

Staff Rights

Staff have the right to:

- A safe and respectful workplace with freedom from discrimination and harassment.

The Mental Health Act

The Mental Health Act, 2014 requires all mental health services to work within principles that include respect for people's dignity, promotion of supported decision making and treatment in the least restrictive environment.

The Victorian Charter of Human Rights and Responsibilities

Human rights are the basic rights that belong to all of us. The Charter emphasises freedom, respect, equality and dignity.

Human rights are the foundation for freedom, justice, peace and respect and are an essential part of any democratic and inclusive society that respects the rule of law, human dignity and equality.

Everyone has the same human rights: men, women, and children, rich and poor, and all nationalities and faiths.

Our human rights include:

- civil and political rights
- economic and social rights
- environmental and cultural rights

How to Provide Feedback

You can raise the issue with your Treating Team or complete a 'Tell Us What You Think' form which can be found at all sites. Providing feedback will not jeopardise the quality of your care.

Further information

Speak with a member of your Treating Team, or contact the appropriate service below:

- NorthWestern Mental Health www.nwmh.org.au
- Mental Health Complaints Commissioner (1800 246 054)
- Victorian Mental Illness Awareness Council (VMIAC) (9380 3900)
- Tandem – Carers Support (8803 5555)
- Mental Health Legal Centre (9629 4422)
- Victorian Legal Aid (9269 0234)
- Mental Health Tribunal (1800 242 703)
- Chief Psychiatrist (1300 767 299)
- Health Services Commissioner (1800 136 066)
- Ombudsman (9613 6222)

References

- Mental Health Act, 2014, Nominated Person <http://www.health.vic.gov.au/mentalhealth/mhact2014/recovery/nominated-person.htm>
- VMIAC Guidelines - Consumer Rights and Staff Responsibilities in Mental Health Services, 2003
- Chief Psychiatrist's Guidelines - Working together with families and carers, 2005
- The Victorian Charter of Human Rights and Responsibilities, 2006
- The Australian Charter of Healthcare Rights, 2008

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Statement

of Rights and Responsibilities

for

Consumers, Families, Carers and Staff

NorthWestern Mental Health



This brochure describes the rights and responsibilities of consumers, families/carers and staff at North Western Mental Health Services.

Guiding Principles

Under the Australian Charter of Healthcare rights you are entitled to:

- Access
Access services to address your health care needs
- Safety
Safe and high quality health services, provided with professional care, skill and competence
- Respect
The provision of care that respects your culture, beliefs, values and personal characteristics
- Communication
Open, timely and appropriate communication about health care in a way that you can understand
- Participation
Join in making decisions and choices about your care and about health service planning
- Privacy
Maintenance of personal privacy and proper handling of your personal health and other information
- Feedback
Comment on or complain about care and have concerns dealt with properly and promptly

Common Rights

All consumers, families/carers and staff have the right to:

- Be and feel physically and emotionally safe.
- Be treated with respect and dignity.
- Be spoken to in a respectful manner.
- Have an opinion, express an opinion and be listened to.
- Be considerate of private time and space.
- Not be discriminated against.
- To have access to an interpreter as required.
- Be respected with regard to the confidentiality and privacy of information provided.

Common Responsibilities

All consumers, families/carers and staff share the following responsibilities:

- To be aware of the rights of others.
- To communicate openly and honestly with each other.
- To discuss changes in condition and treatment plans.
- To discuss and clarify diagnosis and treatment.
- To discuss and clarify side effects of treatment.
- To work together to improve the effectiveness of treatment.
- To ensure that people are treated in the least restrictive way possible.
- To provide feedback on the service or care in the form of suggestions, compliments or complaints.

As a consumer you have the right to:

- Be informed about what is happening to you at all times, including your legal status, and be supported to make decisions about your care.
- Receive information and ask questions so that you fully understand everything.
- Have your rights explained in a way that you understand. Receive a copy of your rights and any Mental Health Act paperwork.
- Create an Advance Statement to record what you do and don't want to happen if you become unwell.
- Make suggestions, compliments or complaints.
- Nominate a Nominated Person to support you.
- Request an advocate to assist you.
- Request a second opinion.
- Request a staff member of your own gender if preferred.

Families/Carers have a right to:

- Be recognised, respected and supported as partners in providing care to the consumer.
- Be involved in providing essential information to the clinician in the assessment phase, and in the ongoing treatment and care of the consumer.
- Receive timely and easily understood information about the mental illness, its likely causes, treatment options and outcomes.
- Have rights explained and a copy provided.
- Be provided with support in their caring role.

Nominated Person:

- Assists the consumer to exercise their rights and helps represent their views and preferences; and
- Must be informed and consulted about the consumer's treatment if compulsory treatment is required.