

PARTICIPANT RIGHTS AND RESPONSIBILITIES POLICY AND PROCEDURE

Purpose and Scope

This policy and procedure confirms Empowered Community Service's commitment to participants' rights and sets out how these rights are to be communicated and supported by staff.

This policy applies to all staff as well as existing and potential Empowered Community Services participants (including children), their family members, carers and other supporters. It meets relevant legislation, regulations and Standards as set out in Schedule 1, Legislative References.

Applicable NDIS Practice Standards

Person Centred Supports

Outcome

Each participant accesses supports that promote, uphold and respect their legal and human rights and is enabled to exercise informed choice and control. The provision of supports promotes, upholds and respects individual rights to freedom of expression, self-determination and decision-making.

Indicators

- Each participant's legal and human rights are understood and incorporated into everyday practice.
- Communication with each participant about the provision of supports is responsive to their needs and is provided in the language, mode of communication and terms that the participant is most likely to understand.

Policy

Empowered Community Services respects and fully commits to upholding the rights of all people, including those with disabilities.

Empowered Community Service's *Participant Charter* sets out participants' rights. It also sets out participants' responsibilities and the responsibilities of Empowered Community Services in ensuring the rights of all participants and staff are upheld.

Procedures

In supporting participants' rights, Empowered Community Services complies with the *United Nations Universal Declaration of Human Rights*, *United Nations Convention on the Rights of the*

Child, *United Nations Convention on the Rights of Persons with Disabilities*, *NDIS Act 2013 (Cth)* and *NDIS Practice Standards (2018)*.

Empowered Community Services provides all prospective and existing participants with

information about their rights by:

- providing them with Empowered Community Service's *Participant Charter* and *Participant Handbook*;
- including rights information on its website;
- displaying the *Participant Charter* in Empowered Community Service's facilities; and
- verbal explanation by Empowered Community Services staff.

As per Empowered Community Service's *Service Access Policy and Procedure*, staff will also discuss participants' rights and responsibilities with them during intake and assessment.

A full copy of this policy and procedure must be provided upon request.

Staff must provide rights information to participants and their families in ways that suit their individual communication needs. Written information can be provided in different languages and Easy English or explained verbally by staff. Staff can also help participants access interpreters or advocates where required.

To ensure its supports are delivered to the highest standard, Empowered Community Services reviews all feedback and complaints and makes adjustments to its practices where needed, particularly where feedback indicates that participant rights are not being upheld. Any feedback that raises concerns about a participant's rights will be discussed during team meetings, with changes to service delivery processes endorsed by the Management Team and implemented by the Managing Director as soon as practicable. Refer to Empowered Community Service's *Feedback and Complaints Policy and Procedure* for more information.

Staff Responsibilities

Empowered Community Services expects all staff to support and uphold participants' rights in accordance with this policy and procedure, in all areas of service delivery.

This policy and procedure and the *Protecting Participants from Harm Policy and Procedure* outline how Empowered Community Services ensures staff are aware of their responsibilities to protect participants and their rights. As per Empowered Community Service's *Human Resources Policy and Procedure*, all staff must undergo Induction, which includes training in participant rights.

Staff knowledge and application of supporting and upholding participants' rights is monitored on a day-to-day basis and through annual Performance Reviews. Additional formal and on-the-job training is provided to staff where required.

Staff must think about where participants' rights are relevant to their work and the work-related decisions they make. Where rights are relevant, staff must consider whether or not the decision or action limits a participant's rights in any way. Staff must be able to demonstrate that any limitation on a participant's rights is reasonable, lawful, necessary, and proportionate in the circumstances.

Staff must also work collaboratively with each participant to ensure culturally appropriate practices are being upheld by Empowered Community Services and its staff.

Staff must document any specific culturally appropriate requirements that the participant requests or has arranged with them, within the participant's file and Support Plan.

Supporting Documents

Documents relevant to this policy and procedure include:

- *Participant Charter*

Monitoring and Review

This policy and procedure will be reviewed at least every two years by the Management Team. Reviews will incorporate staff, participant and other stakeholder feedback.

Empowered Community Service's feedback collection mechanisms, such as participant satisfaction surveys, will assess participants' and their supporters':

- satisfaction with the support they are provided to exercise their rights and responsibilities;
- awareness of what to do if their rights are violated;
- satisfaction with the quality of services they receive;
- satisfaction that their privacy and confidentiality are maintained;
- views on how easy it is to access the feedback and complaints system;
- satisfaction with how complaints and feedback are managed;
- satisfaction with the management of reviews and appeals; and
- awareness of their rights and the extent to which they feel able and supported to exercise them.

Empowered Community Service's *Continuous Improvement Register* will be used to record improvements identified and monitor the progress of their implementation. Where relevant, this information will be considered as part of Empowered Community Service's service planning and delivery processes.

DOCUMENT CONTROL

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Version History		
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1	09 December 2019	Policy and Procedure Manual created to meet NDIS Quality and Safeguard Commission Practice Standards.