

Consumer Rights Policy and Procedure

Version 7.0

Policy Number	POL-110
Policy Name	Consumer Rights Policy and Procedure
Policy Area	Service Delivery/ Safety
Policy Owner	Chief Operations Officer

Purpose

The purpose of this Policy is to ensure that the rights of all consumers accessing Richmond Wellbeing services are respected and upheld.

Scope

This policy applies to employees, board members, volunteers, students and consumers.

Policy Statement

We are committed to ensuring consumers accessing our services are treated with respect, dignity and equality. Individuals will have choice and control and a right to direct their own services and supports.

We provide equitable services to all, with diversity at the forefront of our support offerings. This includes those with a lived experience of mental distress, Aboriginal and Torres Strait Islanders, culturally and linguistically diverse communities (CaLD), those of different ages and abilities, social class, ethnicity, gender and people who identify as Lesbian, Gay, Bi-sexual, Transgender and Intersex (LGBTI).

By adopting individualised approaches in working with consumers, we encourage consumers, their carers, families and significant others to develop strong, informed voices about the services they require and their priorities.

Consumers must have access to information on the advocacy services available to support them, to protect their rights, which allows them to pursue avenues for complaint and appeal where necessary. Consumers have a right to access an advocate of their choosing and this choice is supported by staff.

All Staff are to comply with relevant legislation, regulations, policies and procedures which protects the rights of individuals. Mental Health Services will be provided in a least restrictive environment as possible, with an emphasis on privacy, dignity, respect, choice and control.

We acknowledge consumers rights and responsibilities, which are consistent with the:

- Mental Health Act 2014
- Charter of Mental Health Care Principles
- Disability Services Act 1993
- National Standards for Mental Health Services 2010
- Mental Health Statement of Rights and Responsibilities (National Mental Health Strategy),
- Mental Health Commission Outcome Statements,
- NDIS Act 2013 and NDIS Rules 2018
- NDIS Practice Standards and Quality Indicators 2020
- Other relevant legislative, accreditation and contractual requirements.

Staff will provide all consumers with a written and/or verbal statement of their rights on entry to the service. Consumers are provided this information at other times including being displayed at services, when any agreement is updated between us and the consumer and during sessions with their key worker. The statement is presented in a way that the consumer can understand.

Staff will ensure that consumers are aware of their right to nominate other people and services that they do or do not want involved in their care. Consent will be discussed and reviewed on a yearly basis. Consumers have a right to change consent at anytime.

Staff will provide the consumer with information on privacy, complaints and feedback, decision making and choice and rights and responsibilities.

Procedure

Staff

- All staff will be informed of consumer rights during their orientation.
- All staff are to read and adhere to the Consumer Rights Policy and Procedure accessed on the intranet.
- The primary staff member working with a consumer is responsible for ensuring that the consumer receives the consumer information pack and the relevant information in relation to their rights.
- The staff will provide the consumer with the opportunity to discuss and have their questions answered, prior to signing a document which is uploaded to Connect, acknowledging this process has occurred.
- The primary staff member working with a consumer is responsible for providing their family member or carers with a carer information pack where practicable and for ensuring they receive the relevant information in relation to their rights, as outlined below. Evidence of the provision of this information to the carer, family member or significant other is to be kept on Connect.

Consumer Information Pack

All consumers will receive a consumer information pack (which can be found on the intranet) when commencing with a service.

- There will be a discussion regarding each document, and consumers will sign acknowledge receipt of this information and have had the opportunity to discuss and ask additional questions. For consumers accessing our residential services, additional information is also included in the Community Living standards agreement.

The Consumer Entry Pack will include, but is not limited to;

- Your Rights and responsibilities information sheet
- Privacy Personal Information and Consent form
- Decision-making and choice information sheet
- Feedback and Complaints information sheet
- Advocacy (including the Mental Health Advocacy Service and Consumers of Mental Health WA)
- Mental Health Commission (changes to the Mental health Act 2014, Charter of Mental Health Care Principles)
- Richmond Wellbeing Strategic Plan
- Consumers of Mental Health WA – Promoting Peer Support and Services

Additional Information for NDIS Services will include, but is not limited to:

- NDIS Code of Conduct
- NDIS Aboriginal Complaints Brochure Talkup
- NDIS Brochure Speakup Complaints
- NDIS Rates
- NDIS Welcome Letter

Carer Information Pack

Carers/ family members and significant others of the consumers within services, will be offered a carer information pack with consent from the consumer. Carer information packs can be found on the intranet. The Carer information Pack will include, but is not limited to;

- Privacy, Personal Information and Consent
- Your rights and responsibilities – Consumer
- Your rights and responsibilities - Carer
- Decision making and choice - Consumer
- Complaints and Feedback

- Advocacy (including the Mental Health Advocacy Service and Carers WA)
- Mental Health Commission – Charter of Mental Health Care Principles
- Consumers of Mental Health WA – Promoting Peer Support and Services
- Richmond Wellbeing Strategic Directions

Carers and consumers will be provided with an opportunity to discuss the documents and information provided in the pack, and will then be asked to sign to acknowledge they have received this information and had the opportunity to discuss. The signed acknowledgement is to be saved on the consumers Connect file.

Breach of Policy

Where a consumer believes their rights may have been breached, or a staff member becomes aware of a potential breach of the consumer's rights, consumers will be encouraged to raise these issues outlined in the Feedback and Complaints Resolution Policy and Procedure.

Related Documents

Consumer Rights and Responsibilities handouts
POL-37 Feedback and Complaints Resolution Policy and Procedure
PRO-47 Consumer Information Access Procedure
POL-5 Code of Conduct
POL-99 Privacy Policy
Consumer and Carer Information Packs
RW Diversity Statement

Supporting Information

Mental Health Act (2014)
Disability Services Act (1993)
National Mental Health Standards 2010
MH NGO Standard 1.1 Rights and Responsibilities (Consumer Statement of Rights and Responsibilities)
MH NGO Standard 1.2 Rights and Responsibilities (Awareness of Consumer Rights)
UN Principles on the Protection of People with a Mental Illness and Improvement in Mental Health Care
UN Convention on the Rights of Persons with Disabilities
Australian Health Ministers' Mental Health Statement on Rights and Responsibilities
Disability Services Standards (1993)
Carers Recognition Act 2010
Australian Charter of Healthcare Rights
QIC Health and Community Services Standards
National Mental Health Plan
Rainbow Tick Standards
National Disability Insurance Scheme Act 2013
National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018
NDIS Practice Standards and Quality Indicators 2020
Privacy Act 1988

Review Timeframe and Responsibility

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Reviewed by:	General Manager Residential Services
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Approved by:	CEO
Approval date:	23 March 2021

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