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Building rapport

When you first meet a person, it can be helpful to spend a few minutes building rapport and getting to know them. There are various approaches to take; keep in mind the person to whom you are speaking and the context.

This helps the person relax and to:

- ▶ clarify their feelings and state of mind
- ▶ establish professional boundaries, so the person is clear about what you can do
- ▶ establish the purpose of the meeting.

Closed questions

Closed questions are questions that require a 'yes' or 'no' answer or a simple response to a question such as 'What's your name?' The answer is not generally open to interpretation.

They are useful:

- ▶ when specific information is required and it is appropriate to ask straight out
- ▶ as a tool when speaking with someone who may be in the habit of giving too much information or speaking too long.

Open questions

Open questions require a detailed response and are difficult to answer with a simple 'yes' or 'no', for example, 'How do you feel about that?' or 'How does that impact you?'

They are useful to:

- ▶ get to know someone
- ▶ allow a person to give information they feel is relevant
- ▶ encourage them to elaborate.

Paraphrasing

Paraphrasing involves repeating what has been said, using your own words. For example, if someone says, 'I want information about a PAG that's close to home', you may say, 'So, you'd like to find out more about a local planned activity group?'

Use paraphrasing to:

- ▶ clarify facts
- ▶ ensure both parties understand the same thing
- ▶ let the person know they have been heard and understood.

Reflection

Reflection involves commenting on a situation to encourage the person to explain how they feel; for example, 'It sounds like you feel you're not being heard by the staff, that they're ignoring you'.

Use it to:

- ▶ clarify that you understand what the person is going through
- ▶ help the person clarify their own feelings about the situation.

The right to privacy and confidentiality

- ▶ Collect, use and store personal information according to federal, state or territory privacy principles. You should ensure personal confidentiality and privacy is maintained at all times and that people can access their personal information kept by your service.

The right to an advocate

- ▶ Support peoples' right to have a person of their choice advocate on their behalf. You should make this part of the care-planning process and give people information about advocacy services that are available.

The right to make a complaint

- ▶ Ensure people know and understand how they can make a complaint when they are unhappy with the service they receive. Follow your agency's policy and procedures. Ensure all personal feedback is valued and doesn't lead to people fearing a loss of service.

Universal Declaration of Human Rights

In 1948, the General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights. Since Australia is a signatory to the declaration, the Federal Government is bound to uphold the rights detailed in the document for all its citizens.

The Declaration highlights that all humans:

- ▶ are born free and equal
- ▶ have the right to life, freedom and safety
- ▶ should be protected from cruel treatment
- ▶ should be protected by law from discrimination
- ▶ have the right to a decent life, including enough food, clothing, housing, medical care and social services.

The role of the community services worker

Every community services worker must support people to identify their needs and their personal, civil, legal and consumer rights. When a person's needs or rights aren't being met, you should support them to address these issues. Depending on your work role, you may support and advocate for the person directly, or you may refer the person to another agency or individual for the necessary support.

Care planning (or case management) involves identifying personal needs and planning the appropriate level of care and/or service delivery. It is a community services worker's responsibility to ensure a person's needs are met and their rights are being upheld, as shown here.

The group with whom you are working

You should know and understand the group you are working with, including their physical, social, emotional, intellectual and spiritual needs.

Professionals, services and organisations

Community services workers also maintain current knowledge by accessing sources related to their area of work. Resources include:

- ▶ formal networks and conferences
- ▶ journals and other publications
- ▶ informal meetings, including online forums
- ▶ secondary consultations; that is, when you talk to someone else, such as a specialist, about the needs of the person and how you should manage them
- ▶ training and professional development.



Provide information when it is needed

Information should be provided to those who you support whenever it is needed. This varies according to personal needs and circumstances. Different strategies for accessing personal requirements may be necessary and the needs of the person should be used to determine which approach is appropriate. It is important that you consider the rights of individuals and discuss the options available before making decisions about the best alternatives.

Information may be required:

- ▶ prior to service delivery
- ▶ at the assessment stage of care planning
- ▶ when considering any options
- ▶ before signing up for a new service
- ▶ when you determine the person may benefit from such information
- ▶ when the person asks for the information
- ▶ for family carers and significant others.

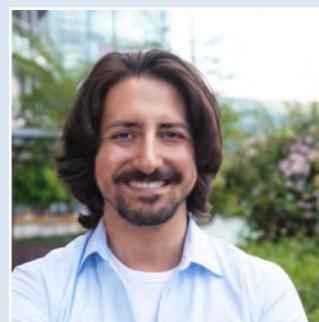
Example

Provide information when it is needed

José is a coordinator in a low-level residential care facility. His work includes developing care plans for the residents of the facility in consultation with each person, their family and any other significant support people.

It has become obvious to José that there is a conflict between what a person, Max, says about the home he owns and what his family is planning. Max wants his daughter and grandchildren to continue living in the home, but his two sons have recently arranged for an agent to sell the property. This is causing Max a great deal of anxiety and is adversely affecting his health and wellbeing.

José decides that Max needs the immediate assistance of an aged care advocacy service. He talks to Max about the service and explains what it can provide. José also gives Max written information about the advocacy service. Max agrees for José to make a referral to the service on his behalf.



1E Provide information to meet rights and needs and assist a person to select preferred option

When you access services and talk to others about the needs and rights of those with whom you work, you are advocating on the person's behalf. You are representing their interests and putting forward their case for consideration.

To advocate on behalf of a person, you must know the rights, issues or needs being addressed and the potential options available. You must also know a person's preferred options before you can initiate, negotiate and implement strategies to address their rights and needs. In the case of elderly or disabled persons, their care plan will identify their needs and include strategies to meet those needs. Follow the plan to ensure all strategies are implemented correctly. Upon review, relevant parties can effectively evaluate how successful the strategies have been and alter the care plan if necessary.

People and organisations you may contact

Some individuals and organisations that you may approach when advocating on a person's behalf are given here, with reasons why you may need to contact them.

Work colleagues

You may contact work colleagues:

- ▶ to provide an internal referral to a service in your own organisation
- ▶ to inquire about a service that the person needs, such as allied health, nursing, social support, counselling, carer support or employment support
- ▶ to get information and advice about local people, organisations and groups that may be able to assist
- ▶ to assist with referral processes.

Management

You may contact management:

- ▶ to change policy or procedures to ensure personal rights are being upheld or not infringed
- ▶ to improve the quality of services
- ▶ to improve access to services
- ▶ to increase service delivery resources to people.

Example**Assist a person to identify and select the preferred option**

Josephine is from Africa. She came to Australia as a refugee and after living here for some years she obtained Australian citizenship. She is a trained childcare worker but lost her job after an injury to her back. She is 60 years of age and has been unemployed for the past 18 months. During this time she has applied unsuccessfully for hundreds of jobs.



Feedback from one of her interviews indicated that her back injury and her age were counted against her. She was unable to pay her rent and lost her housing and at present is staying with a friend, sleeping on the sofa. She is on the waiting list for public housing but because she is single she is not high priority and she has applied to rent several properties available in the private sector. The agent at the last house told her that the owner was not happy to rent the property to African people because he had a bad experience with his last tenants, who were from Sudan.

Centrelink have called her in for a review of her employment support payment and have told her she must accept any job she is offered, including work in remote areas. She has strong ties to her local African community and is an active member of her local church and does not want to leave her local area.

Josephine approaches her local council for assistance who refer her to a community services organisation. After discussing her situation, she is provided with information about her rights and is supported in her quest to find meaningful work. With assistance, she notes her strengths and weaknesses and is guided to focus on her preferred work options. With a targeted approach, she is finally able to secure a good job in a childcare facility.

Contact relevant people to assist

A community services worker's role is defined by a job description, which sets the limits of what you can and can't do in your role; that is, the boundaries of your work. A person requiring support and assistance beyond what you are able to offer should be referred to someone else. Referrals may be within your own service or to an external organisation.

In supporting people to identify their rights and access services to meet their needs, you may consult with and refer people to a variety of professionals, organisations and services. Who you consult with or refer people to depends on the person's situation and needs.

Personal referral requirements

People may require assistance to address a variety of their needs. It may be appropriate for a community services worker to work with the person to help them identify exactly what it is that they need, before being able to refer them to a professional or organisation that can assist. Some people may require a referral to a community aged care or disability case manager who organises and coordinates the delivery of the necessary support and services. This is often the case when a person has multiple needs and requires the support of a number of different professionals and services. If your role doesn't include a case management component, you must refer people requiring this level of service coordination to an appropriate service.

Other people may need the service of an independent advocate or advocacy service. These services support people to understand their rights about a given situation and to represent their own views.



Topic 2

In this topic you will learn how to:

- 2A Undertake an assessment to identify a person's ability to advocate for self**
- 2B Initiate, negotiate and implement relevant strategies to address rights and needs in collaboration with the person**
- 2C Identify potential barriers as well as resources**
- 2D Identify and contact the most appropriate individuals and/or organisations and effectively represent the person**
- 2E Ensure information is kept in confidence unless otherwise authorised**

Advocate in accordance with client preferences and requests to optimise client outcomes

At times, people may ask you to assist them to address their needs and rights. They may want you to talk directly with other service providers or seek your help to clarify their legal rights and responsibilities regarding a specific issue. As an advocate, you act on behalf of the client and you are only permitted to do what they request.

Everyone has rights and responsibilities, and a person's rights are not diminished due to their circumstances. A community service worker's role is to ensure their clients' rights are upheld, including the right to appropriate and timely information about rights, responsibilities and services. You must keep up to date with information about people's rights and be aware when these are not being met or are infringed. You must use appropriate strategies to raise issues of concern and address them so that the people with whom you work have their needs met and their rights respected. You must also work to empower the people with whom you work as much as possible by developing their skills and confidence and transferring your skills and knowledge to them.

Other people who may be consulted

- ▶ Your colleagues and supervisor
- ▶ Family members or friends
- ▶ Health care professionals such as a GP
- ▶ Other community service workers
- ▶ Solicitors
- ▶ Financial administrators or accountants

Determine competence: assessment

Together with your supervisor or other stakeholders, you should assess whether the person understands the issues being discussed, the choices that must be made and the consequences of any actions or decisions. Assessment strategies may include asking questions, making observations, speaking to others or assessing demonstrated competence.

The assessment strategies used and questions asked may differ for each person, situation and workplace. There is no one best method of assessment; rather, a variety of strategies should be used and questions asked to assess the person's skills, knowledge and understanding of the issue in question.

Example

Assess competence

Here is an example of how to assess a person's financial competence.

Question

Ask:

- ▶ How do you manage your finances now?
- ▶ How do you pay your bills?
- ▶ Are you up-to-date with your bills?
- ▶ Have you completed your most recent tax return?
- ▶ What type of investments do you have and how do you manage them?

To be assessed as competent, the person must:

- ▶ understand the state of their finances, including income and expenditure
- ▶ understand the bills that must be paid
- ▶ have a clear system for paying bills on time
- ▶ generally understand their investment portfolio
- ▶ not spend more money than they have and not be in debt.

2B Initiate, negotiate and implement relevant strategies to address rights and needs in collaboration with the person

People must have a clear understanding of their rights and responsibilities in relation to their needs. This allows them to identify their options and decide on a preferred course of action. People who aren't aware of their rights and options may not receive the services they require or, at worst, may be exposed to discrimination and abuse. Awareness of rights and entitlements is a social justice issue. It is about ensuring everyone is treated equally.

People who are not well-informed about their rights and responsibilities may feel pressure to do or accept something they usually wouldn't. They may be taken advantage of because of their ignorance. As a community services provider, you must:



- ▶ be aware of the services and assistance to which people are entitled
- ▶ be aware of a person's rights and responsibilities
- ▶ provide accurate and relevant information when it is required.

Meet people's needs

Personal needs are varied, as are the strategies to meet those needs. Health professionals and other specialists determine some strategies. Community services providers should ensure these strategies are implemented and monitored.

A basic right of people is that they receive a quality service that meets their needs and circumstances. To uphold this right, it may be necessary to develop strategies to meet personal needs with other members of your team, a supervisor or other service providers.

Example

A strategy implementation plan

Client:	Christina D'Angelo		
Issue identified:	Christina has been denied access to her own finances. Her parents manage her finances but do so with no legal authority to act. Christina wants to manage her own finances.		
Review date:	6 September 2015		
Needs identified	Strategy	People involved	Time frame
Christina to manage her own finances	▶ Open a bank account in Christina's name	▶ Parents to take Christina to a local bank to open a savings account	7/7/15
	▶ Centrelink to pay disability support pension into Christina's account	▶ Margaret to make an appointment and accompany Christina to Centrelink	17/7/15
	▶ Develop a budget with Christina	▶ Margaret and Christina	10/7/15
Christina to learn more about managing finances	▶ Christina to complete a financial education program run by the local disability support service	▶ Margaret giving details to Christina ▶ Christina to attend	Program begins 22/8/15 and goes for four weeks, one session a week
Ongoing assistance required	▶ Link to a Citizen Advocate or mentor ▶ Parents to play a support role	▶ Margaret to find out what is available and report back to Christina	24/7/15

Example

Person's behaviour becomes threatening

Angus is a 48-year-old-man living on his own in a rented house. Angus has a mental illness and various physical conditions related to his obesity. Angus has a history of non-compliance with his medication. This is a source of ongoing concern for his community services workers, case manager and his family.

The organisation managing his accommodation has received several calls from neighbours over the last week complaining that Angus's house has developed a strong smell, rubbish is strewn around the garden and he has been naked when putting the rubbish bin out. The accommodation service has asked Angus's community service worker to call in and check on him daily.

David, Angus' community service worker, has been unsuccessful in getting Angus to agree to take his medication. Angus has told David that it is his private business whether he takes his medication or not. David is also becoming increasingly concerned about the children living next door to Angus, as Angus finds them very irritating. On the last visit, he mentioned that he was going to spray them with water from the hose if they went into the yard.

Recently the accommodation service has received a call that a fire has started in Angus's house.

David decides that something needs to be done before someone is harmed and raises his concerns with his supervisor.

Collection, use and storage of information

There are 13 national privacy principles that apply to the collection, use and storage of people's information. Here is further information about how to handle personal information.

Collection, use and storage of personal information

1

Open and transparent management of personal information

Ensures that organisations manage personal information in an open and transparent way.

2

Anonymity and pseudonymity

Requires organisations to give individuals the option of not identifying themselves, or of using a pseudonym. Some exceptions apply.

3

Collection of solicited personal information

Outlines when an organisation can collect personal information that is solicited. It applies higher standards to the collection of 'sensitive' information.

4

Dealing with unsolicited personal information

Outlines how organisations must deal with unsolicited personal information.

5

Notification of the collection of personal information

Outlines when and in what circumstances an organisation that collects personal information must notify an individual of certain matters.

6

Use or disclosure of personal information

Outlines the circumstances in which an organisation may use or disclose personal information that it holds.

The Guardianship Board

The Guardianship Board is a government body that appoints a guardian for someone with diminished capacity, who can no longer make decisions regarding certain areas of their lives, and when they have not made any prior power of attorney arrangements. A guardianship hearing is held to determine who the best person is to act as the guardian.

Unless there are specific conditions stated, the guardian has the right to make all major decisions relating to the person's care and welfare, including financial, medical and lifestyle decisions.



State or Public Trustees

The State or Public Trustees are another type of advocacy service; they assist people with their financial needs and help people appoint enduring powers of attorney. A person may only appoint an attorney if they are over 18 years of age and able to demonstrate capacity to make the appointment.

If a person already has diminished capacity and has no appropriate family members or significant others who can assume power of attorney, the State Trustees may be appointed by a Guardianship Board to make financial decisions on a person's behalf. In this case, the Trustees manage a person's pension or income payments, pay bills, make investments and pay a living allowance.

Practice task 9

Read the case study, then answer the questions that follow.

Case study

Louise recently contacted Advocare in a very upset emotional state, seeking assistance in dealing with The Haven Centre, a low-care hostel.

Six months ago, soon after celebrating her 80th birthday, Louise moved into The Haven. A sociable person who enjoys the company of others, Louise developed a close friendship with other residents in her wing, including Rose. Louise and Rose both share an interest in bridge, as does Tony, one of the few male residents in the wing. All three shared the same table for meals.

Louise explains that when she arrived at breakfast last week, staff told her that she had been moved to another table. Louise says she was not given any choice as to where she preferred to sit and was told that she would have to stay at her new table for the time being. An advocate visits Louise to discuss the issue and options for resolution. Louise and the advocate discuss the *Charter of residents' rights and responsibilities*, which states that each resident has the right to be consulted and to have input into decisions about their living arrangements in the residential care facility. Louise says she had not been consulted or asked to consider a change in her seating arrangements.

Summary

1. An advocate acts on behalf of a person and is only permitted to do what they request.
2. Everyone has rights and responsibilities, and a person's rights are not diminished due to their circumstances.
3. Community services providers should assist and encourage people to communicate their thoughts and opinions about the care they receive and any decisions that are made affecting their lives.
4. It is the role of a community services worker to ensure their clients' rights are upheld, including the right to appropriate and timely information about rights, responsibilities and services.
5. People must have a clear understanding of their rights and responsibilities in relation to their needs so that they can identify their options and decide on a preferred course of action.
6. People who aren't aware of their rights and options may not receive the services they require or, at worst, may be exposed to discrimination and abuse.
7. Appropriate strategies must be used to raise issues of concern and address them so that people will have their needs met and their rights respected.
8. When representing someone, you will need to ensure that you obtain the information they need in a way that optimises the outcomes for that person.
9. People should be empowered as much as possible by developing their skills and confidence and transferring skills and knowledge to them.
10. It is essential that personal and private information is kept in confidence unless disclosure has been specifically and clearly authorised for a particular purpose or situation.
11. As part of your workplace's commitment to continuous improvement, you can contribute by identifying any barriers that you encounter and referring them to your supervisor for further action.

-
- 3 Discuss with the person**
 Discuss with the person what you wish to achieve by consulting the supervisor. Make sure that this aligns with the person's wishes.

 - 4 Communicate effectively**
 Use effective communication skills. Be courteous and professional. Be prepared, and if necessary, be assertive to ensure that you get your points across. Ask questions. Seek feedback and information.

 - 5 Report back**
 Ensure that you report back to the person with all the relevant information and outcomes.

Conflict of interest

A conflict of interest occurs when there is a competing need or interest in a given situation. When facilitating the interests of people, there may be a conflict of interest between what is best for the person and the interests of another person or organisation. A support worker, in discussion with their supervisor, other support workers and the service should identify and redress any actual, potential or perceived conflict of interest. Whatever action is taken, it is essential that it upholds the rights of the person and supports their reasonable expectations.

A process for managing a conflict of interest is shown here.

Managing a conflict of interest

Identify the actual, potential or perceived conflict of interest.

Discuss it with the person, supervisor and co-workers.

Take action to redress the conflict of interest.

Ensure the person has an advocate who is working in their best interests.

Follow up with the person to ensure their rights and needs have been addressed.

Identify risks

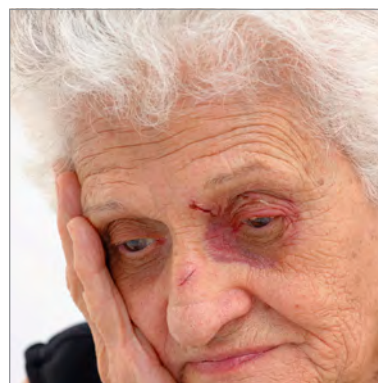
Identifying risks to the people you support and making appropriate referrals when dealing with issues arising from a situation of risk is an important part of your role. If dealing with an issue falls outside the boundaries of your role, you have a legal and an ethical obligation to refer the person to someone whose role does include dealing with that issue. Referrals may be internal, that is, to someone within your organisation; or external, that is, to an agency or service outside your organisation. Referrals must only be made with the person's knowledge and consent and should follow organisational policies and procedures.



Mandatory reporting

Mandatory reporting refers to your legal obligation to report instances of suspected abuse or neglect, especially in the case of children. Reporting requirements vary between the states and territories, but in most cases, any suspicion that a child is endangered requires the worker to report their concerns to appropriate authorities.

In many workplaces, these mandatory reporting requirements are extended and set out in the workplace's reporting policies and procedures. While reporting suspected abuse or neglect of older people and people with support needs may not be legally binding, your workplace will have best practice reporting procedures that you are expected to follow. As these procedures vary, it is important to know your workplace's definition of abuse and neglect and its procedure for reporting, for example, who to report to and when. If in doubt, speak to your supervisor immediately.



You can read more about mandatory reporting at:

- www.1800respect.org.au/workers/fact-sheets/mandatory-reporting-requirements

Dignity of risk

The rights of people to dignity and choice, upheld in legislation and service standards, also require that duty of care or safety is not used as a reason to limit a person's freedom or personal choice. A support worker's adherence to duty of care and safety must be coupled with the concept of dignity of risk, which means that a person has the right to make their own choices and to take risks.

The right of people to make their own choices – and to fail, make mistakes and learn from them – upholds their right to self-determination. In practice, this right can sometimes come into conflict with your obligation of duty of care and mandatory reporting, in some cases. Generally, a person must be allowed to make their own choices, unless it involves the likelihood of significant harm to themselves or another, in specific instances. Often, these areas



Duty of Care

- ▶ Duty of care is the obligation a person has to act in a way that would not cause harm.

Negligence

- ▶ Negligence occurs when duty of care has been breached and harm to either person or property ensues. It is the legal and ethical obligation of any community services worker, supervisor or organisation to ensure that people using services are not exposed to unnecessary or unreasonable risk.

Dignity of Risk

- ▶ The rights of people to dignity and choice, upheld in legislation and service standards, also require that duty of care or safety is not used as a reason to limit a person's freedom or personal choice. A support worker's adherence to duty of care and safety must be coupled with the concept of dignity of risk, which means that a person has the right to make their own choices and to take risks.

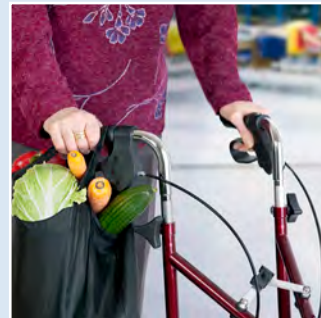
Your duty of care requirements

A duty of care exists when someone's actions could reasonably be expected to affect another person. The law has established a duty of care to the person. This principle is based on the worker taking reasonable care to avoid acts or omissions that may cause foreseeable harm to any person. You must think ahead about possible risks or dangers to the person using your service, co-workers or others while making sure you follow the organisation's policies and procedures.

Example

Duty of care

Freda is a support worker in a community based aged care service. She is taking a group of five people to the local shopping centre to buy groceries and to have morning tea afterwards. They travel in the organisation's people carrier van. Freda makes sure each person has a seatbelt securely fastened before driving off. She parks in the disabled parking bay at the shopping centre as two of her people have limited mobility and use walking frames.



In the supermarket she asks the group to stay together so that she can assist them with locating and carrying the items they want to buy and with sharing a trolley for their purchases. She notices that one of the supermarket aisles has a sign saying 'Caution: Wet Floor' and points this out, suggesting they all avoid this aisle. She also notices that one person has left her handbag open on top of some items in the trolley while it is unattended. She retrieves the handbag and reminds her client to carry it with her and to close it.

While waiting in line at the checkout someone drops a bottle of tomato sauce, which breaks. Freda and the person apologise and ask the assistant to call someone to mop up the sauce. After they have taken their shopping back to the van and loaded it into the area behind the passenger seats, they go to a coffee shop for morning tea. Freda has checked health records before the outing and noticed that one person she supports has a nut allergy. When the client chooses a cake that has a nut topping, Freda reminds him of his allergy and suggests an alternative nut-free cake. After the outing Freda returns the people in her care to the centre and waits with them until family members collect them to take them home.

Responsibilities

- ▶ Workers must:
- ▶ work within the law
- ▶ use work practices which meet service standards
- ▶ respect the rights of other workers
- ▶ work within the boundaries of their role
- ▶ follow organisational policies and procedures.

Rights

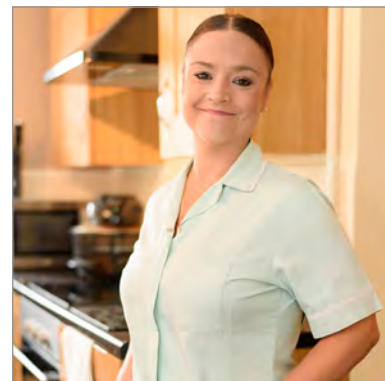
- ▶ Workers have the right to:
- ▶ be covered by relevant legislation, including industrial legislation
- ▶ a safe and health workplace
- ▶ have their own rights respected
- ▶ access appropriate support and supervision
- ▶ be treated fairly and without discrimination
- ▶ raise concerns and grievances within organisational and legal policies and procedures.

Workers and legislation

Community services workers are covered by industrial legislation and by anti-discrimination legislation, as are other workers. State workplace and WHS legislation is also relevant as are state Acts which govern service provision in various sectors; service standards; organisational policies and procedures; and individual job role descriptions and duty statements.

For general sources of information about the legal rights and responsibilities of workers, visit the following websites:

- ▶ www.australia.gov.au/information-and-services/jobs-and-workplace
- ▶ www.fairwork.gov.au/employee-entitlements/national-employment-standards
- ▶ www.fairwork.gov.au/how-we-will-help/templates-and-guides/fact-sheets
- ▶ www.fairwork.gov.au/how-we-will-help/templates-and-guides/fact-sheets/about-us/about-the-fair-work-ombudsman



Guidelines for complaints procedure

A template and guidelines for an organisational complaints policy and procedures for people receiving community services can be found at: <http://communitydoor.org.au/documents/quality/policy/5.2-complaints-by-clients-policy-guideline.pdf>

Further information and guidelines for organisations on how to manage complaints and develop effective policies and procedures can be found at:

- ▶ www.ombudsman.gov.au/docs/better-practice-guides/onlineBetterPracticeGuide.pdf

Further information about complaints policy and procedure is outlined below.

What policies should inform people about	What procedures should do
▶ Rights to make complaints and appeal decisions	▶ Be clear and straightforward
▶ How to make a complaint or appeal a decision	▶ Be easy to follow
▶ Supports available throughout the process	▶ Show who is responsible for what
▶ How the organisation manages complaints	▶ Include record keeping, time frames, responsibilities
▶ Procedural fairness	▶ Provide options
▶ Timelines	▶ Provide avenues for review and appeal
▶ How data is used to improve practices	▶ Provide avenues for taking a complaint further

Legal complaints process

When a complaint cannot be resolved through an organisation's internal mechanisms, people have the right to access external, formal and legal mechanisms. There is a wide range of external commissions and review bodies relevant to community services. Some address issues arising from the actions of Australian Government agencies; some address issues arising from the actions of state government agencies; and some address industry-specific issues.

People also have access to the civil courts, however, this option can be expensive, time consuming and stressful. Civil court action is usually only taken to address issues of harm resulting from negligence, although appeals against decisions by government review bodies can also be lodged in the civil courts. Community Legal Centres can provide people with free or low cost advice, advocacy and support regarding legal complaints and appeals, but may not have resources to represent them.



5B Ensure follow up and links to other services as required and in accordance with the person's preferences

It is important to follow up – to check that outcomes are sustained and that what has been achieved does not simply collapse as soon as advocacy support is withdrawn. Ending a collaborative relationship between a worker or advocate and a person receiving services should be done carefully and sensitively. The person may be relieved that the issue has been dealt with and that they have achieved at least part of their goals; they may think they will be glad to see the back of their worker. However, especially if the working relationship has been a trusting and respectful one, there may be a small sense of loss on both sides. Terminating a professional relationship must be done carefully and in ways which leave both worker or advocate and person receiving services feeling OK. Celebrating success is important.



From a practical point of view follow up is necessary to check that no problems have arisen in the new situation; that everything agreed has been implemented; and that things are still being done in accordance with client preferences. Often referrals to other services will ensure that needs continue to be met, and follow up is needed to check that this is successful.

Ensure follow up with the person

In handing over to a new service it is important (with the person's consent) to pass on all the relevant information; ensure that the person has a clear understanding of the role and functions of the new agency; that they feel comfortable with a new worker and have begun to develop an effective working relationship. It may be necessary to accompany the person to the new agency and introduce them, and perhaps to do this until they feel comfortable in the new service and things are going smoothly. This also provides opportunities for the person and the new agency to clarify information and request any further information needed.

The referring worker may keep in touch for a while, with permission from the person and from the new agency, to encourage a sense of continuity and to tie up any 'loose ends'.

Seeking feedback from the person referred and from workers from the new agency is essential.

Required links to other required services

When investigating options for referrals and following up links to other services consider using existing service providers; that is, other agencies and services already involved in the person's life. Using familiar services may have the advantages

Obtain feedback for self improvement

Feedback can be given verbally, face to face; informally as part of everyday work and communication; formally, as part of formal reviews; and in writing. Information to use in feedback can be collected through observation, through conversation, formal or informal interviews, and formal review processes and meetings.

Using feedback to improve personal performance is an ethical requirement for community services workers as stated in Standard 3 of the Australian Community Workers Association Practice Standards, Standard 3: Development and supervision.

Standard 3 Development and supervision

A community worker continues with professional development and professional supervision throughout their career.

Indicators

3.1 Professional supervision is sought or offered wherever appropriate and possible.

3.2 Competence in practice is maintained by undertaking relevant professional development.

3.3 Personal and professional limitations are addressed by consulting others and seeking appropriate professional or peer support.

3.4 The community worker applies critical analysis to the profession, human service agencies and organisations, and social institutions.

3.5 The community worker is responsible and accountable for his or her own actions, decisions and professional development.

(Source: Australian Community Workers Association Practice Standards, www.acwa.org.au/resources/ACWA_Practice_Standards.pdf)

Identify opportunities for self improvement

Standard 3 of the ACWA Community Work Practice Standards makes it clear that identifying opportunities for self-improvement is an individual responsibility.

Good practice includes using informal opportunities as well as more formal ones to improve performance; for example, acknowledging team members' contributions by saying 'Thank you' or complimenting someone on a job well done; asking others for their opinions and perspectives on actions or how a situation has been handled; or using effective communication skills to address issues relating to performance and to deal with differences and conflicts.

Most community services organisations have staff development and training policies and procedures as well as policies and procedures for monitoring and evaluating staff work performance. These mechanisms are intended to support professional standards and competence and to provide opportunities for workers to improve their skills, knowledge and work performance.

