

Personal Relationships and Sexuality Policy

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Contact:	Director, Disability and Community Services
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Approval

Prepared by	Policy Analyst, Disability Services Policy and Programs	August 2019
Through	Manager, Disability Services Policy and Programs	August 2019
Through	Director, Disability and Community Services	August 2019
Cleared by	Deputy Secretary, Housing, Disability and Community Services	2019

Revision History

Version	Approved by name	Approved by title	Amendment notes
	Name	Position Title	
	Name	Position Title	
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Purpose

The majority of people with a disability do not need support to create rewarding relationships. However, some people with a disability have encountered obstacles in their attempts to develop relationships, explore and express their sexuality, and access sexual health information and services.

The purpose of the Personal Relationships and Sexuality Policy and associated Guidelines are intended to ensure that in accordance with the principles and standards of the *Tasmanian Disability Services Act 2011*, people with disability have services which enhance their right to develop and maintain personal relationships.

Mandatory Requirements

- One of the fundamental principles guiding disability service delivery is that people with disability have the same rights as other members of society, potential for physical, social, emotional and intellectual development. (Is this consistent with the wording in the new principles – there are a number which may be relevant.) *Tasmanian Disability Services Act 2011* outlines clear responsibilities for service providers to uphold and advance the rights of people they support. This means that there is statutory duty for services to assist and support people with disability to experience life to the full, to maximise opportunities for development and exercise real control over their lives.
- This is a Department wide policy and must not be re-interpreted so that subordinate policies exist. Should discrete operational differences exist, these must be expressed in the form of an operating Guideline or protocol.
- This policy and its related Guidelines apply to government agencies and community sector organisations funded by the Department of Communities Tasmania. The policy and its related Guidelines are applicable to anyone who provides services or support to people with disability including management, staff members and volunteers.
- Government agencies and community sector organisations funded by the Department will be required to incorporate the meaning and intent of this policy into any existing policy on personal relationships and sexuality or any policies that are developed in the future (including guidelines, procedures, protocols and factsheets).
- This Policy is aligned to *Accessible Island: Tasmania's Disability Framework for Action 2018-2020* a whole-of-government approach to ensure that all government agencies implement socially just policies and practices for Tasmanians with disability. This policy has been developed to assist management, staff members and volunteers to formulate a sensitive and consistent approach towards their responsibilities in the area of friendships, relationships and sexuality.
- Failure to comply with this policy, without providing a good reason for doing so, may lead to disciplinary action.
- Disciplinary action in this context may be a Penalty under the *Tasmanian Disability Services Act 2011* or constitute a breach of your Funding Agreement with the Department.

Roles and Responsibilities/Delegations

Service providers must:

- assist people with disability to develop self-esteem and a positive image, supporting personal development and social skills in all environments.
- actively encourage and support people with disability to access universal services that provide:
 - information about sexual development, contraception, menstruation, sexuality, appropriate expression of sexuality, rights and responsibilities and how to exercise these
 - encouragement and support to develop positive self-image and self-esteem through personal development and the acquisition of appropriate social skills
 - encouragement and support to develop sound decision making skills
 - knowledge and skills in the formation, maintenance and ending of relationships and;
 - assistance in understanding what constitutes sexual harassment and sexual assault.

- provide services to people with disability that are free from exploitation and harassment.
- ensure that where sexual abuse has occurred preventative measures are put in place immediately so that further abuse does not occur and that people with disability are safe
- ensure staff are appropriately skilled.

Important areas that must be considered in relation to personal relationships and sexuality

Guidelines that define the role of employees in identifying and enhancing the social and sexual lives of people with disability must address the following issues:

- the needs of people with disability
- dignity of risk and duty of care
- consent
- privacy
- diversity
- responding to sexual behaviour
- sexual health
- access to a Sex Worker
- contraception
- sexual abuse
- working with families.

These areas are described further in the Personal Relationships and Sexuality Guidelines P2010/1093-001 which must be used in conjunction with this policy.

Risk Implications

- Could result in Breaching the -United Nations Convention on the Rights of Persons with Disabilities and impact on the rights of people with disability to have the same rights as other members of society.
- Non- compliance with this policy will result in a breach under the Tasmanian Disability Services Act 2011.
- Not meeting the requirements of the Communities Tasmania Quality and Safety Standards Framework.

Training

- Specialist disability service providers are to ensure that all staff, whether employees or volunteers, are appropriately qualified and skilled and, where appropriate, credentialed and registered.
- All staff, whether employees or volunteers are to be provided with adequate support, training, debriefing and directions to enable them to effectively perform their duties.

Related Documents

1. [Personal Relationships and Sexuality Guideline P2010/1093-001](#)
2. [Accessible Island: Tasmania's Disability Framework for Action 2018-2021 \(DFA\)](#)

This Policy may be varied, withdrawn or replaced at any time. Compliance with this directive is **mandatory** for the Department. **Please Destroy Printed Copies.** The electronic version of this Policy is the approved and current version and is located on the Department's Strategic Document Management System. Any printed version is uncontrolled and therefore not current.