

Schedule 3—Charter of care recipients’ rights and responsibilities—short-term restorative care

Note: See section 23AD.

Part 1—Short-term restorative care provided in a residential care setting

1 Application of this Part

This Part applies in relation to a care recipient who is provided with short-term restorative care in a residential care setting.

2 Care recipients’ rights

Each care recipient has the following rights:

- (a) to full and effective use of his or her personal, civil, legal and consumer rights;
- (b) to quality care appropriate to his or her needs;
- (c) to full information about his or her own state of health and about available treatments;
- (d) to be treated with dignity and respect, and to live without exploitation, abuse or neglect;
- (e) to live without discrimination or victimisation, and without being obliged to feel grateful to those providing his or her care and accommodation;
- (f) to personal privacy;
- (g) to live in a safe, secure and homelike environment, and to move freely both within and outside the flexible care service without undue restriction;
- (h) to be treated and accepted as an individual, and to have his or her individual preferences taken into account and treated with respect;
- (i) to continue his or her cultural and religious practices, and to keep the language of his or her choice, without discrimination;
- (j) to select and maintain social and personal relationships with anyone else without fear, criticism or restriction;
- (k) to freedom of speech;
- (l) to maintain his or her personal independence;
- (m) to accept personal responsibility for his or her own actions and choices, even though these may involve an element of risk, because the care recipient has the right to accept the risk and not to have the risk used as a ground for preventing or restricting his or her actions and choices;
- (n) to maintain control over, and to continue making decisions about, the personal aspects of his or her daily life, financial affairs and possessions;
- (o) to be involved in the activities, associations and friendships of his or her choice, both within and outside the flexible care service;
- (p) to have access to services and activities available generally in the community;
- (q) to be consulted on, and to choose to have input into, decisions about the living arrangements of the flexible care service;

- (r) to have access to information about his or her rights, care, accommodation and any other information that relates to the care recipient personally;
- (s) to complain and to take action to resolve disputes;
- (t) to have access to advocates and other avenues of redress;
- (u) to be free from reprisal, or a well-founded fear of reprisal, in any form for taking action to enforce his or her rights.

3 Care recipients' responsibilities

Each care recipient has the following responsibilities:

- (a) to respect the rights and needs of other people within the flexible care service, and to respect the needs of the flexible care service community as a whole;
- (b) to respect the rights of staff to work in an environment free from harassment;
- (c) to care for his or her own health and well-being, as far as he or she is capable;
- (d) to inform his or her medical practitioner, as far as he or she is able, about his or her relevant medical history and current state of health.