Southern Stay
DISABILITY SERVICES

Rights and Responsibilities

Reviewed November 2023 | Version 2.1

Scope

Southern Stay's service users and staff.

Policy

Southern Stay will:

- Support people according to their needs to exercise their rights and responsibilities.
- Be aware of different language, cultural and communication needs of people and assist them to access a range of alternative information and communication methods to enhance their understanding.
- Provide information in a format that helps people understand their rights and responsibilities

Procedure

When accessing Southern Stay, participants have a right to:

- Be safe and feel safe. Being free from any forms of abuse and neglect
- Confidentiality – i.e. restricting disclosure of personal information and issues without prior consent (see Southern Stay's Confidentiality Policy)
- Autonomy, including a right to privacy, intimacy, and sexual expression
- Information about Southern Stay's services that are presented in an understandable Stay
- Share personal information as consented to
- Be consulted about issues that affect their services, personal care and future
- Be involved in decision-making that affects their personal care and future;
- Information including financial reports of their packages
- Access to advocacy, the right to be represented and choose an advocate of their choice (friend/ family) or an Advocacy Service. An advocate is someone a person chooses to speak on their behalf, to express their views and to assist in making choices and decisions.
- Access formal or informal interpreter services as requested or required. Information for accessing interpreter services is available through the office, Southern Stay Policy & Procedures, website, or through your program manager.
- Maintain and strengthen cultural connections within their personal networks
- **Make a complaint** or express your opinion in an informal or formal manner as per the Disability Act 2006 and the NDIS Practice Standards - 2018. Southern Stay welcomes comments, complaints and feedback on the "Complaints and Feedback" form (A02F). The process for making a complaint can be accessed in The Policy & Procedure Manual - Complaints and Grievances and How to raise your concern or complaint - participant brochure.

Rights and Responsibilities

When accessing Southern Stay, participants have a right to receive services that are:

- appropriate to meet expressed and/or assessed needs within the limits of available resources
- presented in a sensitive manner
- of the highest standard possible with the resources available
- up-to-date, comprehensive and accessible
- available within a reasonable time frame
- sensitive to gender, culture, social and spiritual needs

Participant Responsibilities – Charter of Participant Services

When utilising the services of Southern Stay, participants have a responsibility, within their personal abilities, to:

- communicate effectively, politely and respectfully with Southern Stay staff regarding needs, changes of situation, and/or any complaints regarding services that are offered by the organisation.
- to respect human worth, dignity and privacy of other consumers using our service and our staff.
- give Southern Stay general feedback about services received.
- give your written consent to others receiving information about you.
- treat service equipment and property with care and respect.
- report any damage caused to Southern Stay's equipment and/or property.
- if receiving in-home support, provide a safe workplace for Southern Stay staff.
- if in a Southern Stay residence or respite house, contribute to maintaining a safe environment.
- recognise that staff also have rights in relation to their gender, culture, social and spiritual needs.
- participate in a manner that promotes the wellbeing of yourself and others
- to use technology appropriately in accordance with program guidelines and the rights of others

Resources

Key Legislation, Acts & Standards

- *National Disability Insurance Scheme Act 2013* (Cth)
- *National Disability Insurance Scheme (Quality Indicators) Guidelines 2018* (Cth)
- *NDIS Practice Standards - Version 1, 2018* (Cth)
- *National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018* (Cth)
- *Disability Act 2006* (Vic)
- *Charter of Human Rights and Responsibilities Act 2006* (Vic)
- Universal Declaration of Human Rights 1948
- United Nations Convention on The Rights of Persons with Disabilities 2006
- *The Equal Opportunity Act 2010* (Vic)
- *Racial and Religious Tolerance Act 2001* (Vic)
- *Human Rights and Equal Opportunity Act 1986* (Cth)
- *Racial Discrimination Act 1975* (Cth)
- *Sex Discrimination Act 1984* (Cth)
- *Disability Discrimination Act 1992* (Cth)
- *Age Discrimination Act 2004* (Cth)
- *Crimes Amendment (Bullying) Act 2011* (Vic)
- *Fair Work Act 2009* (Cth)
- *Occupational Health & Safety Act 2004* (Vic)
- *Occupational Health & Safety Regulations 2007* (Vic)
- *AS/NZS ISO 9001:2016* - Quality Management Systems - Requirements

Rights and Responsibilities

Key Aligned Documents

- Admin 02F – Complaints and Feedback form
- B 02 - How to raise your concern or complaint
- CC 03 – Occupational Violence, Discrimination, Sexual Harassment and Bullying
- CC 01 – Complaints
- CC 04 – Protected Disclosures
- CC 19a – Conflict of Interest - NDIA
- CC07 – Privacy
- CC 10 – Workplace Employment Practices
- CC 18 – Code of Conduct
- CS 13 – Advocacy
- CS15 - Working with Families, Friends and Associates
- CS 16 – Decision Making & Choice - Easy Read
- CS17 – Abuse, Exploitation and Neglect
- CS 24 – Person Centred Practice
- CS 25 – Duty of Care and Dignity of Risk
- BoD 05 – Risk 2019
- Gov 01 – *Board of Directors Charter*
- Gov 04 – *Quality Statement and Framework*
- Gov 03 – *Risk Management and Compliance Committee Charter*
- Gov 05 – *Quality and Compliance Committee Charter*
- HR 17 – Staff Grievance
- Online Orientation Training
- Participant Handbook
- Southern Stay Vision, Mission and Values Statement

References

- NDIS Quality and Safeguards Commission - *Complaints Management and Resolution Guidance 2019*
- Disability Services Commissioner website www.odsc.vic.gov.au
- Victorian Equal Opportunity & Human Rights Commission – www.humanrightscommission.vic.gov.au
- Victorian Ombudsman - *Complaints: Good Practice Guide for Public Sector Agencies 2016*
- Victorian Ombudsman - *Managing Complaints Involving Human Rights 2017*

Southern Stay
DISABILITY SERVICES

Advocate Service

Community Advocacy

Southwest Advocacy Association

(03) 5561 4584
admin@swadvocacy.com.au

31 Princess Street
Warrnambool

State Trustees Ltd

Telephone: 9667 6444
Country: 1300 138 672

168 Exhibition Street
Melbourne

Professional Advocacy Services

Office of the Public Advocate

Telephone: 9603 9529
Toll Free: 1300 309 337

5th Floor, 436 Lonsdale Street.
Melbourne

Guardianship List

Telephone: 9628 9911 or
Toll Free: 1800 133 055

55 King Street
Melbourne