

Rights and Responsibilities

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Related Forms **Assessment and Intake**

Related Documents **Welcome Pack**

Related Policies **Freedom, From Abuse & Neglect, Individual Planning and Outcomes, Advocacy.**

**Policy & Procedure
Bethel Lifecare**

1. Introduction

Like everyone else, people with disability have the same right to human worth and dignity, to be respected and to fully participate in society as equal to all other citizens. They have the right to exercise choices that are the same, where possible, in everyday life enjoyed by other people in the community.

Under the NDIS Practice Standards each person has the right to receive services which respect and promote their legal and human rights and which place them at the centre of decision making on all aspects of the way they live their life.

As a service provider Bethel Lifecare promotes the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and applies the guiding principles of fairness and human rights in all aspects of its service delivery.

2. Purpose

This policy outlines the principle expectations of Bethel Lifecare in regard to the application and maintenance of rights and responsibilities. It has been incorporated into the organisations quality framework to serve as an important guidepost in articulating the rights and responsibilities of people using the service, their families, carers and other important people who form part of the person's support network. It will function as a tool to stimulate and promote trust and cooperation and clarify expectations.

3.0 Scope

The scope of this policy covers all of the activities and operations of Bethel Lifecare. The policy applies to all participants, their families, carers and other important stakeholders, current and future worker(s) and contractors.

4.0 Definitions

- Participant: For the purposes of this document, the term participant refers to all potential, current and previous participants of Bethel Lifecare.
- Right: acceptable within a community's range of actions, beliefs and values; guided by mutual understanding, agreement and current practice; permitted and given to a person under law, e.g. equal opportunity, equity and access and anti-discrimination.
- Responsibility: things or actions within one's power or control for which an individual is answerable

- Capacity: the ability of a person ‘to make decisions about things that affect their daily life’.

A participant’s capacity to make a particular decision should only be doubted if there is a factual basis to doubt it. It should not be assumed that a client lacks capacity because she or he has a particular disability. If there are concerns with decision-making Bethel Lifecare will liaise with the family, carers and other support people or organisations to assist the process.

Capacity is unique to each individual and should not generally be assessed simply on the basis of a type of disability. A participant has capacity to consent if she or he is able to understand the general nature and effect of a particular decision or action and can communicate an intention to consent (or refuse consent) to the decision or action.

5.0 Service Charter & Principles

Bethel Lifecare ensures that the intent of the following principles are implemented in the course of service delivery.

- All people have the right to respect for their human worth and dignity;
- All people have the right to be free from discrimination, abuse or neglect and receive services, which respect and promote their legal and human rights;
- All people have the right to full participation in society equal to all other people, according to their individual and cultural needs and preferences;
- All people have the right to make their own decisions on the way they live their life;
- All people should be able to access or be supported to access information on their rights and be supported to exercise these rights;
- All people have the right to receive services, which maintain the privacy of their personal information in line with relevant legislation;
- All people are treated equally regardless of their gender and/or sexual preference;
- All people should be supported to have active partnerships between services, their families, friends, carers and/or advocates;
- Bethel Lifecare has a duty of care and legislated responsibilities for participant safety may take precedence over confidentiality under certain circumstances (e.g. subpoena)
- Families and carers have the right to make choices and be involved in decisions about all aspects of services offered to them and their family members receiving support.
- Participants have a right to be consulted directly about decisions that impact on them in age appropriate ways.
- Bethel Lifecare is committed to providing each person using a service with information, and support in a language and communication method that enables the participant to understand and exercise their legal and human rights both within the service and in the broader community.
- Bethel Lifecare is committed to providing training and information to any current and future worker(s) that ensures they are skilled in identifying and addressing risk factors and in responding effectively and proactively to allegations of abuse or assault.

6.0 Policy Statement

Bethel Lifecare believes each person (including children, young people and adults) with disability have universal rights and should have them respected, upheld and maintained at all times. Bethel Lifecare has a commitment to upholding each person's legal and human rights in all aspects of receiving a service and will act to promote and protect these rights in accordance with the United Nations Convention on the Rights of Persons with Disabilities and the Standards.

All information obtained from participants or about participants, including all written information in files or computer, information obtained by word of mouth, visual media and electronic recordings will be treated confidentially, in line with our Privacy and Confidentiality Policy and comply with all relevant legislation.

7.0 Participant Rights:

Participants of Bethel Lifecare have the right to:

- Respect for their individual human worth, dignity and privacy
- Participate fully in the life of their community
- Be informed about available services/programs provided by Bethel Lifecare and how to participate in and contribute to decision-making
- Have services to match their ongoing needs and goals
- Have services provided by appropriately qualified employees
- Be consulted about their needs and preferences
- Request to have their service provider changed
- Involve an advocate of their choice
- Have someone to speak on your own behalf
- Have control over their own lives and have a say in the provision of services that affect them including participating in decisions concerning the type of support/ assistance provided and the way it is provided.
- Appropriate support/assistance that is flexible in response to their changing needs and priorities.
- Access to quality services irrespective of sex, race, ethnicity, culture, language, religion, marital status, disability, sexuality or age.
- Expect support/assistance that is reliable, of high quality, culturally and linguistically relevant.
- Be provided with information in a language or format that is appropriate and easily understood.
- Privacy and confidentiality.
- See any information about them held by Bethel Lifecare in their files (and to amend any incorrect information).
- Express grievances and seek redress without fear of it affecting decisions relating to the assistance they receive and be supported where necessary through this process.
- Have complaints or grievances about service provision heard and dealt with in a fair and objective manner that is in line with the Standards.
- Refuse a service/support (refusal should not prejudice future access to services).

8.0 Participant Responsibilities:

Those accessing the support of Bethel Lifecare have a responsibility to:

- Respect Bethel Lifecare worker(s) and other person's using the service
- Respect the rights of others including their rights to confidentiality and privacy;
- Inform Bethel Lifecare of their support needs.
- Inform Bethel Lifecare of any health, behavioural or wellbeing issues.
- Proactively participate, where possible, in the development, implementation of services.
- Communicate any changes in circumstances and/or needs.
- Promptly pay any fees and charges. This generally only applies to self-managed participants.
- Inform Bethel Lifecare as early as possible when support is not required.
- Act in a way that respects the rights of other participants and Bethel Lifecare worker(s).
- Take responsibility for the results of any decisions they make.
- Seek a fair resolution of any complaints.

9.0 Responsibilities

The General Manager is responsible for the review of this policy is responsible, and will be held accountable for the following:

- ensuring the policy is effectively implemented in the service for which they have control;
- The Operations Manager is responsible for monitoring compliance with the requirements of the policy;
- ensuring current and future worker(s) are provided with training and information on the importance of recognising and respecting the legal and human rights of people who use the service;
- ensuring current and future worker(s) are familiar with the requirements of the policy, and have sufficient skills, knowledge and ability to meet the requirements.

10.0 Communication

Communication about this policy should be implemented in a way that suits each person with regard to their cultural background e.g. use of an interpreter or easy to read documents. This policy will be:

- communicated to the participants, their families/carers and key internal and external stakeholders of Bethel Lifecare;
- communicated to Bethel Lifecare current and future worker(s).
- accessible through Bethel Lifecare.

11.0 Policy Review

This policy will be reviewed in consultation with participants, their families and carers and worker(s) every 3 years.