

## Policy: Rights and Responsibilities

Date: 15 May 2023

Version: Version 3

### Introduction

Inclusive Housing Australia (IHA) is a dedicated provider of Specialist Disability Accommodation (SDA). IHA builds and manages accommodation for people with disability to transform their lives by helping them to live independently. SDA does not refer to the disability support services a person receives, rather the homes in which these services are delivered. While we will help participants to navigate the NDIS system, it will be the responsibility of individuals to negotiate their relationships with other providers. This policy has been developed as a set of rules and principles that guide our people about how to act in the workplace. Procedures are currently under development.

### Policy statement

This policy outlines the framework to ensure IHA staff, subcontractors, suppliers and volunteers are able to identify and meet their duty of care to the people we support, whilst recognising their right to make informed choices and take calculated risks.

This policy also considers the role IHA will take on behalf of the people we support, their Financial Manager, NDIS Plan Nominee or Guardian, and our commitment to ensuring each person has a third party, independent of IHA to represent their interests. We will also ensure all staff of IHA are aware of relevant forms of independent advocacy and respond effectively to the involvement of advocates on behalf of people who utilise our services.

IHA's practice will follow these principles:

1. All people have the right to respect for their human worth and dignity.
2. People with disability have the rights of freedom of expression, self-determination and decision-making.
3. IHA actively prevents abuse, harm, neglect and violence.
4. People with disability have the same right as other people to be able to determine their own best interests and make decisions that will affect their lives.
5. People with disability have the same right as other people to realise their potential for physical, social, emotional and intellectual development.
6. People with disability have the right to full participation in society that is equal to other people, according to their individual and cultural needs and preferences.

7. IHA is committed to providing each individual using a service with information and support to understand and exercise their legal and human rights.
8. All people have the right to privacy of their personal information.
9. IHA has systems and processes in place to support staff that promote and protect human rights.
10. People with disability have the same rights as other people to raise concerns and be supported to formalise complaints.
11. People with disability have access to support when abuse or harm occurs.
12. IHA will take all allegations of abuse, harm and neglect seriously and respond according to best practice.

To achieve these principles, we will demonstrate these outcomes:

1. IHA will ensure that people we support have training in how to make informed choices, including an understanding of what is likely to happen because of their decisions.
2. IHA will train staff to understand the difference between 'supported' and 'substitute' decision making.
3. IHA will ensure staff have the knowledge and understanding of each participant's legal and human rights, and incorporation of these rights into everyday practice.
4. Any agreement or contract entered into with each participant, and any communication with them about the provision of specialist disability accommodation, including about rights and responsibilities in relation to the dwelling, is responsive to their needs and provided in the language, mode of communication and terms which that participant is most likely to understand.
5. Each participant's autonomy, including their right to privacy, intimacy and sexual expression is respected.
6. In the event that a person we support's Financial Manager, NDIS Plan Nominee or Guardian are evidenced as not acting in their best interest or a conflict of interest is identified, IHA may seek to have an independent advocate, such as a Public Guardian appointed. This action will only be taken following an investigation and consultation regarding the matter with the individual, their Financial Manager, NDIS Plan Nominee or Guardian. The decision will be made by the Chief Operating Officer after this consultation.
7. IHA will also provide people we support with opportunities and staff support to take reasonable risks to allow them to learn new skills and become more independent.

#### Definitions

Human rights are often defined in different ways. The Australian Human Rights Commission defines human rights as:

- the recognition and respect of people's dignity

- a set of moral and legal guidelines that promote and protect the recognition of our values, our identity and ability to ensure an adequate standard of living
- the basic standards by which we can identify and measure inequality and fairness
- those rights associated with the Universal Declaration of Human Rights.

#### Related Documents

##### Code of Conduct

#### Related legislation and policy

Legislation, policy, guidelines or other material that directly relates to this policy include:

- Carers Recognition Act 2004
- Disability Services Act 1993 (WA)
- Guardianship and Administration Act 1990
- United Nations Convention on The Rights of Persons with Disabilities
- National Standards for Disability Services
- National Disability Insurance Scheme Quality and Safeguarding Framework
- National Disability Insurance Scheme Act 2014: Principles
- National Disability Insurance Scheme Act 2013
- National Disability Insurance Scheme (Specialist Disability Accommodation) Rules 2016
- National Standards for Disability Services
- NDIS Quality and Safeguarding Practice Standards 2020

If any person feels that a part of IHA's policies are not in the best interest of persons we support or do not reflect the intent or practices of person-centred care, the matter is to be referred to the Chief Operating Officer at [info@inclusivehousing.com.au](mailto:info@inclusivehousing.com.au). The Chief Operating Officer shall consider concerns expressed regarding policies and procedures. The Chief Operating Officer, at their discretion, is the only person who may make an exception to the policies.

This policy is further reinforced through IHA's SDA Handbook and other communications with Participants.

#### Changes to this policy

This Policy is subject to change at any time. Please check our Policy on our website [www.inclusivehousing.com.au](http://www.inclusivehousing.com.au) regularly for any changes.

#### Accessibility

This Policy is available in accessible format. Participants can access the Easy Read version on the IHA [website](#).

Language Interpreting Services are available to NDIS participants and carers at no charge. Call TIS National direct on 131 450 or call the NDIS on 1800 800 110. Information on the service can be found on the NDIS [website](#).

#### Approvals

Date of approval:

Date of review:

Signature of Chief Operating Officer:

Signature of Board Chair: