# **Rights and Responsibilities Policy and Procedure**

## Purpose

We respect the rights of people with disability. This sets out participant rights, related responsibilities, and how we support these.

## Scope

This policy applies to all:

* organisation managed sites
* staff, including management, contractors and volunteers
* NDIS participants and the support networks they choose.

## Policy

We commit to upholding the rights of all people, including those with disabilities.

There are different rules about rights services must follow. These include the:

* United Nations Convention on the Rights of Persons with Disabilities and other conventions
* National Disability Scheme Act 2013
* NDIS Code of Conduct
* NDIS standards and rules
* State and Territory disability legislation.

We are also committed to ensuring people are aware of their rights and responsibilities.

## Procedure

**Rights information is available:**

* [Participant Handbook](https://isp-ndis.atlassian.net/wiki/spaces/NPS/pages/5275222648)
* in policies and procedures
* on the website.

**Staff will provide rights information when a person:**

* starts with the service
* asks for information
* makes a complaint
* is involved in an incident
* is making decisions or changes
* leaves the service.

Staff will make sure people understand their rights by providing information to suit. They will document individual communication needs at intake, and check at review.

**Information may be:**

* in plain English or easy read
* different languages
* written
* explained by the staff, family, friends, advocates or interpreters.

Staff will encourage people to involve family, friends, advocates, or other people who are important to them. They will document the support network at intake, and check at review.

Staff will check people understand their rights, and document information provided.

The information about rights in this document explains rights under the NDIS Standards.

### Participant rights

**Participants have the right to:**

* freedom of expression
* information in a format that is easiest to understand
* choice and control
* person-centred supports
* involve family, friends and advocates
* staff respect for individual rights.

### Individual values and beliefs

Participants have the right to support that respect the person. This includes identity, culture, values and beliefs. Staff will document what is important to people at intake, and check at review.

### Privacy and dignity

People have the right to privacy and dignity. This includes independence and making informed choices, or support to make decisions if needed.

Some supports are more personal than others. Participants have a right to choose what information they share with the organisation. Some information is needed for staff to be able to support people safely. This can include information about health, medication and behaviours. If a person shares information about their sexuality, staff will respect this.

Staff will keep information private, and ask for consent to share information. They will make sure participants are in control, and can make choices. They will document consents and the choices people make.

Freedom from violence, abuse, neglect, exploitation, or discrimination

People have the right to live free from violence, abuse, neglect, exploitation, or discrimination. They also have the right to make a complaint. Staff follow the [NDIS summary code of conduct for workers](https://isp-ndis.atlassian.net/wiki/spaces/NPS/pages/5275222640)

Privacy is different when there is a serious concern for someone’s safety. Staff have a legal responsibility (duty of care) to report and act on this. Reporting a concern of abuse or neglect does not require consent.

## Responsibilities

As well as rights, there are also responsibilities. These make sure rights are respected.

**Management is responsible for:**

* setting a good example
* staff induction training (including the NDIS Worker Orientation Module, rights, privacy, complaints and incidents)
* making sure policies and procedures are followed
* responding to concerns.

**Staff are responsible for:**

* respecting individual rights
* documenting information
* providing safe and skilled support
* following the NDIS Code of Conduct
* raising any concerns.

**Participants and their support networks are responsible for:**

* Treating staff, other participants and their support networks with respect, including their privacy and safety
* providing information about support needs and preferences
* participating in support /care planning and review
* making choices
* telling staff if any changes affect support
* promptly paying fees.