



anf position
statement

australian nursing federation

compulsory reporting in aged care settings for nurses and assistants in nursing (however titled)

"Older people have the right to be treated with respect and dignity, whether they are being cared for in their own homes or in aged care homes."¹

The abuse of an older person has been defined as "any act occurring within a relationship where there is an implication of trust, which results in harm to the older person. Abuse can include physical, sexual, financial, psychological and social abuse and/or neglect".²

This position statement applies to registered and enrolled nurses and assistants in nursing (however titled)³ providing care and services to older people regardless of the setting in which that care is provided.

Compulsory reporting of alleged and suspected sexual and serious physical assault was introduced by the Australian Government from 1 July 2007, as a measure to safeguard against elder abuse in residential aged care facilities.⁴

It is the position of the Australian Nursing Federation that:

1. Any abuse of an older person is unacceptable.
2. Compulsory reporting is one element of a comprehensive response to the abuse of older persons. On its own, compulsory reporting will not prevent the abuse of older people.
3. In order for compulsory reporting to be effective, clear policies and protocols at the work place level must specify and support the process to be followed by the person making a report of any alleged abuse.
4. Registered and enrolled nurses, assistants in nursing (however titled) and other staff are required to report any suspected abuse of an older person immediately to their employer, who is required by legislation to report that suspected abuse to the police.
5. The person to whom the report is made has a legal obligation to action the report and to advise the person making the report that the report has been actioned and in what manner.
6. If the person making the report is not satisfied the action taken is appropriate, they have an obligation to make the report to a higher authority.
7. The person making the report must not be subject to any victimisation or discrimination in the workplace as a result of making the report.
8. The Australian Government has a responsibility to adequately fund the authority to which reports of abuse of an older person are made so that a full and comprehensive investigation can be undertaken.

9. The person against whom the complaint is made has the right to be informed of the complaint and the nature of the complaint; is entitled to representation; and to be accorded a process which is fair, transparent and unbiased.
10. The employer has a responsibility to provide education to all employees regarding abuse of older people and compulsory reporting, and to promote a workplace environment that creates a culture of respect for older people.
11. Registered and enrolled nurses are bound by codes of ethics and professional conduct^{5,6} with which they are required to comply when providing care to older people and when responding to any maltreatment of older people in their care.
12. Nurse and midwives should refer to the Nursing and Midwifery Board of Australia's *Guidelines for Mandatory Notifications*.⁷

endorsed by federal executive november 2006

reviewed and re-endorsed by federal executive february 2011

References

1. Department of Health and Ageing & Aged Care Australia. 2007. Information on prevention of elder abuse. Available at: <http://www.agedcareaustralia.gov.au/internet/agedcare/Publishing.nsf/Content/Prevention+of+elder+abuse>
2. This definition of elder abuse was endorsed in 2000 by all Australian state and territories through the Healthy Ageing Taskforce. Available at: <http://www.eapu.com.au/EdlerAbuse.aspx>
3. This is a generic term to describe such classifications as assistants in nursing or personal care assistants.
4. Australian Government. Information on compulsory reporting in residential aged care facilities. 2007. Available at: <http://www.healthysageing.gov.au/internet/main/publishing.nsf/Content/ageing-quality-guidelines-cr-ap.htm>
5. Australian Nursing and Midwifery Council, Australian Nursing Federation and Royal College of Nursing Australia. *Code of Ethics for Nurses in Australia*. August 2008. Adopted by Nursing and Midwifery Board of Australia (2010). Available at: <http://www.nursingmidwiferyboard.gov.au/Codes-and-Guidelines.aspx>
6. Australian Nursing and Midwifery Council. *Code of Professional Conduct for Nurses in Australia*. August 2008. Adopted by Nursing and Midwifery Board of Australia (2010). Available at: <http://www.nursingmidwiferyboard.gov.au/Codes-and-Guidelines.aspx>
7. Nursing and Midwifery Board of Australia (2010) *Guidelines for Mandatory Notifications*. Available at: <http://www.nursingmidwiferyboard.gov.au/Codes-and-Guidelines.aspx>