor must ensure that the wishes of the victim and the offender are followed in relation to advising family, person responsible or other support person about the incident, where they are capable of making this known. When the victim and/or the offender are not capable then the supervisor will notify the appropriate person of the incident as soon as possible and within 12 hours of the report being made. Northcott does not require the victim's permission to notify the Ombudsman.
- The supervisor will facilitate access to appropriate support, where practical, for both customers, their families and employees, and ensure they have information about available services. If free services aren't available then the Level 3 Manager will investigate paid professional services.
- If the assault is of a serious nature it must be reported to the Police, this decision must be made by a Level 2 Manager or above. An assault of a minor nature may also be reported to the Police if one of the customers involved wishes to report the incident. In this case, the Supervisor and Level 2 Manager are to support the customer to contact a family member, responsible person or advocate to assist the customer to report the incident to the police.
- If a customer requests an employee to accompany them to the police station to provide support, the employee must first gain approval from their Manager. While supporting the customer at the police station the employee must not give an opinion about the customer if they are the alleged offender, give the alleged offender legal advice, or question the alleged offender on behalf of the police or interpret the alleged offender's answers. Where relevant the employee will on arrival at the police station inform the Police Officer handling the matter that the customer has an intellectual disability and needs an independent support person and request that questioning of the customer not commence until a support person or legal

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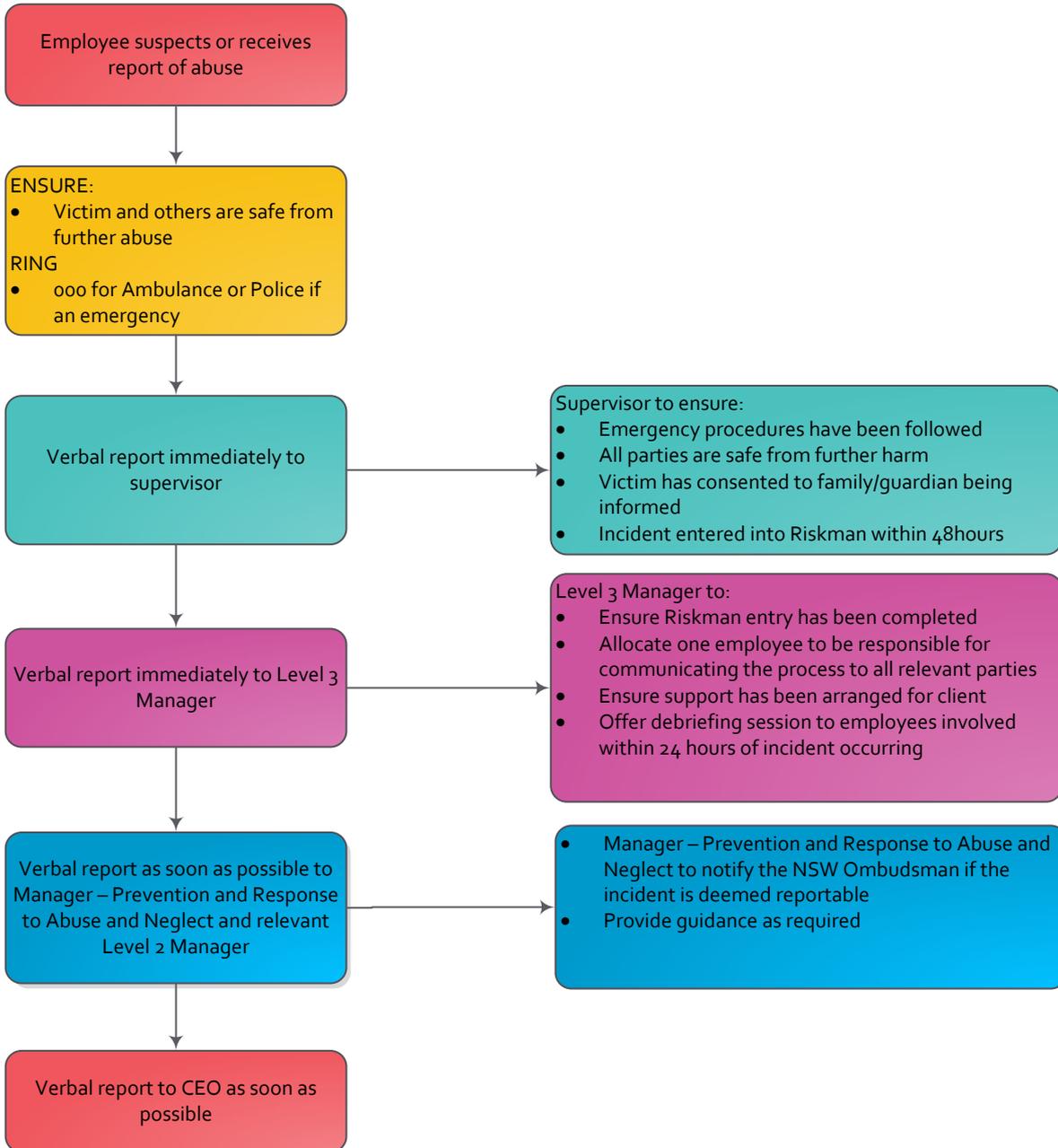
representative is present. The employee should be replaced by an independent support person, or a legal adviser as soon as possible and, if necessary, a support person to assist with communication and/or language skills.

Financial Abuse

- Employees of ADHC funded services must follow procedures described in the policies Managing Customers' Personal Finances in ADHC Residences and Principles for the Management of Finances in Residences, Accommodation and Centre-Based Respite Services when administering customers' personal finances.
- Where customers are vulnerable, and unable to manage their personal finances, this may be done informally by the family, person responsible or other support person. In the absence of a suitable informal financial manager, application is made to the Guardianship Tribunal to appoint a formal financial manager.
- If an employee suspects irregularities in the management of customers' personal finances, they are required to comply with the reporting processes of the relevant funding body.

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Flow Chart 1: Response to abuse or neglect or an allegation of abuse or neglect



Where can I get help?

Organisation	Contact Details
Northcott	Manager – Prevention and Response to Abuse and Neglect abuseandneglect@northcott.com.au

Legal advice and services

Organisation	Contact Details	Notes
Intellectual Disability Rights Service (IDRS)	Telephone: 02 9318 0144 or 1800 666 611	The IDRS provides telephone advice on a range of legal issues and representation in priority areas such as criminal law, care and protection and guardianship. IDRS also engages in policy and law reform work and undertakes community education.
Criminal Justice Support Network (CJSN)	Telephone: 1300 665 908 (9am – 10pm)	CJSN is a State-wide support and information service for people with an intellectual disability who are involved in criminal matters (whether they are victims, witnesses, suspects or defendants). CJSN, amongst other things, can provide support workers to assist a person with an intellectual disability at police interviews, at court and at related legal appointments.
Community Legal Centres (CLC)	http://www.clcnsw.org.au/ Telephone: 02 9212 7333	CLC are independent organisations that provide free legal advice, information and referrals for individuals and communities in NSW, especially people on low incomes or otherwise disadvantaged in their access to justice.
Australian Centre For Disability Law (formally known as Disability Discrimination Legal Centre (NSW))	Telephone: 02 8014 7000 or 1800 800 708 TTY: 1800 644 419	The Centre provides free legal advice, representation and assistance for problems involving discrimination against people with disabilities and their associates. However, the Centre is not a generalist legal service for people with disabilities and only assists in cases of disability discrimination under either the Australian Government Disability Discrimination Act or the NSW Anti-Discrimination Act.
Law Access NSW	Telephone: 1300 888 529	Law Access NSW is a website and telephone service that can assist people in finding information

Organisation	Contact Details	Notes
		and other services that will assist them with their legal needs.

Complaints

Organisation	Contact Details	Notes
NSW OMBUDSMAN	Telephone: 02 9286 1000 or 1800 451 524 or TTY 02 9264 8050	The Ombudsman's Office handles complaints about a range of services and providers including public sector agencies and community services.
ACT OMBUDSMAN	Telephone: 1300 362 072	
Individual And Group Advocacy Service (People with Disability Australia Incorporated)	Telephone: 02 9370 3100 or 1800 422 015 TTY: 02 9318 2138 or 1800 422 016	This is a free, non-legal advocacy service for individuals and groups of people with a disability who have serious and urgent problems. The service is available to people with all kinds of disability across NSW. The service also gives advice and information to people with a disability and their associates about how to advocate for themselves.

Reporting abuse

Organisation	Contact Details	Notes
Australian National Disability Abuse And Neglect Hotline	Telephone: 1800 880 052 or TTY 1800 301 130	The National Disability Abuse and Neglect Hotline is an Australia-wide telephone hotline for reporting abuse and neglect of people with disabilities using government funded services. Allegations are referred to the appropriate authority for investigation.

Victims' support

Organisation	Contact Details	Notes
Victims Services (NSW GOVERNMENT)	Telephone: 1800 633 063 Email: vs@agd.nsw.gov.au http://www.victimsservices.justice.nsw.gov.au/	<ul style="list-style-type: none"> Victims Services is a NSW Government agency that offers support to people who are victims of crime. Victims Services aims to ensure that its assistance is accessible to all victims of crime, including those with disabilities. The Victims Access Line provides confidential

Organisation	Contact Details	Notes
		<ul style="list-style-type: none"> support, referral and information Free access to the Approved Counselling Scheme can be arranged through the Victims Access Line
Victim Support (ACT)	Telephone: 1800 822 272 Email: victimsupport@act.gov.au http://www.victimsupport.act.gov.au/	<ul style="list-style-type: none"> Victim Support ACT provides information, advocacy, support and counselling service to people who have been a victim of crime in the ACT. Victim Support ACT can also help with information, advocacy and assistance with the criminal justice system, your rights and entitlements.

Sexual Assault Service (NSW and ACT Department of Health)

Employees should contact their local Sexual Assault Service (SAS) for advice if they are uncertain about reporting an incident as sexual abuse.

Organisation	Contact Details	Notes
NSW SAS	http://www.sexualassault.nsw.gov.au/VOSA/sexual_assault_contactus.html#Sexual_assault_services	<ul style="list-style-type: none"> The ACT Forensic and Medical Sexual Assault Care (FAMSAC) is located at Canberra Hospital can be contacted on (02) 6244 2184 Canberra Rape Crisis Centre (02) 6247 2525 The SAS provides a range of services that can include immediate care and counselling for victims of sexual assault. The SAS can advise about monitoring, documentation and duty of care issues in relation to any allegation of sexual assault.

What other Northcott documents are related?

You may need to refer to these documents for more information:

[Code of Conduct](#)

[Rights Policy](#)

[Privacy Policy](#)

[Critical Incident Notification and Investigation Policy and Procedure](#)

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Incident Management Policy and Procedure
 Restricted Practice Authorisation Policy and Procedure
 Discipline Policy and Procedure
 Northcott Enterprise Agreement
 Customer Death in Care Policy and Procedure

Related Forms

Notification Form – Part A (NSW Ombudsman)
 Notification Form – Part B (NSW Ombudsman)
 Incident Entry Form
 Customer Risk Profile
 Customer Death Notification Form

Who is responsible?	What are they responsible for?
Chief Executive	<ul style="list-style-type: none"> Final review and approval of this policy and procedure.
Level 2 Manager	<ul style="list-style-type: none"> Manage allegations involving employees
Manager – Prevention and Response to Abuse and Neglect	<ul style="list-style-type: none"> Coordinate the investigation into an allegation. Maintain this policy, its procedures and associated documents. Notify reportable incidents to the NSW Ombudsman
Level 4 Manager	<ul style="list-style-type: none"> Make sure the policy is effectively implemented in their services. Make sure staff follow the policy and procedure.
Supervisor	<ul style="list-style-type: none"> Make sure staff have read and understand the policy and procedure, and have sufficient skills, knowledge and ability to meet the requirements.
All Employees	<ul style="list-style-type: none"> Follow the requirements of this procedure.

Definitions, Legislation and Standards Compliance

For Definitions, refer to the Northcott Policy Dictionary

For Legislation and Standards Compliance, refer to the Rights Policy.

Related References

- Managing Customers' Personal Finances in ADHC Residences
- Principles for the Management of Finances in Residences, Accommodation and Centre-Based Respite Services



Authorised by:
Kerry Stubbs, Chief Executive Officer

Appendix 1: Indicators Of Abuse

- Employee and management play an important role in protecting customers from further harm by recognising the indicators of abuse and responding to them.
- The presence of one or more indicators does not mean that abuse has occurred but does require Employee to be vigilant on the customer's behalf.
- Indicators of abuse are not always obvious, and while customers or others may suspect that abuse has occurred there might not be any evidence to confirm the suspicion.
- Indicators are variable, and people who are familiar with customers and have a strong positive relationship with them are best placed to recognise behavioural changes that may suggest a customer is being abused.

	Physical Indicators	Behavioural Signs
Physical Abuse	<ul style="list-style-type: none"> • Facial, head and neck bruising or injuries. • Drowsiness, vomiting, fits (associated with head injuries) • Unexplained or poorly explained injury • Other bruising and marks may suggest 	<ul style="list-style-type: none"> • Explanation inconsistent with the injury; explanation varies • Avoidance or fearfulness of a particular person or Employee member • Sleep disturbances (e.g.

	Physical Indicators	Behavioural Signs
	<p>the shape of the object that caused it</p> <ul style="list-style-type: none"> • Bite marks or scratches • Unexplained burns or scalds • Unexplained fractures, dislocations, sprains 	<p>nightmares; bed wetting)</p> <ul style="list-style-type: none"> • Changes in behaviour: out of character aggression, withdrawal, excessive compliance
Neglect	<ul style="list-style-type: none"> • Hunger and weight loss • Poor hygiene • Poor hair texture • Inappropriate or inadequate clothing for climatic conditions • Inappropriate or inadequate shelter or accommodation • Unattended physical problems or medical needs • Health or dietary practices that endanger health or development • Social isolation. 	<ul style="list-style-type: none"> • Requesting, begging, scavenging or stealing food • Constant fatigue, listlessness or falling asleep • Direct or indirect disclosure • Extreme longing for company • Anxiety about being alone or abandoned • Displaying inappropriate or excessive self-comforting behaviours
Sexual Abuse	<ul style="list-style-type: none"> • Direct or indirect disclosure • Sexual act described by customer • Trauma to the breasts, buttocks, lower abdomen or thighs • Difficulty in walking or sitting • Injuries (e.g. tears or bruising), pain or itching to genitalia, anus or perineal region • Torn, stained or blood stained underwear or bedclothes • Sexually transmitted diseases • Unexplained accumulation of money or 	<ul style="list-style-type: none"> • Repeat use of words e.g. "bad", "dirty" • Self-destructive behaviour, self-mutilation • Sudden changes in behaviour or temperament, e.g. depression, anxiety attacks, withdrawal, agitation, anger, violence, absconding, seeking comfort and security • Inappropriate advances to others • Sleep disturbances, refusing

	Physical Indicators	Behavioural Signs
	<ul style="list-style-type: none"> gifts • Pregnancy 	<ul style="list-style-type: none"> to go to bed, going to bed fully clothed • Eating disorders • Refusing to shower or constant showering • Changes in social patterns, refusing to attend usual places (work, respite) • Excessive compliance
Psychological or Emotional Abuse	<ul style="list-style-type: none"> • Speech Disorders • Weight loss or gain 	<ul style="list-style-type: none"> • Feelings of worthlessness about life and self; extreme low self-esteem, self-abuse or self-destructive behaviour. • Extreme attention seeking behaviour and other behavioural disorders (e.g. disruptiveness, aggressiveness, bullying) • Excessive compliance • Depression, withdrawal, crying
Financial Abuse	<ul style="list-style-type: none"> • Restricted access to or no control over personal funds or bank accounts • No records or incomplete records kept of expenditure and purchases • Missing money, valuables or property • Forced changes to wills or other legal documents 	<ul style="list-style-type: none"> • Stealing from others • Borrowing money • Begging