How To Make A Complaint

**COMPLAINTS, FEEDBACK AND SUGGESTIONS**

* You can provide us with feedback by phoning, writing, visiting our office or emailing. All feedback whether it is positive or negative assists us to improve the services we provide.
* You have the right to make an anonymous complaint, this can be made using the form provided with this booklet, downloading a form from our website, through another service or agency or a friend, relative or advocate
* You have the right to complain about the service you receive without fear of the service being stopped or you being mistreated because you made a complaint
* All complaints will be dealt with within a 48 hour period and you as a client will be provided with feedback as soon as possible.
* You have the right to refuse a service and refusal will not prejudice your future access to services
* Any complaints will be dealt with fairly, promptly and without retribution
* If you are not satisfied with the way the Service has handled your complaint you can contact

Aged Care Complaints Scheme

The Scheme provides a free service for people to raise their concerns about the quality of care or services being delivered to people receiving residential or community aged care services that are subsidised by the Australian Government.

Anyone can complain to the Scheme and complaints can be made anonymously or confidentially. We encourage people to lodge complaints openly as this gives us the most flexibility in resolving their concerns.

If you are unable to resolve your concern with the service provider you can contact the Scheme. We can examine concerns about safety or about the care and services being provided. We can use a range of different approaches to resolve a concern. Our focus is on reaching the best outcome as quickly as possible.

Find out more about raising a concern online at **agedcarecomplaints.govspace.gov.au/concern**

or contact the Scheme on **1800 550 552**.

Legal Advice and Advocacy

The Older Person’s Legal Service provides legal advice and referral to older people in NSW.

The Older Persons’ Legal Advice may also provide limited legal assistance for financially and socially disadvantaged older people in NSW

Phone: 1800 424 076 Website: [www.tars.com.au](http://www.tars.com.au)

**Australian Centre for Disability Law -** Tel 02 8014 7000

General e mail info@disabilitylaw.org.au
Legal advice: adviceline@disabilitylaw.org.au

**Information and Advocacy for 64 years and under**

**Intellectual Disability Rights Service -** TollFree 1800 66 66 11

**National Abuse and Neglect –** TollFree 1800 880 052

**CHARTER OF RIGHT AND RESPONSIBLITIES FOR HOME CARE**

As a care recipient I have the following RIGHTS:

GENERAL

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

PARTICIPATION

* To be involved in identifying the home care most appropriate for my needs
* 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
* To participate in making decision that affect me
* To have my representative participate in decisions relating to my care if I do not have capacity
* To receive reliable, coordinated, safe, quality care and services which are appropriate to my assessed needs
* To be given before, or within 14 days after I commence receiving care, a written plan of the care and service that I expect to receive

CARE AND SERVICES

* 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
* 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

PERSONAL INFORMATION

* To privacy and confidentiality of my personal information
* To access my personal information

COMMUNICATION

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

COMMENTS AND COMPLAINTS

* To be given information on how to make comments and complaints about the carer and services I receive
* To complain about the care and services I receive, without fear of losing the care or being disadvantaged in any other way
* To have complaints investigated fairly and confidentially, and to have appropriate steps taken to resolve issue of concern

FEES

* To have my fees determined in a way that is transparent, accessible and fair
* To receive invoices that are clear and in a format that is understandable
* To have my fees reviewed periodically and on request when there are changes to my financial circumstances
* Not to be denied care and services because of my inability to pay a fee for reasons beyond my control

SERVICE

* You may involve an advocate (a friend, family member etc.) of your choice to represent your interests. The rights of the Advocate or Guardian are to be acknowledge and respected
* Service will be responsive to your social, cultural and physical needs

**RESPONSIBILITIES** As a care recipient you have the following responsibilities:

GENERAL

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

CARE AND SERVICES

* To abide by the terms of the written or verbal agreement
* To acknowledge that my needs may change and to negotiate modifications of care and service when my care needs do change
* To accept responsibility for my own actions and choices even though some actions and choices may involve an element of risk

COMMUNICATION

* To give enough information to assist Bathurst Community Transport to develop, deliver and review a care plan
* To tell Bathurst Community Transport about any problems with the care and services

ACCESS

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

FEE

* To pay and fee as specified in the agreement or negotiate an alternative arrangement with the provider if any changes occur in my financial circumstances
* To provide enough information for the approved provider to determine an appropriate level of fee

SERVICES

* To inform Bathurst Community Transport if you are not going to be home when a team member has been arranged to collect you
* Passengers in our vehicles my utilise seatbelts and other vehicle safety devices as directed by team members
* You must respect the confidentiality of information about other clients and team members which you may obtain whilst using the service

**Privacy & Personal Information**

* The [Privacy Act 1988](http://www.comlaw.gov.au/Series/C2004A03712) (Privacy Act) is an Australian law which regulates the handling of personal information about individuals. This includes the collection, use, storage and disclosure of personal information, and access to and correction of that information
* Australians have a right to know why such information about them is being acquired, and who will see the information. Those in charge of storing the information have obligations to ensure such information is neither lost nor exploited. An Australian will also have the right to access the information unless this is specifically prohibited by law.
* As a Service User it is your right to have confidentiality about your care and needs maintained. When seeking information and feedback about your service your privacy will be considered at all times. You have the right to access your file, decide what information you give us and to have your information protected and only released with your permission. Please note that the Funding Body (State & Federal Government) have the right to access your file however their Employees are bound by confidentiality agreements and will not release any information. The only reason the Funding Body would look at your file would be to check that we are providing a quality service.
* If you require any further information about the privacy act or your rights contact the office or Contact Privacy:
* Web site: [www.privacy.gov.au](http://www.privacy.gov.au)
* Enquiries: privacy@privacy.gov.au
* Hotline: 1300 363 992
* Mail: GPO Box 5218
* SYDNEY NSW 2001
* If you need assistance with other languages call the Translating and Interpreting Service on 131450 and ask for the Office of the Federal Privacy Commissioner on 1300363992.

**All persons using our service have the right to receive services in an environment free from discrimination, abuse, neglect and exploitation.**

* **The Ombudsman**
* Level 24, 580 George Street
* SYDNEY NSW 2000
* **National Abuse and Neglect –** 1800 880 052 (free call on fixed line)
* PHONE: Toll free 1800 451 524
* **Telephone Interpreter Service** (TIS): 131 450
* My Aged Care Complaints Scheme: 1800 550 552(free call on fixed line)
* **My Aged Care Advocacy Service** - 1800 424 079 (free call on fixed line)
* **Disability Information Advocacy Service Bathurst** – 6332 2100