



Charter of Health and Community Services Rights: South Australia

The Health and Community Services Complaints Commissioner's Charter of Health and Community Services Rights sets out the rights of all people who use health and community services in South Australia including families, carers and nominees who act on behalf of a person seeking or using a service within a range of health and community services in the public, private and non-government sectors.

Five Guiding Principles

1. Diversity

South Australian society is made up of people with different cultures, needs, values and ways of life. This is to be recognised and respected.

2. Decision-making capacity

Some people may have impaired capacity to make decisions due to illness, injury, disability or development. Impaired capacity may be temporary or permanent, partial or complete.

If a person has impaired decision-making capacity the service provider should enable supported decision making. The service provider must involve or seek the consent of a substitute decision maker, including a carer.

Individuals with impaired decision-making capacity must not be disadvantaged in the provision of health or community services.

3. Partnership

A genuine partnership between service users, carers and providers promotes safe, high quality services and the best possible outcomes. This requires sharing relevant information and treating each other with respect.

4. Provider contribution

Providers of health and community services are recognised for their contribution to the healthcare, wellbeing and welfare of individuals.

5. Authority

Some rights can be affected when legal orders or processes are in place.

Eight Charter Rights

1. Access – The right to access health and community services

Consumers have a right to access health and community services that meet their identified needs.

2. Safety – The right to be safe from abuse

Consumers have a right to be safe from abuse, or the risk of abuse, and to have their legal and human rights respected and upheld. Consumers have the right to receive services free from discrimination and harassment.

3. Quality – The right to high quality services

Consumers have a right to receive safe, reliable, coordinated services that are appropriate to their needs and provided with care, skill and competence. Services consumers receive should comply with legal, professional, ethical and other relevant standards. Any incidents involving consumers are managed openly to ensure improvements.

4. Respect – The right to be treated with respect

Consumers have a right to be treated with courtesy, dignity and respect. Consumers have a right to receive services that respect their culture, beliefs, values and personal characteristics.

5. Information – The right to be informed

Consumers have a right to open, clear and timely communication about services, treatment, options and costs in a way they can understand. When needed, consumers have the right to a competent professional interpreter.

6. Participation – The right to actively participate

Consumers have a right to:

- be involved in decisions and choices about services planned and received
- support and advocacy so they can participate
- seek advice or information from other sources
- give, withhold or withdraw consent at any time.

7. Privacy – The right to privacy and confidentiality

Consumers have a right to have their privacy respected and their personal information kept confidential and secure. Personal information about consumers may not be disclosed without their consent, unless the disclosure is required to lessen or prevent a serious threat to life, wellbeing or safety, or is required by law.

Consumers have a right to:

- request and gain access to their records, unless there is legal restriction in place
- nominate person(s) with whom information can be shared.

8. Comment – The right to comment and/or complain

Consumers have a right to be listened to and to comment on, or make a complaint about services sought or provided to them. Consumers have a right to have complaints dealt with properly and promptly, and without retribution as a result of having made a complaint.

Consumers have a right to a representative of their choice to support and advocate for them when making a complaint. Consumer feedback and complaints are to be managed openly to ensure improvements.