

## **Reporting sexual assault at [insert the name of your aged care home here]**

### **Definition of sexual assault**

Sexual assault (i.e. unlawful sexual contact or inappropriate sexual conduct) is any sexual activity between a staff member/volunteer and a resident; and any sexual activity without the resident's consent, or where consent isn't possible. Sexual consent is not given if the resident has mistaken the identity of the person they are having sex with, or the nature of the sexual act.

Consensual acts of affection such as greeting someone with a kiss on the cheek or hug, holding hands and consensual sexual relations between residents are not sexual assault.

### **Reporting to management**

If sexual assault is witnessed, disclosed, or suspected, it should be reported immediately to **[insert the name of the person it should be reported to]** by phoning them on **[insert phone number]**.

### **Reporting to Serious Incident Response Scheme**

From October 2022 the Aged Care Quality and Safety Commission requires that all sexual assaults are reported to the Serious Incident Response Scheme as a Priority 1 incident within 24 hours.

### **Reporting to Police**

The **[insert the name of the manager]** will review options for reporting to the Police, following discussion with the resident (or substitute decision-maker) and in compliance with our Sexual Assault Policy and Police Reporting Guidelines. The decision about Police reporting, and rationale for it, will be recorded in the resident's care notes.

### **Notifying family/substitute decision maker**

Ask the victim/survivor if they would like their family notified. If victim/survivor has a substitute decision-maker, they must be notified immediately, and this must be recorded in the victim/survivor's care notes.

Provide family members/substitute decision-makers with a copy of the #ReadyToListen Information for Families in Residential Aged Care.

### **More resources**

Please see our **[Sexual Assault Policy]** for more information. You can also find more resources on the Older Persons Advocacy Network webpage for the #ReadyToListen project preventing sexual assault in residential aged care at: <https://opan.org.au/ready-to-listen/>