

# Standard 1.

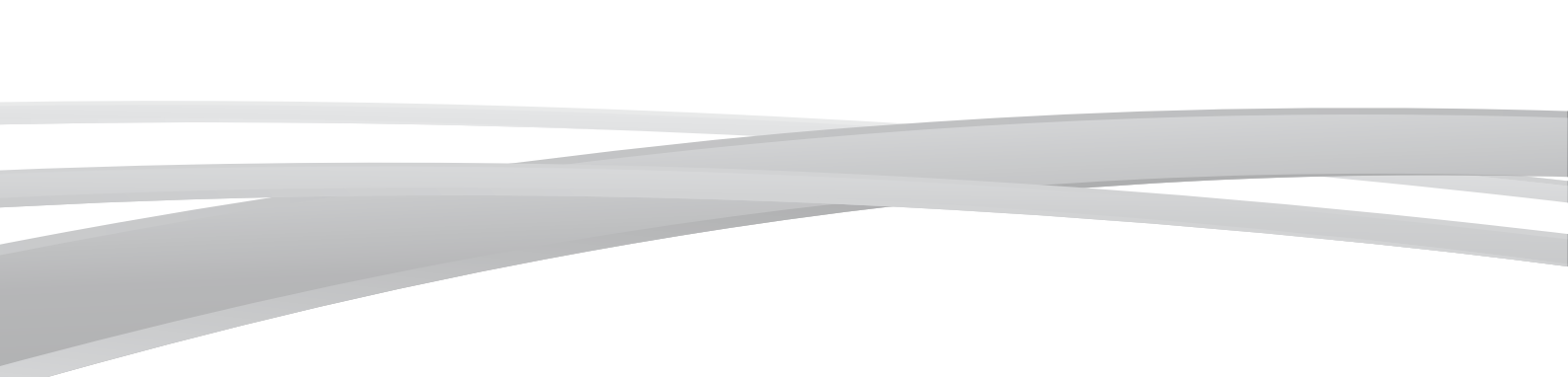
## Rights and responsibilities

**The rights and responsibilities of people affected by mental health problems and / or mental illness are upheld by the mental health service (MHS) and are documented, prominently displayed, applied and promoted throughout all phases of care.**

### CRITERIA

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- 1.1** The MHS upholds the right of the consumer to be treated with respect and dignity at all times.
- 1.2** All care is delivered in accordance with relevant Commonwealth, state / territory mental health legislation and related Acts.
- 1.3** All care delivered is subject to the informed consent of the voluntary consumer and wherever possible, by the involuntary consumer in accordance with Commonwealth and state / territory jurisdictional and legislative requirements.
- 1.4** The MHS provides consumers and their carers with a written statement, together with a verbal explanation of their rights and responsibilities, in a way that is understandable to them as soon as possible after entering the MHS and at regular intervals throughout their care.
- 1.5** Staff and volunteers are provided with a written statement of the rights and responsibilities of consumers and carers, together with a written code of conduct as part of their induction to the MHS.
- 1.6** The MHS communicates with consumers, carers and other service providers and applies the rights and responsibilities of involuntary patients as per relevant Commonwealth, state / territory mental health legislation and related Acts.

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- 1.7** The MHS upholds the right of the consumer to have their needs understood in a way that is meaningful to them and appropriate services are engaged when required to support this.
  - 1.8** The MHS upholds the right of the consumer to have their privacy and confidentiality recognised and maintained to the extent that it does not impose serious risk to the consumer or others.
  - 1.9** The MHS upholds the right of the consumer to be treated in the least restrictive environment to the extent that it does not impose serious risk to the consumer or others.
  - 1.10** The MHS upholds the right of the consumer to be involved in all aspects of their treatment, care and recovery planning.
  - 1.11** The MHS upholds the right of the consumer to nominate if they wish to have (or not to have) others involved in their care to the extent that it does not impose serious risk to the consumer or others.
  - 1.12** The MHS upholds the right of carers to be involved in the management of the consumer's care with the consumer's informed consent.
  - 1.13** The MHS upholds the right of consumers to have access to their own health records in accordance with relevant Commonwealth, state / territory legislation.
  - 1.14** The MHS enacts policy and procedures to ensure that personal and health related information is handled in accordance with Commonwealth, state / territory privacy legislation when personal information is communicated to health professionals outside the MHS, carers or other relevant agencies.
  - 1.15** The MHS upholds the right of the consumer to access advocacy and support services.
  - 1.16** The MHS upholds the right of the consumer to express compliments, complaints and grievances regarding their care and to have them addressed by the MHS.
  - 1.17** The MHS upholds the right of the consumer, wherever possible, to access a staff member of their own gender.