

Mansfield Autism Statewide Services Rights and Responsibilities Policy and Procedures

A1	Appropriate Services	Rights and Responsibilities Policy and Procedures
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What this policy aims to do	Sets out the rights of clients and the responsibilities of MASS in the provision of services for clients and their families/carers.
Who this policy applies to	Every person who uses any of MASS services and all staff
Who is responsible for carrying out this policy	The CEO or responsible managers and service delivery staff
What words used in this policy mean	<p>'Rights' are the freedoms 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>'Responsibilities' are the duties we have towards other people to treat them fairly and respect their rights.</p> <p>'Reasonable accommodation' means necessary and appropriate modification or adjustment to provide persons with disability the ability to exercise their human rights and fundamental freedoms.</p> <p>'Person-centred practice' is the approach to assist someone to plan their life and supports.</p> <p>'Supported decision making' is the provision of support which enables people with cognitive disabilities to exercise their legal decision-making rights (also called legal capacity)</p> <p>'Individual Plans' capture individual goals, preferences and support needs to ensure that services provided support individual development.</p> <p>'Inclusion' means participating and feeling a sense of belonging as a valued member of the community.</p> <p>'Work' may include paid work or volunteering roles.</p> <p>'Relationships' can include family relationships, friendships and intimate relationships between adults.</p>

	<p>'Aboriginal' means any person of Aboriginal descent, who identifies as being of Aboriginal origin and who is accepted as such by the community.</p> <p>'Torres Strait Islander' means any person of Torres Strait Islander descent, who identifies as being of Torres Strait Islander origin and who is accepted as such by the community with which the person associates (ATSI).</p> <p>'Auslan' is a sign language used by the Deaf community.</p> <p>'Culturally and linguistic diverse' (CALD) means people born overseas (or children born of parents who were born overseas), in countries where English is not the main spoken language.</p> <p>'Interpreter' is a person who interprets words between people.</p> <p>'Augmentative and alternative communication' (AAC) means ways that help people who have difficulties speaking clearly, or do not speak, and the people they are talking to, to understand each other. Strategies can include gestures, signing words, electronic communication devices and technology devices like chat books, talking mats, diaries and schedules, 'all about me' books, personal communication diaries or personal identification wallets.</p> <p>'Language' includes spoken and signed languages and other forms of non-spoken languages.</p> <p>'Advocacy' is an expression of support for a person who may find it difficult to speak for himself or herself.</p> <p>'Major life decisions' are those decisions that can affect your whole life, such as where you live, what job you do, who you have relationships with and your spiritual commitment.</p> <p>'Guardian' is person who has been authorised to make certain decisions for a client (where deemed not to have the capacity to make decisions for themselves)</p>
<p>Legislation this policy is based on</p>	<p>National Disability Service Standards Victorian Human Services Standards NDIS Practice Standards Core Module 1 Child Safe Standards UN Convention on the Rights of Persons with Disabilities UN Convention on the Rights of the Child <i>Guardianship and Administration Act 1986 (Vic)</i> Disability Discrimination Act Equal Opportunity Act, 2010 Vic</p>

	NDIS Practice Standards and Quality Indicators Nov 2021
Other relevant policies	A8 Providing Personal Care to Clients HS13 Duty of Care AA1 Service Access MS3 Staff Code of Conduct HS7 Information Privacy HS5 Freedom from abuse and neglect HS14 Child Safe HS12 Client Incident Reporting

Version	Date	Author/Editor	Approved by	Notes
1.0	12/11/2020	D Stephenson	S Reeves	Revised policy that incorporates A1 Person-Centred Planning, A2 Decision Making and Choice, A3 Involvement of family and advocates, A4 Inclusion of and Relationships, A5 Communication Support, A6 Cultural Diversity and HS4 Rights and Responsibilities due to overlap between policies to better align with NDIS standards.
1.1	25/1/2022	D Stephenson	S. Reeves	Changed Director to CEO, added NDIS Practice Standards Nov 2021 reference.
1.2	28/06/2023	T De Vries	S. Reeves	Annual review, update language

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CLIENT RIGHTS AND RESPONSIBILITIES POLICY

1. Person-centred Supports

The goal of person-centred supports is to promote, uphold and respect the legal and human rights of clients and their families/carers to exercise informed choice and control over the services they access. MASS will work with clients and their families/carers to ensure that individuals have the right to freedom of expression, self-determination and decision making.

1.1. Legal and Human Rights

In line with the United Nations Convention on the Rights of Persons with Disability (UNCRPD), MASS will make sure people using our services have the same rights as anyone else in the community. Wupports provided will enable clients to fully exercise their 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 responsibilities and ensuring safety, especially for children. We will monitor this through our client feedback process, reviewing incidents and near-misses and through self-reflection and self-audit.

1.2. Responsibilities

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

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

1.3. Communication

Communication is a fundamental human right, explicitly identified in the UNCRPD. All clients have the right to receive accessible information. MASS will make sure that people using our service can receive the support they need to communicate their needs and wants effectively.

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Communication with each client and their family/carer about their access to services will be responsive to their needs and provided in the language or mode of communication that the client is most likely to understand. Forms of communication include:

- Verbal communication through oral language, audio cues
- Non-verbal communication such as sign language, gestures, and body language.
- Written communication through text (can be large print) and braille
- Tactile communication including touch
- Alternative and augmentative communication such as choice cards, PODD books, speech generating devices or phone apps
- Interactive technology.

1.4. Person-centred plans and services

Clients and / or families (as representatives) participate in an Initial Access Interview to capture the client's goals, preferences and support needs. The needs and preferences of the person are central to the decisions and planning that occurs in relation to them. Where possible, MASS will visit clients at their home or provide a positive environment and appropriate support to enable clients and / or families to fully participate in the planning process. The Access Interview provides an overview of which services may meet the client's needs and what the person can expect in service delivery.

Each NDIS participant will receive a Schedule of Support and Service Agreement prior to starting service, which are then reviewed at least every 12 months or in line with the client's NDIS Plan. Staff working with the client will develop individual support plans, such as Behaviour Support Plans and Individual Learning Plans to be reviewed with the client and / or family regularly throughout the 12 months.

Staff responsible for service delivery will take the time to get to know the person and their family and facilitate opportunities for them to express hopes, goals, wishes, preferences and choices throughout service delivery.

Regular Care Team meetings involve all staff who work with the client and other professionals involved in the client's care, when required, as part of the MAP, Therapeutic Placement and educational services. Care team meetings are scheduled to maximise the participation of people that can represent the client's needs and wishes.

1.5. Engagement with family, friends and chosen community

MASS's vision is for autistic people to achieve their goals within their family and community networks. Our clients are supported to engage with their family or carers, friends and chosen community to establish their goals and decide which services/interventions best suit their needs.

Each client's individual plan will be holistic and may include support for their family or carers, social networks and other services. MASS believes that all people should be

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supported to realise their individual capacities for physical, social, emotional and intellectual development.

2. Individual values and beliefs

Our services are respectful of client and families' culture, diversity, values and beliefs. All clients and their families or carers are invited to provide information about their beliefs, customs, values and individual preferences.

MASS recognises and values the diversity of people who use our services and are committed to accommodating the needs of people from culturally and linguistically diverse (CALD) backgrounds. We recognise our responsibility to protect, nurture and ensure the cultural heritage of people who use our services. We will do this by:

- Ensuring information is available in a format that meets individual communication needs and preferences. This may include written information and the provision of interpreters.
- Providing training to staff to understand cultural diversity, and to skill them in protecting the cultural safety of Aboriginal, Torres Strait Islander (ATSI) or CALD backgrounds.
- Reviewing our programs and services to ensure that they are responsive to the needs of people from ATSI and CALD backgrounds and remove any barriers to access.
- Establishing links with organisations that represent ATSI and CALD communities to identify significant issues and to receive their advice on how we can improve our services.

3. Privacy and Dignity

MASS respects the rights of clients and their family/carers to privacy and support of dignity. HS7 Information Privacy Policy outlines our approach to privacy of client and family information. Personal privacy and dignity is respected by MASS and A8 Providing personal care to clients details how this is implemented.

4. Independence and Informed Choice

All clients and their families or carers are supported by MASS to make informed choices, exercise control, and maximise their independence in relation to the services and programs that MASS offers.

MASS provides services to adults and children and will involve parents, carers, guardians, or advocates at the request of the person or as appropriate based on their needs and capacity (see HS9 Guardians and Administrators). MASS supports people's

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rights to make their own decisions and control their own lives and will offer the support needed to assist clients to make their own decision. MASS will never make major life decisions on behalf of people they support.

In addition to personal choices, MASS will listen to and respect the opinions and choices of people using services including about how MASS operates, the services offered and the staff providing support.

4.1. Adults

MASS will support our adult clients to have as much control as possible over areas of their own lives and everything that affects them. This includes major life decisions like where to live, setting goals, having a job or being in a relationship. It also includes everyday decisions like clothing, food choices, television programs and activities. MASS will assist adults to make their own decisions and will only provide the level of support needed to support them to make their own decisions.

MASS staff will assist adults to express their choices and provide augmentative communications and/or advocacy if required or if they wish. If an adult client cannot express their choices by any means, MASS will respect the views of the person's natural support networks and/or their legally appointed decision makers such as guardians and administrators (see HS9 Guardians and Administrators Policy).

4.2. Children

For clients who are under 18 or have a guardian or administrator, their parent or guardian/administrator will be involved in all decision making processes. However, children's wishes regarding everyday decisions like clothing, food choices and activities will be respected.

4.3. Benefits and risks

MASS will provide all clients and their family/carers/guardians with information about the services offered and include access criteria, types of services/interventions, where the services are offered, e.g. in home, at a camp, in a school setting or in a residential program, the cost of the service/program, any wait times, and the risks and benefits of options. This information will facilitate an informed decision about which services might be the best fit for clients and their families.

4.4. Time to consider

MASS provides information to all interested parties about the services it provides through the website www.autismmansfield.org.au/services or through a general enquiry. After submitting an Expression of Interest form, people will be provided with sufficient information about MASS services and be given time to consider and review their options and seek advice if required at any stage. This can include at the time of

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agreement, assessment, planning, provision of services, evaluation of the service, referral, re-enrolment and/or exit from the service.

4.5. Access an advocate

MASS is committed to delivering services and support in an ethical and transparent way, and making sure all clients' rights and decisions are being upheld and appropriately represented. MASS will respect the right of all clients and/or families to have an independent advocate and will respond positively to that person's choice of advocates. If MASS becomes aware of clients who do not have personal support networks and who need assistance to speak up, we will actively seek the involvement of an independent advocate on that person's behalf. MASS staff will ensure that information regarding advocacy, including formal advocacy services and self-advocacy groups in the region, is made available to clients, and freely available on our website. This will include legal services that support disability rights.

MASS managers and staff will, where possible, cooperate with and provide support to the advocate of clients to carry out their function. This may require the provision of information relating to MASS's complaints process, the specific needs of clients and/or access to the client's individual plan.

All clients will be provided with information about the use of an advocate. In the event of allegations of violence, abuse, neglect, exploitation, or discrimination, MASS will facilitate access to an advocate.

5. Violence, Abuse, Neglect, Exploitation and Discrimination

MASS is committed to providing services that are free from violence, abuse, neglect, exploitation or discrimination. MASS undertakes a process to identify and manage risks to clients as outlined in MG4 Risk Management Policy and Procedures.

MASS has separate policies addressing issues related to violence, abuse, neglect, exploitation or discrimination through the following policies and procedures:

- HS5 Freedom from abuse and neglect.
- HS12 Client incident reporting.
- HS13 Duty of care.
- HS14 Child Safe.
- HS7 Information Privacy.

Detailed information is included in the above policies and procedures to inform clients and MASS staff on responding to allegations and incidents of violence, abuse, neglect, exploitation, or discrimination.