Charter of Rights and Responsibilities for Home Care

Aged Care Act 1997, Schedule 2 User Rights Principles
Rights

As a care recipient I have the following rights:

1  General
   a) to be treated and accepted as an individual, and to have my individual preferences respected
   b) to be treated with dignity, with my privacy respected
   c) to receive care that is respectful of me, my family and home
   d) to receive care without being obliged to feel grateful to those providing my care
   e) to full and effective use of all my human, legal and consumer rights, including the right to freedom of speech regarding my care
   f) to be treated without exploitation, abuse, discrimination, harassment or neglect

2  Participation
   a) to be involved in identifying the home care most appropriate for my needs
   b) to choose the care and services that best meet my assessed needs, from the home care able to be provided and within the limits of the resources available
   c) to participate in making decisions that affect me
   d) to have my representative participate in decisions relating to my care if I do not have capacity

3  Care and Services
   a) to receive reliable, coordinated, safe, quality care and services which are appropriate to my assessed needs
   b) to be given before, or within 14 days after I commence receiving care, a written plan of the care and services that I expect to receive
   c) to receive care and services as described in the plan that take account of my lifestyle, other care arrangements and cultural, linguistic and religious preferences
   d) to ongoing review of the care and services I receive (both periodic and in response to changes in my personal circumstances), and modification of the care and services as required
4 Personal Information
   a) to privacy and confidentiality of my personal information
   b) to access my personal information

5 Communication
   a) to be helped to understand any information I am given
   b) to be given a copy of the Charter of Rights and Responsibilities for Home Care
   c) to be offered a written agreement that includes all agreed matters
   d) to choose a person to speak on my behalf for any purpose

6 Comments and Complaints
   a) to be given information on how to make comments and complaints about the care and services I receive
   b) to complain about the care and services I receive, without fear of losing the care or being disadvantaged in any other way
   c) to have complaints investigated fairly and confidentially, and to have appropriate steps taken to resolve issues of concern

7 Fees
   a) to have my fees determined in a way that is transparent, accessible and fair
   b) to receive invoices that are clear and in a format that is understandable
   c) to have my fees reviewed periodically and on request when there are changes to my financial circumstances
   d) not to be denied care and services because of my inability to pay a fee for reasons beyond my control
Responsibilities

As a care recipient I have the following responsibilities:

1 General
   a) to respect the rights of care workers to their human, legal and industrial rights including the right to work in a safe environment
   b) to treat care workers without exploitation, abuse, discrimination or harassment

2 Care and Services
   a) to abide by the terms of the written agreement
   b) to acknowledge that my needs may change and to negotiate modifications of care and service when my care needs do change
   c) to accept responsibility for my own actions and choices even though some actions and choices may involve an element of risk

3 Communication
   a) to give enough information to assist the approved provider to develop, deliver and review a care plan
   b) to tell the approved provider and their staff about any problems with the care and services

4 Access
   a) to allow safe and reasonable access for care workers at the times specified in my care plan or otherwise by agreement
   b) to provide reasonable notice if I do not require a service

5 Fee
   a) to pay any fee as specified in the agreement or negotiate an alternative arrangement with the provider if any changes occur in my financial circumstances
   b) to provide enough information for the approved provider to determine an appropriate level of fee