



## PARTICIPANT RIGHTS AND RESPONSIBILITIES POLICY AND PROCEDURE

### Policy

Potential Therapy Services for Children will ensure it meets the conditions of all relevant legislation and standards including the NDIS Practice Standards and the NDIS Code of Conduct, pertaining to Participant rights and responsibilities.

Potential Therapy Services for Children recognises there are many human and legal rights the Participant is entitled to have acknowledge and upheld during the provision of supports and beyond.

Potential Therapy Services for Children also has a responsibility to its staff to ensure their rights are acknowledge and upheld in the work place. In order to do this Potential Therapy Services for Children requires the participant to understand their role in ensuring the rights of their Provider are recognised and to take some responsibility to ensure they are upheld.

Potential Therapy Services for Children will ensure all participants are informed of their rights and responsibilities prior to the commencement of services via the Service Agreement.

### ***The Provider agrees to the following in order to ensure the rights of the Participant are acknowledge and upheld:***

- actively work with the Participant to identify their wishes, will, preferences and rights to establish goals and needs and subsequently develop a Support Plan
- assist the participant to access an advocate as required by referral to appropriate service such as, [Disability Advocacy Finder](#) and [Advocacy Western Australia](#);
- work with the Participant's advocate, trusted decision maker and/or family member to assist the participant to exercise choice and control and to have their voice heard in matters that affect them. This can occur at any time while the participant is using Potential Therapy Services for Children's services
- review the provision of supports at regular intervals with the Participant and their advocated or trusted decision maker
- provide the agreed safe and high-quality supports that meet the Participant's needs at the Participant's preferred, location and times whenever possible
- respect the cultural values and beliefs of the participant
- communicate openly and honestly in a timely manner and in a way the participant can best understand including using an interpreter if required
- treat the Participant with courtesy and respect
- inform the Participant of all costs associated with the provision of supports including the cost associated with cancellations
- protect the Participant's privacy and confidential information as per the Privacy Act 1988 (and provide a copy of Potential Therapy Services for Children's Privacy and Information Management Policy if requested)

- store Participant information in a secure electronic file, that is password protected and has appropriate firewall protection
- inform the participant how to make a complaint and treat them fairly and impartially if they make a complaint
- listen to the Participant's feedback and resolve problems quickly
- give the Participant a minimum of 48 hours' notice (where possible) if the Provider has to change a scheduled appointment to provide supports
- provide supports in a manner consistent with all relevant laws, including the [National Disability Insurance Scheme Act](#) and [Rules](#), and the Australian Consumer Law
- keep accurate records on the supports provided to the Participant
- issue regular invoices for the provision of supports delivered to the Participant
- give the Participant the required notice if the Provider needs to end the Service Agreement (see Ending this Service Agreement below)
- continually inform the Participant of possible risks and benefits associated with achieving their goals
- investigate any incidents that occur and follow [NDIS \(Incident Management and Reportable Incidents\) Rules 2018](#). This includes including involving the Participant in the investigation and determining actions / outcomes. A copy of XXX's Incident Management Policy can be provided if requested)

***Agreement from the Participant or their representative is sought to the following Participant responsibilities to ensure the rights of the Participant and the Provider are upheld:***

- be involved in the development of your Support Plan, informing the Provider how you wish your Services/ Supports to be delivered
- provide accurate information and keep your provider informed of changes to your personal information
- inform your Provider if you are receiving other services or supports
- use equipment safely – in the manner in which you have practiced with your Provider
- ensure there are appropriate funds available for claiming services that have been booked and provided. If your Provider is unable to make a claim to NDIA for the provision of a service due to insufficient funds you are responsible for payment
- treat the Provider with courtesy, respect and dignity
- provide a safe and smoke-free environment for the Provider to work in if seen in the community
- talk to the Provider if you have any concerns about the supports being provided
- give the Provider a minimum of two full business days notice if you cannot make a scheduled appointment; and understand if the notice is not provided by then, the Cancellation Policy will apply
- give the Provider the required notice if you need to end the Service Agreement
- let the Provider know immediately if your NDIS plan is suspended or replaced by a new NDIS plan or you stop being a Participant in the NDIS
- give the Provider feedback or lodge a complaint if you are dissatisfied with the service or the way it is delivered
- discuss your concerns regarding risks associated with achieving your Support Plan
- request a copy of any of our Policies if further information is required.

### Outcome

All Participants are made aware of their Rights and Responsibilities via their Service Agreement prior to the commencement of services.

The Participant will receive supports that promote and respect their legal and human rights and enables them to exercise choice.

## Procedures

- Participant's rights will be central when developing and reviewing supporting policies
- Staff will receive training on participant's rights and responsibilities at induction and on a regular and on-going basis
- Participant Rights and Responsibilities are reviewed at least annually and changes are made to the Service Agreement to reflect these changes as / if required. Participants are informed of any changes
- Participants receive information about their rights and responsibilities prior to the provision of supports via their Service Agreement
- The Allied Health Professional (AHP) goes through Rights and Responsibilities with the Participant as per the Service Agreement at the time of the initial assessment. The AHP endeavours to ensure the Participant understands the information by using appropriate communication and interpreters if required. If the AHP is uncertain the participant understands their rights and responsibilities they will seek consent to talk with a trusted decision maker, family member or advocate.