



PARTICIPANT RIGHTS AND RESPONSIBILITIES POLICY AND PROCEDURE

Purpose and Scope

This policy and procedure confirms Ability Plus Disability Services' commitment to participants' rights and sets out how these rights are to be communicated and supported by staff.

This policy applies to all staff as well as existing and potential Ability Plus Disability Services participants (including children), their family members, carers, and other supporters. It meets relevant legislation, regulations and Standards as set out in *Schedule 1, Legislative References*.

Applicable NDIS Practice Standards

Person Centred Supports

Outcome

Each participant accesses supports that promote, uphold, and respect their legal and human rights and is enabled to exercise informed choice and control. The provision of supports promotes, upholds, and respects individual rights to freedom of expression, self-determination, and decision-making.

Indicators

- Each participant's legal and human rights are understood and incorporated into everyday practice.
- Communication with each participant about the provision of supports is responsive to their needs and is provided in the language, mode of communication and terms that the participant is most likely to understand.

Policy

Ability Plus Disability Services respects and fully commits to upholding the rights of all people, including those with disabilities.

Ability Plus Disability Services' *Participant Charter* sets out participants' rights. It also sets out participants' responsibilities and the responsibilities of Ability Plus Disability Services in ensuring the rights of all participants and staff are upheld.

Procedures

In supporting participants' rights, Ability Plus Disability Services complies with the *United Nations Universal Declaration of Human Rights*, *United Nations Convention on the Rights of the Child*, *United Nations Convention on the Rights of Persons with Disabilities*, *NDIS Act 2013 (Cth)*, *Charter of Human Rights and Responsibilities Act 2006*, *Equal Opportunity Act 2010*, *Racial and Religious Tolerance Act 2001*, the *NDIS Practice Standards (2018)* and the *NDIS Code of Conduct*.



Ability Plus Disability Services provides all prospective and existing participants with information about their rights by:

- providing them with Ability Plus Disability Services' *Participant Charter* and *Participant Handbook*
- including rights information on its website
- displaying the *Participant Charter* in Ability Plus Disability Services' facilities and
- verbal explanation by Ability Plus Disability Services staff.

As per Ability Plus Disability Services' *Service Access Policy and Procedure*, staff will also discuss participants' rights and responsibilities with them during intake and assessment.

A full copy of this policy and procedure must be provided upon request.

Staff must provide rights information to participants and their families in ways that suit their individual communication needs. Written information can be provided in different languages and Easy English or explained verbally by staff. Staff can also help participants access interpreters or advocates where required.

To ensure its supports are delivered to the highest standard, Ability Plus Disability Services reviews all feedback and complaints and adjusts its practices where needed, particularly where feedback indicates that participant rights are not being upheld.

Any feedback that raises concerns about a participant's rights will be discussed during team meetings, with changes to service delivery processes endorsed by the Directors and implemented by the Care Coordination Team as soon as practicable.

Refer to Ability Plus Disability Services' *Feedback and Complaints Policy and Procedure* for more information and contact details for lodging complaints with Ability Plus Disability Services and external complaints bodies.

Staff Responsibilities

Ability Plus Disability Services expects all staff to support and uphold participants' rights in accordance with this policy and procedure, in all areas of service delivery.

This policy and procedure and the *Protecting Participants from Harm Policy and Procedure* outline how Ability Plus Disability Services ensures staff are aware of their responsibilities to protect participants and their rights. As per Ability Plus Disability Services' *Human Resources Policy and Procedure*, all staff must undergo Induction, which includes training in participant rights.

Staff knowledge and application of supporting and upholding participants' rights is monitored on a day-to-day basis and through annual Performance Reviews. Additional formal and on-the-job training is provided to staff where required.

Staff must think about where participants' rights are relevant to their work and the work-related decisions they make. Where rights are relevant, staff must consider whether or not the decision or action limits a participant's rights in any way. Staff must be able to demonstrate that any limitation on a participant's rights is reasonable, lawful, necessary, and proportionate in the circumstances.



Staff must also work collaboratively with each participant to ensure culturally appropriate practices are being upheld by Ability Plus Disability Services and its staff.

Staff must document any specific culturally appropriate requirements that the participant requests or has arranged with them, within the participant's file and Support Plan.

Supporting Documents

Documents relevant to this policy and procedure include:

- *Service Access Policy and Procedure*
- *Protecting Participants from Harm Policy and Procedure*
- *Human Resources Policy and Procedure*
- *Feedback and Complaints Policy and Procedure*
- *Participant Charter*
- *Participant Handbook*

Monitoring and Review

This policy and procedure will be reviewed at least every two years by the Directors. Reviews will incorporate staff, participant and other stakeholder feedback.

Ability Plus Disability Services' feedback collection mechanisms, such as participant satisfaction surveys, will assess participants' and their supporters':

- satisfaction with the support they are provided to exercise their rights
- awareness of what to do if their rights are violated
- satisfaction with the quality of services they receive
- satisfaction that their privacy and confidentiality are maintained
- views on how easy it is to access the feedback and complaints system
- satisfaction with how complaints and feedback are managed
- satisfaction with the management of reviews and appeals and
- awareness of their rights and the extent to which they feel able and supported to exercise them.

Ability Plus Disability Services' *Continuous Improvement Plan* will be used to record improvements identified and monitor the progress of their implementation. Where relevant, this information will be considered as part of Ability Plus Disability Services' service planning and delivery processes.

DOCUMENT CONTROL

Version No.	Issue Date	Document Owner
3	30 March 2022	Directors
Version History		
Version No.	Review Date	Revision Description
1	June 2018	Policy and Procedure Development: National <i>NDIS Practice Standards</i>
2	June 2020	Updated to meet the NDIS Practice Standards
3	March 2022	Updated to meet the NDIS Practice Standards

