

CLIENT RIGHTS AND RESPONSIBILITIES

STANDARD 1. ACQS



1. Purpose

To provide clear guidelines to staff on client’s rights and responsibilities when accessing services provided by Northside Community Service.

2. Scope

This policy applies to all clients accessing programs across Community Services (excluding Children’s Services). This policy relates to all programs, service and activities undertaken by Community Service staff. This policy applies to all persons employed (paid and unpaid) within Northside’s Community Service Division. This policy applies to Northside management, Executive and Board as defined in the Approved Provider of Age Care Accreditation.

3. Policy

Northside Community Service will maintain appropriate mechanisms for ensuring compliance of client’s rights and responsibilities. All staff and volunteers will have access to the Client’s Rights and Responsibilities policy.

The following principles relate to rights afforded to all Northside clients:

- Be treated with dignity and respect
- Be informed and consulted about what services are available
- Be part of decisions about the service they receive
- Be assessed and to receive high quality services without discrimination
- Privacy and confidentiality of all the personal information kept about the client by Northside
- Have an advocate of their choice and access to other forms of redress
- Provide frank feedback about any aspect of the service received from Northside
- expect that any complaint will be resolved fairly, promptly and without recrimination
- Request access to their case notes. This request needs to be in writing by the client or their nominated advocate.
- Information will be supplied to the client within three working days from receipt of request
- Refuse or discontinue a service without recrimination

The following principles relate to responsibilities afforded to all Northside clients:

- to accept responsibility for his or her own actions and choices even though some actions and choices may involve an element of risk
- To treat staff, volunteers and other clients of Northside with respect and courtesy
- to respect the rights of care workers to their human, legal and workplace rights
- To provide a safe work environment for staff and volunteers of Northside and to assist them to provide services safely
- to treat care workers without exploitation, abuse, discrimination or harassment

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The following additional principles relate to rights in relation to Consumer Directed Care

- to be supported by the approved provider:
 - to set goals in relation to the outcomes he or she seeks from home care
 - to determine the level of ongoing involvement and control that he or she wishes to have in the provision of the home care
 - to make decisions relating to his or her own care
 - to maintain his or her independence as far as possible
- to choose the care and services that best meet his or her goals and assessed needs and preferences, within the limits of the resources available
- to have choice and flexibility in the way the care and services are provided at home
- to participate in making decisions that affect him or her
- to have his or her representative participate in decisions relating to his or her care if he or she requests it or if he or she does not have capacity
- to choose the approved provider that is to provide home care to him or her, and to have flexibility to change that approved provider if he or she wishes

In addition to our responsibilities under the Aged Care Act 1997 and other relevant legislation, Northside ensures the following under Australian Consumer Law:

- We provide clear, honest and complete information about our services to individuals, including information displayed on the My Aged Care website
- We give individuals time to make their decisions and ask for help if they need to
- We avoid pressuring individuals and adopting commission-based business models which might lead to pressure selling
- We make sure all the terms in our agreements are fair for all parties
- We provide a clear and easy dispute resolution process

4. Procedure

Northside Community Service staff will have access to specific training on Client’s Rights and Responsibilities as part of the orientation/induction process.

Northside staff will ensure individuals engaged in services:

- can request and access help to understand any information he or she is given
- are given a copy of this policy
- are offered a written agreement that includes all agreed matters
- can choose a person to speak on his or her behalf for any purpose
- Receive and explanation and information(written and verbal) about their rights and responsibilities during an initial meeting or assessment
- Receive information(written and verbal) about their feedback and complaints mechanisms available to them during an initial meeting or assessment
- Receive Northside’s Client Service Guarantee (written) during an initial meeting or assessment
- Receive an explanation of available service/s and engagement that will take place

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- Can expect staff to take into account the requirements of individuals to ensure clients, their carers and/or advocates fully understand their rights
- Will have any complaints processed according to the organisation Complaints and Feedback Policy
- Can access confidential mechanisms which allow them to complain about the care and services he or she receives, without fear of losing the care or being disadvantaged in any other way
- Can have complaints investigated fairly and confidentially, and to have appropriate steps taken to resolve issues of concern
- Understand their right to privacy and confidentiality and have this reinforced on an ongoing basis; verbally, in correspondence sent, and in literature promoting the services offered by Northside

Individual requirements of clients are taken into account through the following actions:

- Use of interpreters or interpreter services
- Acceptance of an individual's way of life, moral or religious beliefs and values
- The use of appropriately trained staff
- Staff will aim to overcome barriers that may affect a clients' ability to understand the information provided

Northside staff will ensure that clients engaged in Consumer Directed Care services:

- receive reliable, coordinated, safe, quality care and services which are appropriate to meeting his or her goals and assessed needs
- are given before, or within 14 days after, he or she commences receiving home care, a written plan of the care and services that he or she expects to receive
- receive care and services that take account of his or her other care arrangements and preferences
- have ongoing review of the care and services he or she receives (both periodic and in response to changes in his or her personal circumstances), and modification of the care and services as required.
- receive an individualised budget for the care and services to be provided
- have his or her individualised budget reviewed and, if necessary, revised if:
 - the care and services to be provided, or the costs of providing the care and services, change; or he or she requests the approved provider to review and, if necessary, revise the individualised budget
- receive a monthly statement of the funds available and the expenditure in respect of the care and services provided during the month.
- Can access his or her personal information.
- will have his or her fees determined in a way that is transparent, accessible and fair
- receive invoices that are clear and in a format that is understandable
- have his or her fees reviewed periodically and on request when there are changes to his or her financial circumstances
- will not to be denied care and services because of his or her inability to pay a fee for reasons beyond his or her control.

Consumer Directed Care clients responsibilities in relation to service engagement will be to:

- respect the conditions in the agreed contract for services
- abide by the terms of the written home care agreement
- negotiate with the Co-ordinator, not the staff providing the service, if changes to service arrangements are required
- provide timely advice, where practical, about changes required to the service or a cancellation fee may apply

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- pay regularly the agreed client contribution for the services provided
- give enough information to assist the approved provider to develop, deliver and review a care plan
- tell the approved provider and their staff about any problems with the care and services
- before the client changes approved providers, to tell the approved provider and their staff of the day the client intends to cease to receive home care services from the approved provider
- allow safe and reasonable access for care workers at the times specified in his or her care plan or otherwise by agreement
- provide reasonable notice if he or she does not require home care to be provided on a particular day

5. Definitions

Approved Provider: A person who holds a provider approval under the Aged Care Provider Approval and (if relevant National Mental Health Standards). Key Personnel linked to Approved Provider Accreditation include the Board of Directors, CEO, All Executive positions, Senior Management and management positions directly related to the provision of age care and in the case of the Mental Health Standards, mental health.

Northside: Northside Community Service, including all Services operated by both Community Services and Children’s Services.

Client – individual engaged in or accessing Northside’s community service programs.

Northside staff - paid and unpaid employees delivering services, programs and activities

Access -the ability to be able to approach Northside to enquire about available services.

Carer A person who, through family relationship or friendship, looks after a frail older person or someone with a disability or chronic illness. Carers look after these people in the community or in their own homes.

Advocate A person who represents and works with an individual or group of people who may need support and encouragement to exercise their rights, in order to ensure that their rights are upheld

6. Responsibilities – Key roles & responsibilities

Approved Provider Key Personnel ensure regular monitoring and review of systems and processes through internal auditing and regular reporting.

Management ensures processes and practices are in accord with upholding the rights of individuals and provide the resources to support staff and consumers including staff development and supervision.

7. Related Documents & References

Standards

Age Care Quality Standards	Standard 1 – Dignity and Choice
National Practice Standards for Mental Health	Standard 1 – Rights Responsibility, Safety and Privacy. Standard 3 - Meeting Diverse Needs

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Legislation

- Aged Care Act 1997 (Cth), Schedule 1 User Rights Principles 2014.
- Charter of Rights and Responsibilities
- Residential Care Aged Care Act 1997 (Cth), Schedule 2 User Rights Principles 2014.
- Charter of Rights and Responsibilities – Home Care Aged Care Act 1997 (Cth), Schedule 3
- User Rights Principles 2014.
- Charter of Rights and Responsibilities – Short-term restorative Care Aged Care Act 1997 (section 11.3)
- Meaning of people with special needs Australian Privacy Principles 2013
- Australian Government *Competition and Consumer Act 2010*

Documents

- Clients with Diverse Backgrounds Policy
- Informed Consent Policy
- Supported Decision Making Policy
- Complaints and Feedback Policy
- Privacy Policy
- Access and Equity Policy
- Client Service Guarantee

8. Document Control & Version History

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Written by: Name & position	Kate Cvetanovski – Executive Director, Community Services.
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Corporate/Community Services or Children’s Services:	Community Services

Version History

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