KOOMARRI

Supporting People With Disability

4.10 SERVICE USER RIGHTS

Introduction

Koomarri operates within the National Disability Insurance Scheme Rules and Practice Standards and its own statement of Vision and Values. Supporting these, Koomarri has established a statement of service user rights.

This policy supports Corporate Governance and the National Disability Insurance Scheme Rules.

Purpose

To explain the rights of service users and supported employees, and the responsibilities of Koomarri and its workers to promote, protect and uphold those rights in everyday practice. The policy supports informed choice and control, supported decision-making, dignity of risk, accessible communication, privacy, safety and freedom from violence, abuse, neglect, exploitation and discrimination.

Authorisation

This policy is issued under the authority of the Chief Executive Officer (CEO).

Amendments to this policy made at any time should be authorised by the CEO and at least one other Manager/Executive Officer/Director of Koomarri.

Policy

Every service user has the right to receive safe, respectful, person-centred and culturally responsive supports.

Koomarri will provide information about these rights in the language, communication mode and format the service user is most likely to understand.

Service users have the right:

- To be treated with respect and dignity.
- To receive safe, competent, person-centred supports that respond to their needs, strengths, goals, preferences and circumstances, within the scope of the agreed service. To have access to services without unlawful discrimination, harassment, victimisation, coercion or unfair treatment of any kind, and to receive reasonable adjustments where required.
- To have access to accurate and timely information about Koomarri, including available services, fees, costs, service agreements, risks, complaints, incidents, policies and procedures in an accessible format.
- To have access to information about other services, independent advocacy, interpreters and external complaint bodies that may be of assistance to them.
- To make informed choices about available supports, workers and service options, and to change or decline a support, subject to the service agreement, reasonable notice, available resources and any lawful safety requirements. To exercise self-determination and control over their life, including decisions about support planning and daily routines.. To have their autonomy respected, including their right to intimacy and sexual expression.
- To be supported to understand options, benefits and risks and to take reasonable positive risks.
- To be supported to engage with their family, friends and chosen community, as directed by them. Koomarri will provide information about advocacy and interpreting options and will not disadvantage a person for seeking assistance. Any cost will be explained before an arrangement is made.
- To involve an advocate (including an independent advocate) or interpreter of their choice at any time.
- To have their privacy and confidentiality respected and protected.
- To have, subject to the rights of others, access to their personal records held by Koomarri.
- To raise concerns about a worker, request a different worker, refuse a particular support, or end services without reprisal. Koomarri will explain any service agreement requirements, transition arrangements and lawful limitations, and will take reasonable steps to support continuity and safety.
- To be free to complain or express grievances about any aspect of Koomarri Services and operation, and expect to be treated fairly, promptly and without retribution. A service user may complain directly to the NDIS Quality and Safeguards Commission or another relevant body at any time.
- To practise their culture, language, religion, spirituality, values and beliefs and to have these sensitively reflected in their supports.
- To have their identity, diversity, communication needs, Aboriginal or Torres Strait Islander identity, cultural and linguistic background, sex characteristics, sexual orientation, gender identity, age and disability respected without assumptions.
- To participate in decisions about their own supports and, where opportunities are available, contribute feedback and suggestions to Koomarri's service design, governance and continuous improvement activities.

- To be informed of any potential, actual or perceived conflict of interest that may affect the provision of supports, decision-making or service delivery, and to have such conflicts disclosed, appropriately managed and resolved in a transparent and timely manner.
- To be informed as early as practicable, in an accessible way, about changes, interruptions or emergencies affecting supports and to be involved in planning for continuity or transition.

Supporting Legislation

Australian Human Rights Commission Act 1986
Disability Discrimination Act 1992
Discrimination Act 1991
Human Rights Act 2004
Health Records (Privacy and Access) Act 1997
Human Rights commission Act 2005
National Disability Insurance Scheme (NDIS) Act 2013
NDIS (Provider Registration and Practice Standards) Rules 2018
NDIS (Code of Conduct) Rules 2018
NDIS (Complaints Management and Resolution) Rules 2018
NDIS (Incident Management and Reportable Incidents) Rules 2018
NDIS (Restrictive Practices and Behaviour Support) Rules 2018
Privacy Act 1988

Definitions

Employment Services: Supports that help people develop work skills, explore employment opportunities, find suitable work and receive ongoing support in supported or open employment.

Residential Services: Supports that help people live safely and as independently as possible at home, including in-home support and supported accommodation.

Skills Development and Community Services: Supports that help people build everyday skills, develop independence, explore interest and participate in social and community activities.

Support Coordination: Support that helps people understand and use their NDIS plan, connect with suitable services and providers, coordinate their supports and navigate changes in their circumstances.

Service user: A person who receives, or is seeking to receive, services or supports from Koomarri.

Responsibilities

The relevant Managers are responsible for:

- Ensuring that all service users receive accessible information about their rights as outlined in this policy; and
- Ensuring that employees providing support and services to service users understand and apply this policy, complete required training, recognise and respond to safeguarding concerns, document consent and participant directions as required, and escalate suspected rights breaches, incidents or restrictive practices promptly.

Procedures

Feedback and Complaints Management
Incident Reporting
Intake and Assessment
Privacy and Confidentiality
Service Agreements
Supported Decision Making

Attachments

None.

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