

Participant Rights Policy

Statement

St Giles, ARC Support Services and ASELCC (known as the Organisation hereinafter) is committed to ensuring that the rights of participants are respected and upheld in an ethical manner, at all times. This includes the right to dignity and respect, and to live free from abuse, exploitation and violence.

The Organisation operates within the requirements of Tasmanian and Federal legislation.

Purpose and Scope

It is the responsibility of the Organisation to adhere to the Participant Rights Policy at all times so that all people accessing the Organisation can enjoy the basic human rights and fundamental freedoms afforded to all people, and to enable opportunities for the full development of individual potential.

Definitions and Acronyms

Participant - Any person who engages, participates or accesses supports and/or services from the Organisation.

Staff - People who perform duties as directed by an organisation. Staff include employees, volunteers and contractors.

Human Rights - Rights existing to all human beings, regardless of race, sex, nationality, ethnicity, language, religion or any other status.

Amendments

This policy will be reviewed and updated on an as-needed basis, and input is encouraged from Board members, employees and volunteers to advise the Organisations' Quality Manager of any changes required.

Responsibilities

It is the responsibility of all Board members, casual, permanent and contract employees and volunteers to adhere to and promote the Participant Rights Policy, at all times.

Policy

The Participant Rights Policy supports the Organisation's strong commitment to ensuring all staff understand and uphold the rights of all participants as equal members of society. In providing supports and/or services to participants, all staff will promote and protect rights in line with the United Nations Convention on the Rights of persons with Disabilities.

Specifically, all staff are to:

- Respect the rights, human worth and inherent dignity of all participants (including children, young people and adults) at all times.
- Promote and support participants to receive support free from discrimination, abuse, violence or neglect.
- Support participants to be treated equally to all people in society and participate fully with consideration to their individual and cultural needs and preferences.
- Encourage and support participants to exercise choice and control in the services they participate in, and in making their own informed decisions relating to how they live their life. Staff are to respect the participant's right to exercise dignity of risk, by supporting them to consider and take reasonable risks based on their choices and informed decisions.
- Ensure personal information is kept private and confidential in compliance with the privacy laws. Personal information is only shared where consent is provided, unless the Organisation is required by law (e.g. mandatory reporting).
- Provide information to, and communicate with participants in the language, mode of communication and preferred terms that the participant is most likely to understand.

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- Ensure each participant's legal and human rights are understood and incorporated into the service they receive and the community in which they live.
- Support participants to build their skills and confidence in advocating for their rights.
- Collaborate with parents and others who have the right to make choices and be involved in decisions about the services their child receives and is offered.
- Involve children in the decisions that impact them. Ensuring their rights to choices and control of their lives as appropriate, noting that how children are asked will depend on their age.
- Ensure participants are safe at all times, and services are provided with sensitivity to and awareness of the beliefs and practices of participants from different cultural and language backgrounds. This includes the needs of Aboriginal and Torres Strait Islander people, their families and communities.
- Attend training, education and personal development sessions which are offered by the Organisation to ensure staff are skilled in providing quality services, addressing risk factors, seeking opportunities for continuous improvement, and responding proactively to allegations of abuse or neglect.
- Report any instances where they become aware of a participant's rights being impinged upon. The Organisation has a responsibility to ensure all reports are responded to, investigated and resolved according to the relevant Organisational Policies and Procedures.

Advocacy and Participant Support

It is the right of all participants to have the support of an advocate. An advocate may be a family member, friend or representative of an advocacy organisation. The Organisation ensures that advocacy and support is offered and available to participants.

Relevant Legislation

- Anti-Discrimination Act 1998 (Tas)
- Children, Young Person and Their Families Act 1997 (Tas)
- Disability Discrimination Act 1992 (Cth)
- Disability Services Act 2011 (Tas)
- National Disability Insurance Scheme Act 2013
- Privacy and Personal Information Protection Act 1996 (Tas)
- United Nations Rights of the Disabled Person 1975
- United Nations Convention on the Rights of the Child (1989)
- United Nations Convention on the Rights of Persons with Disabilities

Relevant Documentation

- Code of Conduct
- Participant and Child Protection Policy and Procedure
- Privacy Policy and Procedure
- Confidentiality Policy and Procedure
- Service Delivery Policy and Procedure
- Complaints Policy and Procedure