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| HS4 | Healthy and Safe Services | Rights and Responsibilities Policy and Procedures |
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| What this policy aims to do | Promote understanding and protection of the rights of people using our services and explain their responsibilities toward others |
| Who this policy applies to | Every person who uses any services and all staff |
| Who is responsible for carrying out this policy | Managers and service delivery staff |
| What words used in this policy mean | <p><i>'Rights'</i> are the freedoms that we are all entitled to because we are all equal. They are about being treated fairly, treating others fairly and having the ability to make genuine choices in our daily lives.</p> <p><i>'Responsibilities'</i> are the duties we have towards other people to treat them fairly and respect their rights.</p> <p><i>'Reasonable accommodation'</i> means necessary and appropriate modification or adjustment to provide persons with disability the ability to exercise their human rights and fundamental freedoms.</p> |
| Legislation this policy is based on | <p>National Disability Service Standards</p> <p>Child Safe Standards</p> <p>Victorian Human Services Standards</p> <p>UN Convention on the Rights of Persons with Disabilities</p> <p>UN Convention on the Rights of the Child</p> |

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| Other relevant policies | A2 Decision Making and Choice HS5 Freedom from Abuse and Neglect MS9 Respect in the Workplace |
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| Version | Date | Author/Editor | Approved by | Notes |
|----------------|-------------|----------------------|--------------------|--------------------------|
| 1.0 | 26/08/2016 | Peter Lane | | |
| 1.1 | 31/5/2018 | D Stephenson | | Update format |
| 1.2 | 7/3/2019 | D Stephenson | | Minor edits |
| 1.3 | 17/6/2020 | D Stephenson | S. Reeves | Annual Review, no change |

Rights and Responsibilities Policy

MASS will make sure people using our services have the same rights as anyone else in the community and we will provide supports to assist them to fully exercise these rights. This includes the right to:

- Respect and dignity
- Live a full life that is safe and free from abuse, neglect or exploitation
- Realise their individual capacity for physical, social, emotional and intellectual development
- Have choice and control over their lives
- Have opportunities to join in a range of work, social, creative or recreational activities
- Access information and communicate in a manner appropriate to their needs
- Have their Aboriginal and Torres Strait Islander cultural and linguistic diversity needs met.

MASS will regularly review how well we are protecting people's rights and ensuring their safety, especially children.

MASS will support people using our services to meet their responsibilities as part of the community, including their responsibilities to:

- Respect other people
- Respect other people's property
- Contribute to the households they live in and the groups they are part of.

Rights and Responsibilities Procedures

Upholding Rights

- ☑ All staff and volunteers must treat service users with respect and dignity at all times
- ☑ Staff must provide support and training to people to help them understand their rights and provide rights information in a format they can understand
- ☑ Staff must provide service users with support to exercise choice, especially the choices that are most important to them (in both major and day to day decisions), including their personal care, relationships, accommodation, employment (where appropriate), education and recreation. Staff will provide children with choices appropriate to their developmental age and the preferences of their parents or guardians
- ☑ Staff must provide all people who use our services with a safe environment to understand and uphold their rights, including making complaints, reporting breaches of their rights (such as allegations of abuse, decision making, privacy) and reporting inappropriate any behaviour from staff, Board members or volunteers
- ☑ Staff must provide service users with opportunities to engage in a range of life activities
- ☑ Staff and volunteers should not restrict people's opportunities or experiences, except where limits may be needed to protect a person's health, safety or wellbeing and these will be discussed with the person using the services, or their guardian
- ☑ Staff and volunteers should never restrict people's rights in order to make service delivery easier, quicker or more convenient
- ☑ Staff and volunteers should intervene when one person using a service stops another person from enjoying their rights
- ☑ All staff and volunteers must protect everyone using services against abuse, exploitation, neglect and discrimination.

Review

- ☑ MASS will regularly review the protection of rights through:
 - Internal reports (such as Client Incident Reports)
 - Independent reports (such as Community Visitor reports)
 - Staff observation (frequent and ongoing checking that everyone's rights are being respected)
 - Actively asking service users and their families and natural support networks questions about their opportunity to exercise rights and make choices
 - Following up on any possible restrictions of rights to remove them as quickly as possible
 - Monitoring complaints information.

Responsibilities of Service Users

- ☑ Service users are also expected to meet specific responsibilities. MASS will support people using our services to meet their responsibilities, including to:

- Respect the rights of other service users and staff
- Contribute to shared responsibilities in service settings (e.g. looking after equipment or doing household duties) appropriate to their ability and role
- Paying service fees, as documented at the time of entry and at annual reviews
- Respecting and not damaging common property or property belonging to someone else.

Training provided

- ☑ This policy (Rights and Responsibilities) will be explained to people upon entry to our service and again in the development of an individual plan
- ☑ Staff should use service planning and day to day situations to explain people's rights and actively support them to exercise rights. This includes using the language of rights - "You have the right to...", "I respect your right to..." etc
- ☑ The rights and responsibilities of people using services will be included as part of our induction process for all staff
- ☑ In-house training will be provided on how to support people to exercise their rights
- ☑ Staff performance reviews will include assessment of knowledge and competency in supporting service users to exercise their rights.
- ☑ Training will be provided regularly to service users on how to exercise their rights and access advocacy services.