



home and community care

**A JOINT COMMONWEALTH AND STATE/TERRITORY PROGRAM
PROVIDING FUNDING AND ASSISTANCE FOR AUSTRALIANS IN NEED**

**Rights and Responsibilities –
Home and Community Care (HACC)
Program Service Users**

Your Rights and Responsibilities as a HACC Service User

Services funded by the Home and Community Care (HACC) Program are required by government to maintain certain Standards in order to provide quality care. The Rights and Responsibilities described here are all related to those Standards.

As a person using HACC services you have a number of rights. HACC service providers should recognise your right to;

- be treated with **respect and courtesy**
- **be informed and to be consulted**
- be **part of decisions** made about your care
- receive good **quality** services
- **privacy and confidentiality**, and to access all personal information kept about you by our service
- have another person of your choice support you and **advocate** on your behalf
- have your comments valued and to **make a complaint** if you are not happy with the services you receive.

The Right to be treated with Respect and Courtesy

Service providers must respect your ideas and the decisions you make about your life. They should listen to what you have to say, and are expected to show courtesy in their behaviour to you. Here are some questions you can ask service providers about this right:

Will your staff seek my consent if they want access to my personal belongings?

Are staff expected to listen to what I have to say about my care?

Are staff expected to talk to me in a respectful way?

If I think that staff are not treating me with dignity what can I do?

Who should I speak to in the agency?

Who could I speak to outside of the agency?

How familiar is your service with my cultural background/religious beliefs?

Will staff respect my cultural and religious beliefs?

The Right to be informed and to be Consulted

As a client you have the right to be informed about the service available to you, and about your rights as a service consumer. These are questions that can help you obtain the information you need to get the most from a service:

What exactly can this agency provide for me?

*How often will I receive the service?
For how long can I expect to receive the service?*

What will it cost me?

If I cannot afford the service can I request a reduction in fees?

Can I get the service after hours or on weekends?

Will I have the same staff each time?

What happens if I don't take up the service now and ask for it again later?

How will I be involved in planning the services you provide to meet my needs?

Can I stop the service at any time?

How would I do this?

Do you have a written copy of my rights as a service consumer?

Can I have the information in a language other than English?

If my English is not good, can I have an interpreter?

The right to be part of decisions about your care

You have the right to remain in control of the care you receive by being part of decisions made about the services provided to you. You can ask these sort of questions:

How will I be involved in developing the plan for my care?

Can I have someone with me during any discussions about my care?

If my needs change, will you review my care plan with me?

Can I ask for a male or female worker?

Can I choose a time that suits me to receive my service?

Can I ask my worker not to smoke in my home?

Will you tell me in writing if there are any changes to my service?

To whom can I complain about changes made to my service? How would I do that?

The Right to receive Quality service

An agency needs to inform you about what services it can and cannot provide. You have the right to receive a planned and reliable service. To find out more about this right you can ask service providers these questions:

Do I get a regular visit or phone call from the agency to find out if I am happy with the service I am receiving?

Do you provide clients with a copy of information about the agency?

Do I receive a copy of my plan of care?

Am I going to be consulted about any changes made to the service I receive?

Is the agency flexible about adapting services to meet my needs?

Will I be encouraged to speak up if I have any concerns about the service I am receiving?

The Right to Privacy and Confidentiality

You have the right to confidentiality and privacy, and to obtain information held about you on agency files. These are examples of questions you might ask service providers about this right:

Do you have any written information about my rights regarding privacy and confidentiality?

What sort of personal details do you keep about your clients? (For example, date of birth, income, religion)

Would you ever give my personal details to another agency or to anyone else without my permission?

Where do you keep my personal information?

Is it secure? How do you make sure it is secure?

Who has access to my file?

Can I have access to my file?

Who would I talk to if I felt that my privacy or confidentiality were breached?

The right to an advocate

Everyone has basic rights as Australian citizens and these include expressing your views. It can be helpful to have family or friends to speak on your behalf, or agencies whose role is to advise people about their rights and responsibilities

when receiving services, and to act on your behalf with service providers. Agencies like this are known as 'advocacy' agencies, and people who act on your behalf are known as advocates.

As someone using a service funded by HACC, you have the right to involve an advocate of your choice to represent you at any time. These are examples of questions you can ask service providers regarding your right to advocacy:

Can I have a friend, family member or person from an advocacy service to represent me at any time?

Do you have written information about my rights as a user of your services?

Can I have my rights explained to me by an interpreter?

Is there an independent advocacy agency that can tell me more about my rights as a HACC service user?

The right to make a complaint

As someone using services funded by HACC, you have the right to give honest feedback about the service you are receiving without fear of losing the service, or having it reduced. HACC Standards require services to have clear policies, in writing, for handling complaints from service users, and to make sure that their clients understand how those policies are applied.

These are some questions you can ask an agency:

Can I discuss any concerns that I have about the service I am receiving?

Is there a particular person in the agency who deals with complaints?

Do I have to put any concerns in writing?

Or can I explain it over the phone or talk to someone in person?

Will my complaint be kept confidential?

Will I risk losing my service if I complain?

If I am not happy with the result of my complaint who else can I talk to within the agency?

Who can I go to outside of the agency?

Can I have a copy of your agency's policy and procedures for handling complaints?

- take **responsibility** for the results of any decisions which you make with staff about your care.

ACKNOWLEDGEMENT: This information is based on brochures developed by the Aged Rights Advocacy Service in South Australia and by Ethnic Link Services in South Australia.

Your Responsibilities as a HACC Service User

While you have a number of *Rights* as a service user, you also have some *Responsibilities* to the people providing care to you.

- HACC services ask their clients to:
- treat staff with **respect and courtesy** – for example, by letting them know as soon as possible if you cannot keep an appointment.
- provide a **safe** work environment for staff and help them to provide you with services safely– for example, by not leaving floors slippery

Commonwealth, State and Territory Contacts for the HACC Program

Commonwealth

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New South Wales

Department of Ageing, Disability and Home
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Level 5
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Victoria

Aged Care
Department of Human Services
50 Lonsdale Street
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FAX: (03) 9616 7943

Queensland

HACC Program Directorate
Disability Services Queensland
GPO Box 806
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South Australia

Department for Families and Communities
Office for the Ageing
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Western Australia

Aged and Continuing Care Branch
Department of Health
189 Royal Street
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PH: (08) 9222 4222
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Tasmania

HACC Planning & Development Unit
Department of Health & Human Services
GPO Box 125
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Northern Territory

Aged, Disability & Community Care
Department of Health and Community
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Australian Capital Territory

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