



Procedure

Consumer Rights and Responsibilities

Document Number	PR2007_025
Publication Date	30 July 2007
Functional Group - Sub Group	Clinical/Consumer and Community Participation
Summary	<p>The CYWHS values consumers and their health, and is committed to ensuring consumers are able to exercise their democratic rights and responsibilities. This procedure document applies to all services and employees of the CYWHS, including community services.</p> <p>The purpose of this procedure is to ensure that CYWHS employees and consumers are aware of and are able to exercise their rights and responsibilities.</p>
Replaces	Consumer Rights and Responsibilities. WCH Policy Index No. 34/98.
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Others Involved In Writing	Rights and Responsibilities Working Party
Accreditation Action Group Responsible	Risk Management, Quality Improvement and Consumer Focus
Executive Director Responsible	Executive Director, Strategic Development and Management
Applies to	CYWHS wide
Review Date	30 April 2009
Previous Reference	N/A
Key Words	Rights, responsibilities, consumers, culturally appropriate.
Status	Active
Approved by	Executive Director, Strategic Development and Management
Approval Date	26 July 2007



PROCEDURE: Consumer Rights and Responsibilities

POLICY: Consumer and Community Participation

PROCEDURE STATEMENT	
Intent:	<p>The CYWHS values consumers and their health, and is committed to ensuring consumers are able to exercise their democratic rights and responsibilities. This procedure document applies to all services and employees of the CYWHS, including community services.</p> <p>The purpose of this procedure is to ensure that CYWHS employees and consumers are aware of and are able to exercise their rights and responsibilities.</p>
Exceptions:	<p>Emergency situations: Every effort will be made to provide care in partnership with the consumer and their families. However, in certain cases, such as emergency situations, treatment will, by necessity, be instigated on the basis of professional judgement regarding appropriate care. The consumer will be informed and further consulted as soon as practicable after the emergency intervention.</p>
Definitions and Acronyms:	<p>Consumers are people who directly or indirectly make use of health services. Consumers can be individuals, groups or the community as a whole.</p> <p>Where the consumer is a person under the age of 16 all references to consumer should be read as inclusive of the parent / guardian.</p>
Related Forms, Records and Electronic Databases:	<ul style="list-style-type: none"> • Your Rights and Responsibilities: A Charter for South Australian Public Health Consumers, Department of Human Services, 2004. • Your Rights and Responsibilities, CYWHS. • Consumer Rights Information, CAMHS. • Child and Youth Health Customer Rights and Responsibilities – Blue Book p24-25. • What Rights Do People Who Have Been Raped or Sexually Assaulted Have? Yarrow Place website. • Participant Rights and Responsibilities, Yarrow Place. • 10 Tips to Safer Health Care. • Know Your Rights and Responsibilities - Private Patients Hospital Charter.
Supporting Procedures/ Protocols/Flow Charts etc:	<ul style="list-style-type: none"> • Consumer Feedback Management Procedure. • Guidelines for Responding to Customer Feedback – CYWHS – CYH Intranet.
Key Words:	Rights, responsibilities, consumers, culturally appropriate.
DETAILED STEPS, PROCEDURES AND ACTIONS	
Procedure	Responsibility
1. Consumers are Informed of their Rights and Responsibilities	
1.1 Information on consumer rights and responsibilities is to be made available to consumers on their first contact with the health service, either by providing clear and concise written information when an appointment is made, or by discussing their rights with consumers in a language that they understand during the registration and assessment processes.	All employees

1.2	The CYWHS will ensure the information is available in a variety of formats and in a language that the consumer can understand.	All employees
1.3	Information on consumer rights is included in consumer information packages, and personal hand held records.	All employees
1.4	Consumer information is to be readily accessible by information stands, posters, health workers, administration and CYWHS website.	All employees
2. Consumers Have the Right (except for certain legal exemptions)		
2.1	To access their personal records (and receive a copy of that information), either personally or through a person they nominate.	
2.2	To seek to have their information amended, or if it is not amended to have comments attached to these records to reflect this fact.	
2.3	To have all identifying personal information kept confidential to those involved in their treatment / service.	
2.4	To have freedom to choose, unless legal or medical reasons indicate otherwise, who will or will not be present when care is received. This includes the right to refuse to have students present. (The CYWHS believes it is the right of the child to have close kin/caregiver present whenever possible, and the right of the woman to have her partner present if she so chooses.)	
2.5	To participate in decision making about their health care, or that of their children.	
2.6	To have adequate information and explanation from an appropriate person (in appropriate language or format) about their condition, any proposed services, treatments, procedures, therapies and possible alternatives (including no intervention), plus expected outcomes and potential risks, to assist them to make informed choices and give informed consent.	
2.7	To be asked for consent before procedures are carried out, unless the treating doctor considers the situation is an emergency and consent cannot be gained prior to the procedure.	
2.8	To be kept informed about their health and health care, or that of their children, including an explanation by a doctor involved in their care of the results of procedures and their implications.	
2.9	To decide whether to participate in education and research.	
2.10	To accept or reject offered treatment / service or to have treatment / service discontinued, subject to the requirements of the Consent to Treatment and Palliative Care Act 1995.	
2.11	To decline admission, or to leave the Health Service, regardless of their physical condition or clinical advice.	
2.12	To meet the people involved in their care, or the care of their child, and to know their name and qualifications. This includes the right to know who is caring for them at a particular time and place.	
2.13	To refuse care from a particular health worker. The consumer may choose to not detail why.	
2.14	To seek information and advice on treatment / services from professionals other than those involved in their care, or the care of their child.	
2.15	To receive the most appropriate treatment / service for their or their child's condition / health issue available in the CYWHS.	
2.16	To be treated with respect.	
2.17	To have ethnic, cultural or religious practices and beliefs respected.	
2.18	To have access to information about how to make commendations, suggestions and complaints.	
2.19	To be able to make a comment about their care, or the care of their child (commendations, suggestions or complaints), and to a fair investigation of complaints.	
2.20	To have access to information about the outcome of their suggestions and complaints.	

3. Consumer Information Should Include Responsibilities of Consumers		
3.1	To provide information that enables the CYWHS to provide proper advice and care; inadequate or incomplete information may endanger the consumer and carer.	
3.2	To actively seek health care information.	
3.3	To attend appointments or advise the CYWHS if they are unable to attend an appointment.	
3.4	To follow any agreed treatment or service plan, including attending scheduled appointments with a health worker, or informing their health worker if they choose not to do so.	
3.5	To accept responsibility for the consequences of their decision to accept or reject advice and/or treatment / service. The consumer may choose not to detail why.	
3.6	To comply with advice from the CYWHS which is intended to ensure the safety and wellbeing of persons within the CYWHS.	
3.7	To advise the CYWHS of any compliments, suggestions or complaints that they may have concerning their health care as soon as possible so that, where appropriate, corrective action can be taken, or commendations given.	
3.8	To be respectful to personnel, property and other consumers within the CYWHS.	
3.9	To recognise that CYWHS resources, in the acute setting, are based primarily on medical need. Therefore, emergency and immediate care needs of other consumers will determine how quickly requests are addressed and whether resources such as single rooms are available.	
3.10	To comply with relevant policies including the CYWHS Smoke Free Workplace Policy.	
4. Facilitate Employee Understanding of and Commitment to this Procedure		
4.1	Include information about this procedure in the employee orientation program and in relevant management and employee development programs.	Human Resources
4.2	Include a commitment to health care consumer rights as a criterion in recruitment and selection of employees.	Human Resources
4.3	Provide employee training on effective management of consumer feedback, privacy and freedom of information.	Centre for Education and Training
4.4	To ensure all employees in Admissions, and other administrative areas, including Private Practice areas, who are responsible for making bookings, give a copy of the CYWHS Rights and Responsibilities Brochure to consumers and 10 Tips to Safer Health Care.	Manager Admissions Admin Staff
5. Confidentiality		
5.1	Information about consumers will be kept confidential in accordance with the Fair Information (Privacy) Policy and Freedom of information Act (1991).	All employees
5.2	All employees are to sign a Code of Conduct (Department of Health Booklet) and abide by the confidentiality requirements.	All employees
5.3	Where possible services will be delivered in maximum privacy. To this end, departments are expected to comply with the CYWHS Fair Information Practice (Privacy) Policy and the WCH Consent Policy – Index No. 14/98.	All employees
6. Consumers will be Treated with Respect		
6.1	Consumers will receive services that are as convenient as possible and information about options for their health care.	All employees
6.2	Consumers will be informed of appointment times, possible waiting times, the reason for the length of waiting time, and, where appropriate, alternative service options outside the CYWHS.	All employees

6.3	The CYWHS will assist consumers to make arrangements, where possible, with other agencies to provide services when the service cannot be provided by the CYWHS.	All employees
6.4	Employees will introduce themselves to consumers, informing them of their name and profession when they first meet.	All employees
6.5	Employees who receive consumers (including receptionists, secretaries, ward clerks, cashiers, admissions staff, counter staff and others) are to give prompt and respectful culturally appropriate attention to them.	All employees
6.6	Arrangements are to be made for the re-allocation of an employee working with a consumer when insisted upon by the consumer (or in the case of a child, the patient's parent or guardian) and when there are other suitably qualified people available.	Managers
6.7	Employees and consumers are to have access to interpreter services and audiovisual services / assistive technology for people with disabilities, when required, as soon as possible.	All employees
6.8	The need for the use of appropriate language also requires explanations given by an employee to be in plain language and tailored to the level the consumer requests or needs in order to form a good understanding. It should be noted that emotive language or tone to support the employee's view is not to be used.	All employees
6.9	Regular surveys of consumers, including those from different cultural groups, will be conducted to evaluate whether they have received adequate explanations relating to their condition and their treatment.	Clinical Governance Unit
7. Rights of Children and Young People		
7.1	The rights of children and young people require special consideration. Every effort will be made to incorporate the expressed needs and wishes of the child or young person in their health care.	All employees
7.2	The parent or the guardian of the child will be expected to put their child's interests first. However, an independent advocate may be necessary, who will act to ensure that the interests of the child are protected.	All employees
7.3	Where an employee is concerned that a child may need an independent advocate in order to ensure that his or her interests are protected, advice and support may be sought from the Risk Manager and the Patient Care Ethics Group.	Risk Manager
7.4	The CYWHS respects the rights of young people in accordance with their growing ability to act independently and in their own best interests, and in accordance with the requirements of the Consent to Medical Treatment and Palliative Care Act 1995. This means that young people 16 years or older have the right to make their own choices, give or withdraw consent to treatment, and consent to the release of information about them to their parents or guardians. For young people younger than 16 years of age, this is a matter for individual judgement and negotiation between the person and their health care providers.	All employees
8. Consumer Feedback		
8.1	The CYWHS will provide opportunities for consumers to voice their opinions about service and service improvement and will ensure that commendations are considered and that complaints are fairly investigated. This will require departmental compliance with the CYWHS Consumer Feedback Management Procedure and the CYWHS Consumer and Community Participation Policy.	All employees
8.2	Consumers' opinions, feedback, suggestions or complaints are taken on their individual merits and are not impacted by perceptions of the person giving the opinion or complaint.	All employees
8.3	Consumers can provide feedback in culturally appropriate ways including writing, verbally or through others representing them.	All employees
9. Reviews		
9.1	Service reviews will include evaluation of whether consumer rights and responsibilities are being enhanced in the provision of services.	Executive Directors

10. Responsibility		
10.1	Executive Directors will have overall responsibility for implementing strategies to support this procedure.	Executive Director, Acute Services, and Executive Director, Population and Primary Health
10.2	However, it is the responsibility of all employees to observe and promote consumer rights and responsibilities, and it is the responsibility of all managers to initiate unit-based action to support this procedure.	All employees
ACCOUNTABILITY		
Effectiveness of this Procedure:	<ul style="list-style-type: none"> • Consumer audit of rights and responsibilities annually. 	