

CLIENT RIGHTS AND RESPONSIBILITIES POLICY AND PROCEDURES

Section 2: Client Services	
Policy number: 2.1	Authorised by: Management Committee
Date adopted: 29 th July 2013	Last date reviewed: June 2024 Next review date: June 2028
Related Standards	
Human Services Quality Standards Standard 2: Service Access Standard 3: Responding to Individual Need Standard 4: Safety, Wellbeing and Rights	National Accreditation Scheme Standards Standard 9 – Provision of Discrete and Ongoing Services Standard 15 – Accessibility, Inclusion and Diversity

Purpose

The purpose of this policy is to ensure that the rights of every individual accessing a service provided by the Northside Connect Inc (NCI) is upheld and that all parties are aware of their responsibilities in relation to providing and receiving a service.

Policy statement

NCI is committed to ensuring that all individuals accessing the service are aware of their rights and responsibilities and receive a consistent and equitable response from other clients, staff, volunteers, students, visitors and visiting services. NCI will ensure that the rights of all individuals accessing the services for support and assistance will be maintained in line with the Qld Human Rights Act 2019.

Procedures

All individuals including clients, staff, students and volunteers as well as visitors and visiting services are expected to adhere to the following Statements of Rights and Responsibilities for clients of NCI. A copy of the Client Statement of Rights and Responsibilities is to be placed on the Organisation’s website and to be affixed in the public foyer area of NCI’s premises

Statement of Rights

Clients have the right to:

- Be treated with fairness regardless of gender, race, religion, disability, cultural and linguistic background or age.
- A safe, secure and comfortable environment whilst using the service.
- Be treated with honesty, respect, dignity and regard for their privacy and confidentiality.
- Be provided with accurate information to make informed decisions and choices about the services they receive.
- Professional, high quality services, appropriate to their needs and circumstances.
- Support that takes into account lifestyle and cultural differences and to be an active partner in the services provided.



- Receive services regardless of their financial circumstances.
- If refused a service or have a service withdrawn, be provided with a clear reason why and upon request be given information on how to appeal the decision or pursue a complaint or grievance on the decision.
- Pursue a complaint or grievance about the service without fear of retribution or loss of service and to have that grievance resolved in a timely and appropriate manner in accordance with the Complaints Policy.

Staff, students or volunteers who breach a client's rights may be asked to undergo a performance management process as per the Employee Performance Management and Discipline Policy. Visiting services which do not adhere to the Client's Statement of Rights may have their Room Hire agreement, Memorandum of Understanding or any other agreement between that service and NCI cancelled.

Statement of Responsibilities

Clients have a responsibility to:

- Respect other people's rights to a safe, secure and comfortable environment and actively contribute to ensuring this occurs.
- Treat other clients, staff, students, volunteers and visiting services with respect and consideration.
- Respect other people's rights to privacy and confidentiality.
- Be on time for appointments and provide all information necessary for the provision of services.
- Follow the programs' policies and procedures as they relate to clients and access to services.

Clients who do not adhere to their responsibilities in accessing a service with NCI may be asked to undergo a review of support prior to being offered further services. In circumstances where the breach is having an immediate impact on service delivery e.g. where someone is threatening violence, consuming alcohol or illicit drugs on premises or behaving in an abusive or intimidating manner the following response will be applied.

1. If a client is seen to be breaching the Policy they will be asked by the staff member present to stop the behaviour immediately and be provided with a clear reason why the behaviour is unacceptable and must not continue. If they comply no further action taken.
2. If they refuse and continue – e.g. continue being abusive, consuming alcohol, using illicit drugs they will be asked to leave the Centre premises (including the car park) immediately. They will be instructed that they are not to return to the Centre until they have agreed to meet with the Coordinator about their conduct and further behaviour at the Centre.
3. Staff must then inform at least one other staff member (preferably senior staff member) of the breach and possible further action required. Second staff member to remain present in the immediate vicinity of the client and staff until incident resolved.
4. If the client/s refuses to leave, if safe to do so, they will be warned that the police will be called. Again they will be instructed that they are not to return to the Centre until they have agreed to meet with the Coordinator about their conduct and further behaviour at the Centre.
5. If they still refuse to leave the Police are to be called and if necessary, the Lock Down Procedure (as per Critical Incident Policy) will be implemented.

Refusal of Service

On occasion it may be necessary to refuse services to a client from the Centre for a period of time dependant on the seriousness of the matter. A client may be refused service for a variety of reasons including

- Continued behaviour that breaches policies and procedures where all attempts by staff to address this with the client have failed.
- Immediate behaviour that puts others and the Centre at imminent and serious risk of harm or injury and Management believe that the threat posed requires immediate banning to prevent further risks to the safety of others. This can include physical harm, psychological harm and/or damage to property.

Should refusing services to a client be considered necessary for the ongoing safety and wellbeing of staff, volunteers, students, clients and visiting services, the Coordinator in consultation with relevant staff and the Management Committee will review the matter and consider the following before making a final decision

- What are the risks to others and the Centre should the refusal of service not be imposed, taking into account OH&S and other legislative obligations?
- What actions have been taken by staff to manage and address the behaviour?
- Has the client demonstrated a willingness to change the behaviour and are there any supports or resources that NCI can offer to assist with this within the capacity of the Organisation?
- In consideration of the Qld Human Rights Act 2019, are the clients rights being breached and is this the only viable option in order to protect others including staff, volunteers, students, visiting services and the community?

Once the decision has been made to refuse services to a client a Notice will be printed and signed by the Coordinator or other relevant staff. When safe to do so, and if necessary with Police presence, the client will be served with the Notice and a verbal explanation provided as to why the notice is being served and what this means for their continued access to services at the Centre. If possible the client will be asked to also sign a copy of the notice, if they refuse this will be noted.

The Coordinator will ensure detailed file notes are kept regarding the behaviour that led to the Banning Notice being served, actions taken by staff to address this behaviour and the time, date and who was present when the Notice was served.

All reviews of service provision and final decisions regarding continuation of support will be undertaken by the Coordinator in consultation with relevant staff and the Management Committee