

CUSTOMER HUMAN AND LEGAL RIGHTS POLICY

Related Quality Frameworks and Legislation:

Aged Care Quality Standards (ACQS)	Standard 1: Consumer Dignity and Choice
NDIS Quality Standards (NDIS)	Standard 1: Rights and Responsibilities
Legislation	Aged Care Act 1997 Privacy Act 1988 – Part III User Rights Principles 2014 Part 3 Home Care Disability Service Act 2006 and Regulation 2017 Competition and Consumer Act 2010 http://www.legislation.qld.gov.au

1. Purpose

Gladstone Community Linking Agency is committed to upholding the legal and human rights of people with a disability and people who are ageing who choose services and support from GCLA.

GCLA agrees that human rights are the rights people are entitled to simply because they are human beings, irrespective of age, citizenship, nationality, race, ethnicity, language, gender, sexuality or abilities. When these inherent rights are respected, people are able to live with dignity and equality, free from discrimination. Human rights change people's lives.

GCLA abides by the relevant legislation, principles and standards including the Disability Services Act 2006 and Disability Services Regulation 2017, National Disability Insurance Scheme (NDIS) Practice Standards, Charter of Aged Care Rights, Aged Care Act 1997, Aged Care Quality and Safety Commission Rules 2018 and the Aged Care Quality Standards, amendments to the User Rights Principles 2014, the Competition and Consumer Act 2010 and Commonwealth Anti-Discrimination Law and other laws that inform the delivery and quality of services provided such as the Queensland Human Rights Act 2019.

The Queensland Human Rights Act 2019 (the Act) respects, protects and promotes the human rights of all people in Queensland. Human rights protect the dignity and worth of all people, especially the most vulnerable. A human rights approach means that Queensland Government and organisations must put human rights first when making decisions and providing services. The Act shows us how to make decisions and provide services in a way that protects human rights and how to balance individual rights against the rights of others.

The Queensland Human Rights Commission (QHRC) helps the community to understand human rights. They also help people resolve human rights complaints. More can be read about the QHRC and their complaints process at www.qhrc.qld.gov.au.

GCLA continues to:

- align it's systems, policies and practices with any new legislative, quality and safety requirements
- support staff to understand any amendments, updates and changes
- support customers and their representatives to understand what the changes mean for them.

GCLA is committed to:

- respecting human rights by ensuring that services are planned and delivered in a manner that respects and has regard for the individual's human rights, in keeping with the United Nations Universal Declaration of Human Rights, United Nations Convention on the Rights of Persons with Disabilities (CRPD), the United Nations Principles for Older Persons and the Queensland Human Rights Act.

- being socially inclusive by ensuring services are planned and delivered to promote opportunities for customers to be included in their communities
- providing opportunities for participation by ensuring customers are included in decision-making about the service they receive
- enabling customer choice by ensuring customers have the opportunity to make choices about the services and where and how they receive them, within available resources
- ensuring each customer accesses supports that promote, uphold and respect their legal and human rights and is enabled to exercise informed choice and control.
- providing supports that promote, upholds and respects individual rights, freedom of expression, self-determination and decision-making
- ensuring each customer accesses supports that respect their culture, diversity, values and beliefs
- ensuring each customer accesses supports that respect and protect their dignity and right to privacy
- ensuring each customer is supported to make informed choices, exercise control and maximise their independence.
- ensuring each customer accesses supports free from violence, abuse, neglect, exploitation or discrimination.

2. Scope

This Policy applies to Directors of the Board, all paid and unpaid staff, students, contractors and consultants.

3. Policy Detail

As a leading provider of aged care and disability services in our community, we are committed to providing high quality person centred/consumer-directed services that meets a person's individual needs, wants, goals and aspirations and exceeds their expectations.

We always treat customers:

- fairly and equally
- with courtesy, respect and a willingness to assist
- in a professional and ethical manner
- with kindness, empathy and understanding

At GCLA, we believe and ensure that customers have the right to:

- safe and high-quality care and services
- be treated and accepted as an individual and to have their individual preferences respected
- be informed about their care and services in a way they understand
- access all information about themselves, including information about their rights, care and services
- determine the level of ongoing involvement and control that they wish to have in the provision of their care and support
- have control over and to make decisions about the personal aspects of their daily life, their support, their personal and social life including where choices involve personal risk, financial affairs and possessions
- be listened to and understood
- maintain their independence as far as possible
- choose the care and services that best meet their goals and assessed needs and preferences, within the limits of the resources available
- have choice and flexibility in the way that care and services are provided
- choose the approved provider and to have the flexibility to change that approved provider if they wish
- have a person of their choice, including a formal advocate, support them or speak on their behalf
- complain free from reprisal, and to have their complaints dealt with fairly and promptly

- personal privacy and to have their personal information protected
- express their views about the service and
- exercise their rights without it adversely affecting the way they are treated.

When customers choose services from GCLA, they are informed of:

- what the service does
- the services available to the customers, including the opening hours and locations of these services
- how customers can contact the service
- what standards of service our customers can expect from the service
- what rights and responsibilities the customers have within the service
- opportunities for feedback and for complaints (and appeals, if appropriate)
- opportunities to exercise choice and to participate in service decisions
- the support provided to customers to enable them to make choices and participate, including the use of interpreters, advocates, written materials in a variety of community languages, and culturally appropriate service strategies

GCLA upholds the Charter of Aged Care Rights which ensures the same rights are provided to all customers, regardless of the type of Commonwealth subsidised care and services they receive. The Charter focuses on high-level customer rights and makes it easier for customers and their representatives to understand what they can expect from an aged care service.

GCLA supports customers to understand the Charter of Aged Care Rights and ensures that customers receive a copy of the Charter signed by GCLA and that the customer or their representative has been given reasonable opportunity to a copy of the Charter. The purpose of requesting the customer's signature allows them to acknowledge they have received the Charter and had assistance to understand it. Customers are not required to sign the Charter and can commence, and/or continue to receive care and services, even if they choose not to sign the Charter.

4. Review Processes

Policy review frequency: Every 2 years unless updates are required	Accountability for review: CEO
Review process: Delegated responsibility from the CEO to the relevant line manager, according to the Document Review Schedule and process.	
Documentation and communication: Documents are controlled on the Customer Management Record System (CMRS) and updates are communicated to all staff via email and/or staff meetings.	