



# Director of Forensic Disability

## POLICY

**Title:** Access to care and basic amenities at the Forensic Disability Service

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### 1. Policy Statement

Forensic disability clients (clients) detained to the Forensic Disability Service (FDS) are under the custody of the Administrator, FDS. This Policy is to guide the protection, care and support provided to clients at the FDS in terms of care and access to basic amenities.

### 2. Purpose

The purpose of this Policy is to highlight to all staff at the FDS their obligations to ensure all clients have access to basic amenities and an appropriate standard of care, and the FDS must meet these obligations by:

- ensuring staff are knowledgeable and aware of care requirements and access to basic amenities;
- safeguarding clients in accordance with the detention, care, support and protection requirements of the *Forensic Disability Act 2011* (the Act); and
- ensuring clients are supported in a manner which provides a safe and healthy environment and supports are provided to clients while providing a safe environment for staff, visitors and clients.

### 3. Scope

This policy applies to all persons accessing the FDS.

This policy must be implemented in a way that is consistent with the purpose and principles of the Act.

### 4. Authorising Legislation

Section 91 of the Act.

## 5. Policy

### 5.1 Protection, safety and access to care and basic amenities

The FDS is required to meet the challenges of providing rehabilitative and habilitative evidence-based programs and services to the client population detained to the FDS, while at the same time ensuring the protection and safety of the clients and all other persons attending the FDS.

In order to ensure the protection and safety of all persons attending the FDS, it is incumbent on the Administrator to attend to the daily operations of the FDS in a manner that not only ensures the protection of forensic disability clients but also maintains the security and good order of the FDS (refer to *Director of Forensic Disability Policy – Safety Practices at the Forensic Disability Service*).

While maintaining the security and good order of the FDS is a consideration, the onus is on staff to provide a reasonable standard of care and support to clients, including access to basic amenities and provision of care.

### 5.2 Care requirements and basic amenities

When considering the care provided to clients at the FDS, the Administrator should ensure that clients have access to the following:

- A safe, clean living environment, a reasonable degree of comfort and access to personal belongings suitable for the environment
- Sufficient clean and serviceable clothing and bedding (including mattress and pillow) at all times;
- Appropriate cleaning supplies and/or support with cleaning and attending to related activities of daily living;
- Laundry facilities, support with laundry and/or a laundry exchange if necessary;
- Reasonable access to appropriate personal hygiene, toiletries and grooming products including support where required;
- Reasonable access to a suitable telecommunications device, recognising the importance of communication with family, allied persons/support people, legal, advocacy etc;
- Visitors in line with the *Director of Forensic Disability Policy - Visitors to the Forensic Disability Service*;
- Sufficient food and water, including input and involvement into menu planning, meal preparation, and healthy food options; and
- Health and medical assessment and treatment, including medication.

The Administrator must implement effective measures to provide care and access to basic amenities, including communication to all staff and the provision of instruction, training and supervision as appropriate; and ensuring there are effective processes in place to document, monitor and review the care requirements and access to basic amenities for each client at all times. This may include identifying thresholds to assess the need for additional staff intervention to ensure reasonable standards are maintained. Providing effective care to clients should not be limited by this policy but determined based on client need.

Where restrictions are applied or there are limitations as to how this care is to be provided on the basis of clinical, risk or safety considerations, these are to be appropriately documented, reviewed on a regular basis, and reduced or eliminated at the earliest opportunity. Any assessment should:

- be based on evidence (e.g. clinical assessment, adaptive behaviour and occupational therapy assessments, behaviour and incident reports, observation data, controlled item assessments etc),
- outline the strategies in place to support a client with access to amenities or care (e.g. manner and frequency of staff engagement and support, thresholds, consideration of substitute items),
- include appropriate monitoring and oversight (e.g. daily checks, weekly reviews, actions and notifications to be undertaken if concerns are identified, and escalation points),
- identify thresholds for staff intervention (where needed) and
- be subject to review at regular intervals and allow for event-based reviews.

Where specific support plans are developed for clients in line with the above, these should be referenced within the client's Individual Development Plan.

### **5.3 Consent and presence of a Forensic Disability Client**

In ideal circumstances and in line with supporting the client's individual development by supporting the client to live independently, the client should be engaged in basic amenities and care tasks, be physically present, and provide consent and input as to how they would best like to be supported with these tasks. However, there may be times where the provision of the above may not align to a client's views, wishes or preferences, or it may not be possible for the client to be present or involved. It may be necessary to provide care and access to basic amenities irrespective of the client's views, wishes and preferences in some circumstances. This should be appropriately decided and documented with due consideration to the client's rights and the need to provide care and support in line with the Act.

### **5.4 Least restrictive**

In accordance with section 8 of the Act, the exercise of a power or a function under the Act relating to a forensic disability client must be exercised or performed so that the client's liberty and rights are only adversely affected if it is the least restrictive way to protect the client's health and safety or to protect others (this is referred to as the '*least restrictive principle*').

Whilst ensuring the protection and safety of clients detained to the FDS, it is important that FDS staff take an approach that applies the *least restrictive principle* when reasonably limiting a client's liberty and/or rights.

### **5.5 Issues identified with care requirements or access to basic amenities**

If a client, staff member or visitor to the FDS has concerns regarding the care requirements or the access to basic amenities given to a client at the FDS and raises the matter with FDS staff, this should immediately be brought to the attention of the Administrator. The Administrator must then assess and address these concerns. The Administrator is to notify the Director of Forensic Disability of the issues raised, the actions taken in response to the issue, and the outcome.



## 6. Respect for the dignity of clients

Some clients may be limited in their ability to independently attend to the activities of daily living or access basic amenities by virtue of their level of functioning or environment. In these instances, staff must ensure the protection, care and support of clients still meets the minimum care requirements and access to basic amenities. Staff must also conduct themselves and provide any support in this area in a manner that recognises the dignity of clients and their right to be treated with courtesy and respect.

## 7. Documentation

In line with the Director of Forensic Disability 'The Keeping of Records at the Forensic Disability Service' it is important that the FDS maintains full and accurate records of decisions to a sufficient standard and quality about a client's overall management, care and support in accordance with legislative obligations. The FDS are to ensure any decisions, observations and reviews are appropriately documented.

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