

Consumer Rights Charter

1. WHAT IS SILC?

Supporting Independent Living Co-operative (SILC), assists members to create high quality, sustainable homes and life experiences, for people living with disability. NDIS participants living in SILC homes typically receive Supported Independent Living (SIL) funding under the National Disability Insurance Scheme (NDIS).

SILC's Rules (the constitution of the co-operative) are published on www.silc.coop. SILC homes are operated under a family governance model. Family members of the people with disability form a legal entity (usually a co-operative) referred to as the House Operator. The House Operator must be a Corporate Member of SILC. The individual members of the House Operator are members of SILC by virtue of their membership as a Corporate Member. Individuals who are not members of a Corporate Member can become Individual Members.

SILC's objectives are:

1. To assist people with disability and their families and support workers to establish and provide supported accommodation,
2. To assist people with disability to access the community and their places of education or employment,
3. To provide a repository of information for Corporate Members,
4. To promulgate learning amongst Corporate Members and their members, and
5. To advocate on behalf of Corporate Members, their members and Individual Members of SILC.

SILC acts as a repository of helpful information providing resources that will make it easier for families to establish co-operatives or other legal entities and to start "life" as SIL accommodation service providers, SILs for people with disability who are eligible for NDIS support.

For more information on SILC refer to www.silc.coop

2. SILC'S SERVICES & FEES

SILC is an umbrella organisation (a co-operative of co-operatives). Its primary purpose is to provide services to Corporate Members.

These services and the schedule of fees are displayed on SILC's website www.silc.coop

3. SERVICE STANDARDS

The National Disability Service Standards, endorsed by Australian governments in 2013 and adopted by the Australian Government in 2014, are intended to promote a nationally consistent approach to improving the quality of services. They focus on rights and outcomes for people with disability, outline the responsibilities of staff that deliver supports and services to NDIS participants and create an important benchmark for staff to ensure they are delivering high quality and safe supports and services to residents.

Together with the NDIS Code of Conduct, staff and residents are enabled to be aware of what quality service provision should look like.

There are six standards:

- 1. Rights:** the service promotes individual right to choice and control, freedom of expression and decision-making, and actively prevents abuse, harm, neglect and violence.
- 2. Participation and inclusion:** the service works with individuals and families, friends and carers to promote opportunities for meaningful participation and active inclusion in society.
- 3. Individual outcomes:** services and supports are assessed, planned, delivered and reviewed to build on individual strengths and enable individuals to reach their goals.
- 4. Feedback and complaints:** regular feedback is sought and used to inform individual and organisation-wide service reviews and improvement.
- 5. Service access:** the service manages access, commencement and leaving a service in a transparent, fair, equal and responsive way.
- 6. Service management:** the service has effective and accountable service management and leadership to maximise outcomes for individuals.

4. CERTIFICATION

SILC complies with and is required to obtain third party verification and certification of compliance with the National Disability Service Standards and the NDIS Practice Standards and the NDIS Code of Conduct to ensure it provides the highest quality of services and care to participants and their families.

5. SILC STAFF

The best interests of NDIS participants (as residents of SILC homes) of the homes and House Operators are served by having good staff, happily working together cooperatively for extended periods.

All SILC and House Operator staff are appropriately skilled and will hold current:

- Qualifications in Disability work or relevant field or suitable experience in other related fields
- Valid and current driver's license (if required to drive)
- Valid First Aid and CPR Certificate
- Valid Criminal Record Check
- Working with Children Check (if supporting persons under 18 years of age)
- References
- Records of training.

6. ACCESS TO SILC SERVICES

SILC aims to provide accessible services and ensure these services meet the needs, choices and requirements of NDIS participants and their families. If SILC is unable to meet any requirements, we will do our best to assist you in accessing the right services

elsewhere. We will also ensure you feel safe and free from discrimination when you receive our services.

7. MEETING INDIVIDUAL GOALS

SILC aims to assist NDIS participants to meet their individual needs and achieve their goals. Goals, needs and requirements are discussed to understand how to best work with together to achieve them.

8. ACKNOWLEDGING DIVERSITY

SILC acknowledges that diversity is an important part of what it means to be Australian. We are supportive of and sensitive to diversity in our communities; including cultural, religious, gender or sexuality and we will attempt to facilitate any requirements that you and your family may have.

9. DECISION MAKING, CHOICE & ADVOCACY

SILC offers participants the opportunity and support to participate as fully as possible in making decisions about how they live their lives and about the support/services they receive.

The support provided will be appropriate to each person's needs, wishes, age, culture, gender, and disability and will include providing information in suitable formats as needed e.g. plain English, audio and other languages.

Participants may have support workers, guardians, appointed key contacts or substitute decision makers or choose to involve an advocate in making decisions about services that they receive. SILC will assist participants to involve their support workers/guardians or substitute decision makers to the extent they wish.

SILC will respect the importance of the right of participants to make informed choices, take calculated risks and learn from experience. If decisions and choices involve risks and these risks do not conflict with the duty of care responsibilities of others, SILC will ensure that participants are assisted to minimise those risks.

10. PRIVACY, DIGNITY & CONFIDENTIALITY

Under the *Privacy and Personal Information Protection Act 1998 (NSW)2004*, SILC is obliged to protect personal information when it collects, stores, uses and discloses personal information.

SILC respects the rights of participants, staff and families to privacy and confidentiality.

All information in respect of participants receiving SILC services and any other information obtained by employees or other Service Providers regarding participants and their families is confidential.

Confidential information may only be used by members or staff of SILC if it is reasonably needed to enable them to perform their duties or if it is required to be legally disclosed.

Confidential information may be made available to other parties with the consent of the relevant party, provided that such party is able to properly provide that consent.

11. PARTICIPATION AND COMMUNITY ENGAGEMENT

SILC will actively promote the genuine connection and active inclusion of people with disability in community and civic life in ways that are important and meaningful to them.

To facilitate this commitment SILC will develop connections and promote opportunities for members to have meaningful and active participation in civic life within the scope of its role as a disability service provider under the NDIS

To ensure this commitment, SILC House Operators are committed to will:

- Support and encourage participants to realise their goals, dreams and aspirations
- Implement person centred planning principles and guidelines to ensure control and decision making is afforded to participants and their family members and support workers
- Support and encourage participants to identify how they would like to live their lives
- Develop plans which outline ways in which participants can actively and meaningfully participate in community and civil life
- Maintain and develop community connections
- Record examples of community participation and inclusion
- Train staff in the importance of community participation and inclusion. This would include how to encourage and support Participants members to actively and meaningfully participate in community and civic life within the scope of the House Operator's / SILC's role, appropriate

12. FREEDOM FROM ABUSE & NEGLECT

All people are entitled to feel safe and protected from assault, exploitation or any form of abuse. SILC is responsible for the safety and well-being of all people who have contact with our services and in particular vulnerable persons who are at risk of significant harm. This includes people with disability, older people in residential care and people with mental health issues.

SILC staff have an important role and be committed to preventing abuse, identifying abuse and reporting alleged, disclosed, witnessed or suspected abuse and providing support and assistance to people who experience abuse.

13. HEALTH & SAFETY

Safety of participants and staff is a priority for SILC and House Operators. It is important risks to safety are appropriately identified and addressed to ensure the health and well-being of all. SILC and House Operators have legal responsibility to provide safe living and working environments to all participants, staff and visitors. We ask people to report any risks of which they are aware and not ask or do things that may put them or others at risk and ensure the environment is safe for others. This includes bedrooms and equipment used by others.

14. RECORD KEEPING

Both the *Privacy Act 1988* (Cth) - which includes the National Privacy Principles 2006 and 13 Australian Privacy Principles (<https://www.oaic.gov.au/privacy-law/privacy-act/australian-privacy-principles>) - and the *Privacy and Personal Information Protection*

Act 1998 (NSW) established statutory requirements for the storage and security of consumer records.

SILC and House Operators will have appropriate security safeguards in place to prevent unauthorised use, disclosure, loss or other misuse of information about participants, staff or family members. All records of this type of information are kept in lockable storage or secure access areas when not in use.

A secure physical and electronic environment is maintained for all data held on SILC and House Operator computer systems by the use of authorised passwords and a dedicated secure Google drive.

Consumer Rights Charter

SILC is a co-operative made up of its NDIS participants (“consumers”), members and staff. The SILC Rules outline how SILC operates and the active membership requirements. Members of SILC are most commonly parents or family members who are representing a person with disability (Participant).

As a SILC participant, family member or staff member, you have a right to:

- Participate fully in the life of society
- Express your views respectfully and be heard and have something done about it
- Use and receive the best available support
- Be treated with respect in regards to your values, belief, culture and human worth
- To have a support person of your choice
- Be involved in making decisions that affect you
- Involve an advocate of your choice
- Be protected from harm, abuse and neglect
- To have full confidentiality of your support and personal details, unless you consent to sharing the information or there is a risk of harm to yourself or others
- To be fully informed, ask questions and be given answers about all matters concerning you
- Give feedback about the services you get and make any complaints without fear of it affecting decisions relating to the assistance you receive
- To ask for a change of support worker
- To read your record and add information to it
- To refuse a service (and refusal should not prejudice your future access to services)

As a SILC participant, family member or staff member, you have responsibility to:

- Always treat others fairly and respect their privacy and independence
- Give honest and accurate information about what’s going on in your life
- Keep appointments or let us know in advance when you can’t
- Participate in your support process
- Take responsibility for the decisions you’ve made, even when you don’t like the outcome
- Tell us when you don’t understand what we’ve told you and ask for further information
- Stay safe and follow SILC and House Operators health and safety instructions

- Seek a fair resolution to any complaints.
- SILC's active membership requirements: in order for consumers to access services, active membership must be maintained. All members must pay the annual subscription set out in rule 6 of SILC's Rules and participants must have a current NDIS service agreement with SILC.

Consumer Rights and Responsibilities

SILC is committed to developing an organisational culture that supports the legal and human rights of all people accessing its services. SILC strives to comply with and, where possible, exceed all relevant legislation in order to ensure that our SILC participants and members are able to exercise their rights outlined in legislation.

SILC and House Operators staff play a critical role in ensuring that SILC participants are aware of their rights and responsibilities and how to can help them to ensure that they are able to exercise those rights.

Information for SILC participants about their rights and responsibilities, is contained in the SILC Consumer Rights Charter embodied in this document. Rights and responsibilities will be explained to SILC participants and their representatives at the time of requesting information or commencing services with SILC.

Principles

- SILC will provide easily understandable information to all members, staff members and where possible, participants, at service commencement about:
 - what the co-operative does
 - how they can contact SILC
 - how they can access information on rights and responsibilities, the service standard they can expect and opportunities to provide feedback or make a complaint.
- SILC ensures members have access to a fair and transparent system for making complaints and reporting any breaches of their rights.
- Staff will support SILC participants and members and staff members to exercise choice and participate in service delivery and direction.
- Involve SILC members, staff members and where possible, participants, in the development of policies and procedures that impact on their service.

Informing SILC Participants, and Members and Staff members of their Rights and Responsibilities

SILC is committed to the individual rights of consumers being easily accessible, easily understood by consumers and publicly available for all stakeholders and relevant people. While the exact method of display of SILC consumer's rights and responsibilities may change from time to time at the discretion of the Corporate Member Board, it is the responsibility of SILC Head Office staff to ensure all SILC consumers can access their individual rights and responsibilities. Not sure about this.

Where possible, consideration should be made to make these rights and responsibilities available to multicultural and linguistically diverse SILC consumers, which may mean using interpreter services to explain them verbally.

SILC Consumer's Rights

SILC consumers have the right to:

- PARTICIPATE fully in the life of society
- Express their views respectfully and be HEARD and have something done about it
- Use and receive the BEST available support
- Be treated with RESPECT in regards their values, belief, culture and human worth
- To have a SUPPORT PERSON of their choice
- Be INVOLVED in making decisions that affect them
- Involve an ADVOCATE of their choice
- Be PROTECTED from harm
- To have full CONFIDENTIALITY of their support and personal details, unless they consent to sharing the information or there is a risk of harm to themselves or others
- To be FULLY INFORMED, ask questions and be given answers about all matters concerning them
- Give FEEDBACK about the services they get and make any complaints without fear of it affecting decisions relating to the assistance they receive
- To ask for a CHANGE OF WORKER
- To READ their RECORD and add information to it
- To REFUSE a service (and refusal should not prejudice their future access to services)

SILC Consumer' Responsibilities


SILC consumer' have a responsibility to meet the active consumer and appointed member requirements of the SILC Rules and NDIS Guidelines, including to pay the annual subscription set out in rule 6 and:

- Always treat others FAIRLY and RESPECT their privacy and independence
- Give HONEST and ACCURATE information about what's going on in their life
- KEEP appointments or let us know in advance when they can't
- PARTICIPATE in their support process
- Take RESPONSIBILITY for the decisions they've made, even when they don't like the outcome
- Tell us when they don't understand what we've told them and ask for further information
- Stay SAFE and follow the service's work health and safety instructions

- Seek a FAIR resolution to any complaints.

REVIEW PROCEDURE

SILC policies and procedures will be reviewed every year. However, if at any time the legislative, policy or funding environment is so altered that this document is no longer appropriate in its current form, the policy and procedures will be reviewed immediately and amended accordingly.

Policy Description	Authorised by Chairperson of SILC Board	Policy Ratification Date	Review Date
Consumer Charter of Rights		March 2019	March 2020