

## RIGHTS OF SERVICE RECIPIENT

Persons-in-care and their families have rights within Jesse's Voice care system. Jesse's Voice recognises this and will ensure that each Person-in-care and their family are aware of their rights and that they are appropriately realised.

The rights of Persons-in-care and their families include but are not limited to:

- Having their needs met while in care
- Individual needs met in the most appropriate and timely way
- Being in a placement where they are safe from violence and exploitation
- Participation in decision making
- Receiving relevant information and to be kept fully informed
- Access to personal information
- Entitlement to certain documents
- Contact with parents
- Contact with siblings
- Contact with extended family and other people significant to them
- Contact with kinship groups and their community
- Requests for assistance
- Information about the carers.

Information about Rights will be provided in a format that is appropriate, age related, culturally sensitive and accessible. This includes information for persons with special needs and from non-English speaking backgrounds.

Jesse's Voice with the assistance of Persons-in-care will draft a charter of rights for Persons-in-care. This group is lead by Persons-in-care for Persons-in-care.

Persons-in-care are afforded the following rights, but not limited to:

- In all decisions made, the safety, welfare and well being of Persons-in-care must be the paramount consideration.
- Opportunity to express their views on a matter concerning their welfare.
- To receive adequate information in a manner and language that can understand and is accessible and culturally aware.
- Have their culture, language, religion, disability and sexuality taken into account in all actions and decisions made that affect them.

- Have the least intrusive intervention when it is necessary to take action in order to protect Persons-in-care from harm, providing it is consistent with the principle of concern for the Person-in-care.
- Have their name, identity, language, cultural and religious ties preserved.
- Have decisions in relation to a permanent placement made in a timely manner and to have a care placement that provides a safe, nurturing, stable and secure environment.
- Unless it is contrary to the individual's best interests and taking into account their wishes, the Person-in-care has the right to retain relationships with people who are significant to them which includes parents, siblings, extended family, peers, family friends and community.

In addition Persons-in-care have the right to:

- Approach The Director of Friendships and Families to seek assistance
- Approach the Managing Director for assistance
- Appeal a decision of the Children's Court; for children and youth
- Appeal any decision made by Jesse's Voice or it's staff
- Make a complaint with out fear of retribution
- Seek a review of a decision they are unhappy with
- Be given information about the proposed placement before moving in
- Be prepared for and have a plan developed for leaving care
- On leaving care, have access free of charge to files containing personal information relating directly to them

The families of Persons-in-care have the following rights:

- When it is necessary to take action in order to protect a Person-in-care from harm; to have intervention that is the least intrusive to the family, providing it is consistent with the principle concern for the Person-in-care
- To seek assistance from the Director of Friendships and Families and the Managing Director in order to obtain services that will enable their child or young person to return to the care of his or her family
- To appeal a decision of the Children's Court; for children and youth
- To be kept informed of their child's progress and development

## RIGHTS OF SERVICE RECIPIENT

With respect to Aboriginal and Torres Strait Islander Service Recipients and their families, the following rights also apply:

- Aboriginal and Torres Strait Islander families, kinship groups, representative organisations and communities are to be given the opportunity to participate in decisions made concerning the placement of their children and young persons and in other decisions concerning them
- Aboriginal and Torres Strait Island children and young persons are to be placed in out-of-home care in accordance with the Aboriginal and Torres Strait Islander Child and Young Person Placement Principles

The right of Persons-in-care and their families to privacy and confidentiality is respected and practised by Jesse's Voice. The collection of any information on a Person-in-care and their family must be intended for a lawful purpose and must be related to the function of service care. Information should only be shared on a 'need to know' basis within Jesse's Voice. The 'need to know' principle should guide the sharing of confidential information within and outside of Jesse's Voice.

It is an offence to disclose any information unless the disclosure is made:

- With the consent of the person from whom the information was obtained
- In connection with the administration or execution of the relevant Act or regulations
- For the purposes of any legal proceedings arising out of the relevant Act or the regulations, or of any report of any such proceedings
- In accordance with a requirement imposed under the Ombudsman Act 1974
- With other lawful excuse.

### Complaint

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A complaint according to the AS 4269 (1995), Australian Standard on Complaints Handling is defined as 'any expression of dissatisfaction with a product or service offered or provided.' This includes matters such as;

- Unfair, inappropriate or incorrect management of matters
- Improper behaviour, misuse of authority or the show of partiality by a staff member
- Abrupt, rude, unsympathetic or aggressive behaviour by a staff member, either in person or on the phone
- Officious, ambiguous or unhelpful correspondence
- An inappropriate, excessive or impractical notice or order given by a staff member
- An inadequate or incorrect response in dealing with an issue

### Appeal

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An appeal is a request by a person who is not satisfied with a decision made to review and/or change that decision. An appeal may be on the basis of the actual decision made, the manner in which it was made or the person(s) who made it.

### Service Recipients Rights Consultation Group

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In due course Persons-in-care will formulate a consultation group to formulate their own rights. The consultation group shall be in whole maned by Persons-in-care; with the assistance of a staff member and an outside member of the community.