

SECTION 1 - INTRODUCTION

1.1 BACKGROUND

The development of nationally consistent quality standards for the disability services sector has been identified as a foundation reform for the National Disability Insurance Scheme. Implementing the NDIS Practice standards will ensure that NDIS registered service providers in Australia will meet the National Standards and fulfil their obligations under the National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018 when they apply the Standards. The practice standards will ensure that people with a disability are at the centre of decision making and choice about their supports and services they receive. This policy refers to outcomes and quality indicators in Schedule 1 Core Module and Schedule 5- Module 3 Early childhood supports.

1.2 PURPOSE

Fairstart Early Intervention has a significant role to play in assisting families to navigate options and solutions for independence. Being proactive about intervention will maximise opportunities to assist families and their children to participate in the community according to their individual and cultural needs and preferences. Like all children, children with disabilities have rights and families should be supported to exercise these rights so that their child can enjoy conditions of everyday life similar to other children in the community.

1.3 SCOPE

This policy applies to staff from Fairstart Early Intervention, and the clients of Fairstart Early Intervention.

1.4 DEFINITIONS

Word/Term	Definition
Client	The person /participant referred to Fairstart Early Intervention and their parent / legal guardian / participant's representative
Families	Includes the child, parent, family member, guardian or any other person receiving services from Fairstart Early Intervention
Advocate	a person who publicly supports another person or who puts a case on someone else's behalf

1.5 LEGISLATIVE CONTEXT

This policy will assist Fairstart Early Intervention staff to fulfil their obligations under the;
National Disability Insurance Scheme Act 2013
Disability Services Act 1986
Disability Discrimination Act 1992
Disability Inclusion Act 2014
United Nations Convention on the Rights of Persons with Disabilities

It ensures that each person receives services that respect and promote their legal and human rights and place them at the centre of decision making on how they live their life.

1.6 STAKEHOLDERS

This policy will benefit young children with developmental delay and or disabilities and their families, and staff from Fairstart Early Intervention.

SECTION 2 - POLICY

2.1 OBJECTIVE AND GOALS

- Each person is aware of their rights and can expect to have them respected
- Service providers are to uphold and promote the legal and human rights of each person
- To create a culture where every person feels valued, listened to and safe to speak up

2.2 POLICY STATEMENT

Every client receives a person centred service that promotes choice and control and respects their legal and human rights and enables them and their representative to exercise choice like everyone else in the community.

APPLICATION & IMPLEMENTATION

2.2.1 Client Rights

Fairfield City Council clients have the right to

- Access their legal and human rights;
- Communicate in a language or mode of communication that they understand;
- Practice their culture, values and beliefs whilst accessing supports;
- Engage with their family, friends and chosen community;
- be treated with respect, courtesy and dignity;
- privacy, confidentiality and security for their personal information;
- understand and agree to the use of their personal information;
- receive a service that meets their individual needs
- actively make their own decisions and choices, or be supported to participate in decisions that affect their lives and services they receive;
- receive services in a safe environment, free from discrimination, victimisation, harassment or exploitation;
- complain about the services they receive without being discriminated against as a result of the complaint; and
- have an advocate speak for them.

In relation to NDIS Practice standards

2.2.1 Client Rights

Fairfield City Council:

- will ensure participant's legal and human rights are understood and incorporated into everyday practice

Early Childhood supports- Module 3- The Child

- will ensure staff have knowledge and understanding of each client's legal and human rights and incorporate this into everyday practice with clients

We will do this by:

- employing workers with an up to date Working With Children Check clearance and ensuring these are maintained at all times
- providing training to ensure staff are knowledgeable of the NDIS Code of Conduct, NDIS Practice Standards, Early Childhood and Early Childhood Early Intervention Code of Ethics practices and the values of Fairstart Early Intervention
- providing staff with a clear ethical framework for their values, attitude, behaviour and interactions with clients through; clearance checks, staff selection, recruitment of qualified staff, training opportunities, supervision and the implementation of policies and procedure.
- providing orientation and ongoing training to ensure that staff are aware of their duty of care obligations; including Work Health and Safety, Code of Conduct training and NDIS Worker orientation modules.

2.2.2 Person Centred Supports

Fairfield City Council:

- will provide information and communicate with clients, in a range of languages and modes of communication and terms that clients are most likely to understand
- will communicate with each client about the provision of supports in a language, mode of communication and terms that is responsive to their needs and that the client is most likely to understand
- will encourage and support clients to engage with their family, friends and chosen community according to their choices
- will encourage and assist families to maximise opportunities for social participation, community participation and cultural inclusion, according to their individual preferences

Early Childhood supports- Module 3 -The Family

- will base clients' support plans on child and family choice and control
- will recognise and respect family expertise and knowledge about their child
- will work in partnership with the family and identify and utilise the family's strengths, needs and priorities within the support plan

We will do this by:

- consulting with participant's representatives on their preferred communication method and record this on the client's file for all staff to be able to access and use
- use of translator supports and use of cultural support workers
- prioritising face to face meetings with clients to discuss proposed support schedules and agreements
- tailoring supports in line with the client's priorities and choices
- use of person and family centred approaches to maximise the empowerment of clients
- respecting and recognising parents and caregivers as the experts in relation to knowing their child
- providing information about Fairstart Early Intervention services to current and prospective clients, referral agencies and the community
- encouraging clients to participate in the development and review of policies and processes that promote strategies for equality and upholding human rights.
- respectfully sharing relevant information across and the organisation's Children and Family Services business unit to enhance the services provided by Fairfield City Council

2.2.3 Individual values and beliefs

Fairfield City Council:

- will invite clients to identify their cultural diversity, values and beliefs and ensure these are responded to sensitively within the provision of supports.

We will do this through:

- the use of cultural support workers, interpreters, translations and telephone interpreter service during the planning of Scheduled supports and Agreements, Intervention planning and conversations with clients.
- responding to and managing complaints, as outlined in our Feedback and Complaints policy

2.2.4 Privacy and Dignity

Fairfield City Council:

- will use processes and practices that respect and protect the personal privacy and dignity of each participant
- will advise participants of confidentiality policies using a language, mode of communication and terms that the client is most likely to understand
- will ensure staff respect participants' autonomy, including their right to intimacy and sexual expression

We will do this by:

- .advising clients of confidentiality policies through information in our Client Handbook and Fairstart Privacy and Confidentiality Policy – Easy English
- discussing the extent and limitations of privacy of information during the SLA meeting.
- communicating to clients what type of personal information is collected by the organisation and why, including recorded material in audio and / or visual format. Client consent for the use of personal information is obtained through the QMF-FS01.2 Service Level Agreement and the use of Audio and Visual information through QMF-FS-02.3 Client Consent.
- treating information shared by clients with confidentiality and obtaining written consent from families before sharing information with other agencies, unless there is a legal or legislative requirement. This will be documented by the families' completion of QMF-FS1.1.3 Consent form. This consent is valid for 12 months from the date of signing and families may withdraw or vary permission to release information at any time by notifying staff verbally or in writing.
- only collecting personal information with consent that is needed and relevant to the client's program. Families will have access to this information if requested with opportunities to update and confirm its accuracy. Consent for collecting personal information for the purpose of Fairstart key business will be sought through the Service Level Agreement
- ensuring that files containing personal information are stored and secured when not in use pursuant to the State Records Act and Regulation. Access to information stored electronically is protected with access restricted to relevant staff. Any non-essential disclosures that could identify the child are destroyed as per the Local Governments Records Policy
- making phone contacts at the request of the participant's representative, to other parties to support communication, clarification and outcomes for the participant. This will be with the client's representative present or if the other party is not able to be present at the time, with witnessed verbal consent which will be documented in notes
- if a family is unable to complete written consent but wish for Fairstart to share their information another party urgently, a witnessed verbal consent can be obtained and documented in client notes. This consent will be confirmed in writing at the first possible opportunity.
- Making phone contacts and meetings disclosing personal client information in private meeting rooms or on mobile phones that can easily be moved to a private space to share personal client information
- ensuring requests for information about children and families and results of assessments are discussed with the families and any actions resulting are carried out subject to the full agreement of the family involved. Copies of all reports prepared by staff are given to families. This practice would only be changed in the instance of child protection, following the NSW Interagency Guidelines for Child Protection Intervention 2006

2.2.5 Provision of supports

Fairfield City Council:

- will allow participants to take the time they need to review their options and seek advice at any stage of support provision with the support of an advocate if desired
- will inform participants of how to make changes to their supports

We will do this by:

- informing clients of how to make changes to their supports in their Service Level Agreement
- inviting clients to initiate a review of their supports at any time, if that is their wish, in their Service Level Agreement
- consulting families for their consent prior to visitors or students observing or participating in the service provided to the client. Written permission will be sought to confirm the verbal discussions that have occurred

2.2.6 Independence and Informed Choice

Fairfield City Council:

- will offer participants choice and control of the supports they need and how they want these to be delivered
- will support clients to actively make their own decisions and choices and participate in decisions that affect their lives and services they receive
- will respect clients' right to the dignity of risk in decision making, to make informed choices about the benefits and risks of the options under consideration
- will provide timely information to clients using the language, mode of communication and terms that the client is most likely to understand

We will do this by:

- creating an individualised Service Level Agreement for each participant detailing delivery of supports as requested by the client's family or representative, as well as expectations of all parties Fairstart.
- empowering or supporting clients to make decisions for themselves about things that affect their lives and access to services that support their needs, according to their individual choice. Clients will be supported to make choices with information about the benefits and risks of the options under consideration.
- using person centred practices including Support Planning
- encouraging families to have an advocate present at meetings if they wish.
- supporting the use of advocacy services by providing families with information about a range of agencies that may be able to provide wider support for the family and child.

2.2.7 Violence Abuse, Neglect, Exploitation and Discrimination

Fairfield City Council:

- will ensure that children are safeguarded from violence, abuse, neglect, exploitation, unlawful and degrading treatment or discrimination.

Module 3-Early Childhood Supports – The Child

- will create safe environments for children by the implementation of practices and procedures to manage risk
- will comply with all relevant state and territory legislation relating to reporting of risk of harm to children

We will do this by:

- ensuring the safety and physical protection of clients through the implementation of procedures to minimise or remove the risk of harm arising from activities or events across multiple domains. Risk management strategies include staff training, workplace inspections, risk assessments, Client individualised Risk assessments, incident reporting to NDIS Commission, Community Services and investigations
- ensuring staff are trained to respond immediately to incidents or risks of harm and co-ordinate appropriate responses in line with the legislative and duty of care requirements
- informing families of staff's mandatory reporting responsibilities of abuse and neglect, in the interests of child protection
- ensuring staff are provided with opportunities to undertake training to identify the indicators of abuse and neglect and are knowledgeable about the interactive online Mandatory Reporter Guide <http://www.keepthemsafe.nsw.gov.au> to report a significant risk of harm and contact Child Protection Helpline on 132 111.

SECTION 3 - GOVERNANCE

3.1 RELATED POLICIES/PROCEDURES

Policy Number	<u>QMI-FS-01.1 Fairstart Privacy and Confidentiality Policy – Easy English</u> <u>QMPOL-FS – 02.2 Client Feedback and complaints</u> <u>QMI-FS-LC-01.2 How to make a complaint or provide feedback – Easy English</u> <u>QMPOL-FS – 03.1 Client Support Provision</u>
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3.2 RESPONSIBILITY

Policy Owner	Children and Family Services
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3.3 RISK

Clients may not be informed of their human rights or supported to make decisions and/or advocate in order access their needs. They may not be able to exercise their rights so that they can enjoy conditions of everyday life similar to other people in the community.

3.4 VERSION CONTROL AND CHANGE HISTORY

Version Number	Approval Date	Approved by	Amendment
Version 2	18/12/13	Children and Family Services Manager	Inclusion of new practice requirements
Version 3	4/8/15		Reference to NDIS

Version 4	27/9/17		Inclusion of changes to legislation
Version 5	5/05/2020		Reference to NDIS practice standards
Version 5	27/10/2020		Reference to NDIS practice standards

3.5 REVIEW DATE

This policy will be reviewed every five years or when a change to governing legislation occurs, whichever occurs sooner.

SECTION 4 – PROCEDURES

4.1 PROCEDURE

Fairstart team members are required to follow the procedures as set out in the NSW Interagency Guidelines for Child Protection Intervention 2006 and Fairfield City Council’s Child Protection Policy [QMPOL-CS-005](#)

4.2 FORMS AND RECORD MANAGEMENT

Supporting Documents

- QMF-FS-02.1 Client Information and Consent
- QMF-CS-01.2 Service Level Agreement
- QMF-CS-01.3 Service Level Agreement Addendum
- QMF-FS-01.3 Service Level Agreement Addendum- Vietnamese
- QMF-FS-01.3.2 Service Level Agreement Addendum- Chinese
- QMF-FS-02.3 Client Consent
- QMF-FS-02.3.1 Client Consent – Vietnamese
- QMF-FS-02.3.2 Client Consent – Chinese
- [FAIRSTART ATTACHMENT: Rights of the Child](#)
- [FAIRSTART ATTACHMENT: Accessing Telephone Interpreting Service](#)
- [FAIRSTART ATTACHMENT: Support for Students DEC Fact sheet](#)

Fairstart welcomes your feedback. If you would like to give us feedback on this or any of our policies or procedures, please contact us by emailing fairstart@fairfieldcity.nsw.gov.au