



## SERVICE USER RIGHTS

1. Every service user has the right to have their unique individuality recognised and their culture, diversity, values and beliefs respected and incorporated into responsive service delivery.
2. Service users have the right to receive services that encourage informed choice, foster well-being and independence and promote the service users' capabilities.
3. Service users have the right to services free from all harm, provided in a physically and culturally safe manner. Services that respect and support the privacy, dignity and independence of the service user.
4. Service users and/or (on their request) carers/advocates, will be fully involved in decisions concerning the care and support they require. Options and preferences will be discussed, the standard of service which they can expect and any fees to be charged fully explained prior to implementation.
5. Service users and/or (with their permission) their carer/advocate, have access to their information held by HART Services. Service user information will at all times be subject to 'Correct Handling' procedures to ensure confidentiality.
6. Service users are to be supported in developing/maintaining relationships of their choice, including family, friends, carers, other support providers or chosen community.
7. Service users have the right to sexual expression and intimate relationships. Service provision should be safe, respectful, supportive and sensitive to cultural or sexually diverse preferences.
8. Service users are to be supported should they choose to take risks. Duty of care must be carefully balanced and risk assessment/mitigation undertaken.
9. Service users have the right to receive timely information that is responsive to their needs, in a manner that best fosters informed choice and understanding.
10. Service users may utilise an advocate and the advocate's rights will be respected. Support to source an advocate will be provided if requested.
11. Service users have the right to refuse a service and refusal will not prejudice their future access to funded services.
12. Service user complaints assist in continuous improvement; they will be dealt with fairly, promptly and without retribution. The service user may involve an advocate of their choice.
13. All effort will be made to ensure that service users, family members and/or carers understand their Rights and Responsibilities. Where needed, contracts will be developed to ensure a clear understanding.

## SERVICE USER RESPONSIBILITIES

1. Service users should let HART Services know as soon as possible if a booked service, e.g. outing, visit or a booked transport arrangement, is no longer required.
2. Service users should act in a way which respects the rights of other service users and team members.

3. Service users need to take responsibility for the results of any decisions or inactions they undertake.
4. Service users must comply with WHS, e.g. utilise seatbelts and other vehicle safety devices as directed by authorised team members.
5. Service users should respect the confidentiality of information about other service users and team members which they may obtain whilst using services.
6. Service users should inform HART Services of any significant change in their circumstances, e.g. health or mobility decline.
7. Service users must not be under the influence of illegal drugs or alcohol and must be reasonably presented (i.e. hygienic and without provocative messages or logos on clothing).
8. Service users are to treat areas concerning culture, politics, religion, etc. with due discretion and to not use offensive language e.g. swearing.
9. If a service user continually refuses to abide by their responsibilities they may risk being exited from HART Services.
10. Service users should honour any contractual/agreement arrangements they have undertaken with HART Services.

### **HART Services reserves the right to withdraw services in the following circumstances:**

- There has been a change in the Service User needs and there is insufficient resources to provide a safe and appropriate service
- The Service User presents an unacceptable risk to the health and safety of the service user or team members
- The service user refuses to abide by the service user responsibilities agreed upon regarding use of the Service.

## **COMPULSORY AMBULANCE ATTENTION**

Please be aware our volunteers and staff must call an Ambulance if a service user has a fall, becomes injured or exhibits a marked change in condition while in our care.

On arrival of the Ambulance the service user may decline service if they so desire and there will be no charge. The Ambulance service is free to Pensioners and those receiving Centrelink Benefits.

## **CONFIDENTIALITY**

Your confidentiality will at all times be respected. We do, however, have to give your name, address and phone number to the volunteer car or bus driver taking you to your appointment, or in certain circumstances if required by law.

We ask all service users to respect the confidentiality of information about other service users, volunteers and staff.

Where there is potential for harm to self or others it is mandatory that we disclose to relevant personnel, e.g. police, medical professionals etc. This is governed by law.

HART Services has a highly skilled and diverse Board of Management who provide sound governance and direction to the organisation. Further information on the Board can be found at <http://www.hartservices.org.au/index.php/about-us/board>

# YOUR INFORMATION - IT'S PRIVATE

## WHAT INFORMATION DO WE COLLECT ABOUT YOU?

We keep your name and contact details on your service user record. Other details such as your goals (care plans) and information about your health are recorded and reviewed regularly.

## WHY DO WE COLLECT YOUR INFORMATION?

The information we collect helps us keep up-to-date details about your needs, so we can care for you in the best possible way. We also use the information to better manage and plan the services we provide.

## WHO ELSE SEES YOUR INFORMATION?

All important information is kept strictly confidential and is only accessed by authorised staff. As part of our service user intake we ask for your permission to use personal information in our statistical reports to government. At no time are you individually identified in these reports.

In cases of emergencies the 'First Contact' or carer/advocate you have nominated on intake to the service may be contacted to make immediate decisions about wellbeing.

Third parties conducting Quality Standard validation and audits on behalf of the Australian Government may have access to your information strictly for the purpose of the validation / audit process.

## WHAT SAY DO YOU HAVE IN WHAT HAPPENS TO YOUR INFORMATION?

You have a say in what happens to your information. We rely on the information you give us to help provide the right care for you. If you decide not to share some of your information or restrict access to your service user record, this is your right, but it may affect our ability to provide you with the best possible services. Talk to us if you wish to change or cancel your consent.

## HOW WILL YOUR INFORMATION BE PROTECTED?

We are committed to protecting the confidentiality of your record. The privacy of your information is also protected by law. We treat your information in the strictest of confidence and store it securely.

## CAN YOU ACCESS YOUR INFORMATION?

Yes, you have the right to request access to your information and ask for it to be corrected if necessary. If you would like to find out more about how your information is handled please contact HART Services on 1300 874 278.

# ADVOCACY SERVICES

## WHAT IS AN ADVOCATE?

An advocate is a person who represents and works with people who may need support and encouragement to exercise their rights, in order to ensure that their rights are upheld.

An advocacy service may be able to help you:

- Access Australian Government funded aged care services;
- Raise concerns about services you are receiving;

**The Older Persons Advocacy Network (OPAN)** is funded to provide free, confidential and independent advocacy support to older people, their families and representatives across Australia.

An advocate can:

- Give you information about your aged care rights and responsibilities;
- Listen to your concerns;
- Help you to resolve concerns or complaints with your aged care service provider;
- Assist you in making decisions about the care you receive;
- Speak with your service provider on your behalf;
- Refer you to other agencies when needed.

## WHERE CAN I FIND AN ADVOCACY OR INFORMATION SERVICE?

The National Aged Care Advocacy Line is 1800 700 600 (freecall) or visit the Older Persons Advocacy Network website <https://opan.com.au/> to find out more about advocacy services. Advocacy and information services perform a crucial role in the disability sector by helping people to make informed decisions about their lives and help them to choose how they wish to engage with their communities.

For further information on disability advocacy please refer to the Disability Advocacy Finder online at <https://askizzy.org.au/disability-advocacy-finder>

# PRIVACY AND DIGNITY

Privacy and Dignity are basic human rights and HART Services will deliver services in a manner that maintains your personal dignity, respects your privacy and considers your individual needs.

# DONATIONS & BEQUESTS

There are many projects which are made possible only through the kind contributions of our supporters. Home Assistance and Regional Transport Services Incorporated is a registered charity and as such donations and bequests are fully tax deductible. They are also greatly appreciated.



# **NSW ELDER ABUSE HELPLINE**

**NSW Ageing and Disability Commission**

**1800 628 221 (M\_F, 9-5) or [nswadc@adc.nsw.gov.au](mailto:nswadc@adc.nsw.gov.au)**

NSW Ageing and Disability Commission Elder abuse is any act within a relationship of trust, which harms an older person. It includes financial, psychological, physical, verbal, sexual abuse & neglect.

## **COMPLAINTS AND CONCERNS**

Home Assistance and Regional Transport Services welcomes feedback and suggestions and we would certainly like to hear from you should you have any complaints regarding the service we provide.

All complaints will be dealt with in a fair and confidential manner and the service you receive will not be compromised in any way. In some instances however there is a legal requirement and/or duty of care to disclose information to an external body e.g. if harm to self or others seems likely or if there are legal implications inherent in the complaint.

You have the right to use an advocate (family member, friend or advocacy service) and we can assist with finding someone to represent you if needed. Please refer to Advocacy Information on page 4.

## **PROCEDURE**

In the first instance, if you feel comfortable, raise your complaint with the staff member concerned with the service you use. You may also speak directly to the Chief Executive Officer on 1300 874 278.

Should the complaint be related to the Chief Executive Officer, if you are not comfortable raising your concerns with them you can contact the Chairperson of the Board of Management (see contact details further on).

Each person has the opportunity to nominate the person they want at the service as the key contact regarding the complaint.

After raising your complaint you will be contacted within 1 week to acknowledge the complaint and outline time frames for investigation and resolution. While we aim to resolve complaints as quickly as possible, if your complaint cannot be resolved within 1 month you will be provided with progress reports.

At the end of this process the final outcome will be discussed with you, we will ask for feedback as to your satisfaction with the resolution and any improvement to the overall process you may be able to suggest.

If the matter is not resolved to your satisfaction, you may raise the issue with the Chairperson of the Board of Management by way of phone conversation or written letter if you prefer. To arrange this phone 1300 874 278 or write to The Chairperson of the Board of Management, PO Box 1788, Lismore NSW 2480. Please mark the envelope CONFIDENTIAL.

If further action is required, please refer to the following page.

# AGED CARE QUALITY AND SAFETY COMMISSION

The Aged Care Quality and Safety Commission provides a free service you can use if you have a concern or complaint about any of the care and services you receive from an Australian Government-subsidised service provider. The Commissioner accepts confidential and anonymous complaints. The Commissioner handles complaints about services delivered in your own home through home care packages or the Commonwealth Home Support Programme

## HOW DO I CONTACT THE AGED CARE QUALITY AND SAFETY COMMISSION?

- Online: <https://www.agedcarequality.gov.au/>
- Phone: 1800 951 822
- In writing address your written complaint to:  
Aged Care Quality and Safety Commission  
GPO Box 9819, SYDNEY NSW

Make sure your letter includes:

- Your name, address and telephone number;
- The date you lodged your complaint;
- Details of your complaint, including specific dates of events and relevant comments;
- The name of the aged care home or service and the state/territory in which it is located;
- The name of the person receiving aged care that your complaint relates to.

If you need an interpreter you can ask to have one arranged when you call.

Alternatively you can contact one of the services below and ask them to help contact the commission on 1800 951 822:

- **Translating and Interpreting Service (TIS)** 131 450
- **Aboriginal Interpreter Service (AIS)** 1800 334 944

If you are hearing or speech impaired contact us through the National Relay Service:

- TTY users: phone 1800 555 677 then ask for our number 1800 951 822
- Speak and Listen users: phone 1800 555 727 then ask for our number 1800 951 822.
- Internet relay users: connect to the National Relay Service and enter 1800 951 822.

## PEOPLE WITH A DISABILITY CAN CONTACT THE NDIS COMMISSION

<https://www.ndiscommission.gov.au/participants/participants-make-complaint>