CONSUMER RIGHTS POLICY AND PROCEDURE

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Purpose and Scope

The purpose of this policy and procedure is to affirm Bilingual Care's responsibility to uphold all consumers' rights, and to set out how these rights will be integrated into the everyday interactions with Bilingual Care's consumers. It ensures that consumer rights are communicated, supported and protected by Bilingual Care and its staff.

This policy applies to all Bilingual Care's:

- consumers receiving services from Bilingual Care, including their families, supporters, representatives and advocates
- aged care workers, associated providers, volunteers, and representatives
- service environments where Support at Home or other funded aged care services are delivered
- interactions relating to service delivery, communication, record-keeping, and decision-making

This policy and procedure meets all relevant legislation, regulations, and Standards.

Applicable Strengthened Aged Care Quality Standards

1. *Standard 1. The Individual*
2. *Standard 2. The Organisation*
3. *Standard 3. The Care and Services*
4. *Standard 4. The Environment*
5. *Standard 5. Clinical Care*
6. *Standard 6. Food and Nutrition*

The Statement of Rights[1]

The *Statement of Rights* places older people at the centre of aged care, ensuring autonomy, safety, dignity, cultural respect, equitable access, and the ability to raise concerns without fear of reprisal.

All people receiving Australian Government-funded Support at Home services, including residential care, home care, or other aged care services in the community have rights. As someone who receives Support at Home aged care services, I have the right to:

1. **Independence, Choice and Control**

   I have the right to independence, autonomy, empowerment, and freedom of choice. This means I can make my own decisions and have control over:
   - the funded aged care services that I have been approved for
   - how I access those services
   - my money and belongings

[1] Aged Care Quality and Safety Commission, 2026, *Statement of Rights*. Accessed 16 March 2026. https://www.agedcarequality.gov.au/providers/statement-rights

I can choose the way I live, even if there is some personal risk. My provider will support me in making those decisions and respect them.

2. **Equitable Access**

   I have the right to a fair and accurate assessment to find out what funded aged care services I need. Assessments for care should be culturally safe, trauma-aware and healing-informed. I will have equitable access to an assessment for care that respects and recognises my:
   - culture and background
   - personal experience and any trauma
   - cognitive conditions such as dementia

3. **Safety and Quality**

   I have the right to quality and safe funded aged care services. This includes the right to access services:
   - that are free from any violence, abuse and neglect
   - that value and support my identity, culture, spirituality and diversity
   - from workers with the right training and skills

4. **Privacy and Information**

   Aged care providers and anyone working in the aged care system must respect and protect my privacy and access to my information. I have the right to get information about the funded services I use.

5. **Voice, Communication and Feedback**

   Communication with me will be based on my needs and preferences. I have the right to:
   - get information in a way I understand
   - communicate in the language or method I prefer
   - raise issues without fear of being punished or treated unfairly

6. **Support, Advocacy and Connection**

   I have the right to stay connected with people that are important to me, such as family, friends and carers.

   I also have the right to stay connected with my community, like through leisure, spiritual or cultural activities, and pets. If I identify as Aboriginal or Torres Strait Islander, I have a right to stay connected with my community, Country and Island Home.

   If I need support to understand my rights, make decisions or make a complaint I have the right to request access and get support from an advocate or someone else I choose.

Where to Get Help

If you have concerns about the aged care services you are receiving, you can:
- talk to your aged care provider, in the first instance

- speak with an aged care advocate on 1800 700 600, or visit www.opan.com.au, for support to raise your concerns or
- contact the Aged Care Quality and Safety Commission on 1800 951 822, or visit its website, www.agedcarequality.gov.au. The Commission can help you resolve a complaint about your aged care provider.

Bilingual Care will provide information about the *Statement of Rights* to its consumers in ways that meet their preferred communication method. Easy Read Fact Sheets and videos explaining their rights from the Department of Health, Disability and Ageing[2] may also be used to assist in helping the consumer to understand their rights.

Policy

Bilingual Care respects and fully commits to upholding the rights of all people, including the consumers it supports.

Bilingual Care uses the rights detailed in the *Statement of Rights* to guide all organisational decision making, policies, and service provision.

In accordance with the *Aged Care Act 2024 (Cth)*, *Aged Care Code of Conduct* and the *Statement of Rights*, Bilingual Care is committed to ensuring its consumers are made aware of their rights and supported to exercise them through all stages of service delivery and contact with Bilingual Care.

Procedures

General

Bilingual Care is responsible for providing information about consumer's rights in an accessible way and so that the consumers, their families/supporters and staff can understand them.

To promote awareness of consumer rights, Bilingual Care will display the *Aged Care Act 2024 Statement of Rights – A3 Poster*[3] in all office settings accessed by consumers.

When first meeting prospective consumers, and during formal initial assessment and ongoing care review meetings, the Managing Director will provide them or their family/supporter with Bilingual Care's *Consumer Information Pack.* This pack contains a copy of the *Aged Care Act 2024 Statement of Rights – A4 Explainer*[4] and the *Aged Care Code of Conduct – fact sheet for older people*[5].

[2] Australian Government Department of Health, Disability and Ageing, 2025, *A new Aged Care Act for the rights of older people*. Accessed 16 March 2026, https://www.health.gov.au/resources/publications/a-new-aged-care-act-for-the-rights-of-older-people?language=en

[3] Australian Government Department of Health, Disability and Ageing, 2025, *New Aged Care Act resources for communications practitioners – Statement of Rights*. Accessed 16 March 2026, https://www.health.gov.au/resources/collections/new-aged-care-act-resources-for-communications-practitioners#statement-of-rights

[4] Australian Government Department of Health, Disability and Ageing, 2025, *New Aged Care Act resources for communications practitioners – Statement of Rights*. Accessed 16 March 2026, https://www.health.gov.au/resources/collections/new-aged-care-act-resources-for-communications-practitioners#statement-of-rights

[5] Aged Care Quality and Safety Commission, 2026, *Aged Care Code of Conduct*. Accessed 16 March 2026, https://www.agedcarequality.gov.au/for-providers/code-conduct

The Managing Director will use the *Aged Care Act 2024 Statement of Rights – A4 Explainer* and *Aged Care Code of Conduct – fact sheet for older people* as education tools to support each consumer to understand their rights before making any decisions about their Support at Home services and funding.

Bilingual Care will consider the specific requirements of individual consumers to make sure they fully understand their rights, by providing information in a format that suits their individual communication needs. Arrangements may include different languages and Easy English, face-to-face or phone explanation by staff, and the use of interpreters and advocates.

Before services commence, Bilingual Care's Managing Director will explain the contents of the *Statement of Rights* and answer any questions the consumer or their family/supporter has about their rights.

The Managing Director will confirm the consumer's understanding verbally and in writing. Once they have determined that the consumer has genuinely understood their rights, the Managing Director will sign and date the consumer's *Statement of Rights* and provide them or their representative with the option to sign it also.

Bilingual Care's Managing Director will ensure each consumer understands that by signing the *Statement of Rights* they acknowledge:

- they have received a copy of the *Statement of Rights*
- that Bilingual Care has supported them to understand their rights under the *Statement of Rights* and
- they understand their rights in relation to their aged care services.

While Bilingual Care's Managing Director will encourage the consumer or their family/supporter to sign the *Statement of Rights*, they will make it clear that it is not mandatory to do so, and that services can commence or continue regardless of signing.

The Managing Director will provide a copy of the signed *Statement of Rights* to each consumer for their records. The original document must be stored in the consumer's records in Ezihealth.

The Managing Director will inform the consumer that they can access or be provided with a copy of this policy and procedure at any time, upon request.

Consumer Responsibilities

As part of conversations with consumers about their rights, Bilingual Care staff will also discuss consumer responsibilities, so they are understood by each consumer and their families/supporters.

Consumer responsibilities include:

- consumers, their families, carers, supporters and visitors must respect and be considerate to Bilingual Care's staff (violence, harassment or abuse towards staff or others is not acceptable or tolerated)
- consumers' service environments must be safe for Bilingual Care staff to perform their duties (for example, Bilingual Care can request pets be kept away from staff and consumers not smoke near staff)
- consumers must provide accurate information and enough detail about themselves that will assist Bilingual Care to deliver safe and quality care and services
- informing Bilingual Care about any change in circumstances that may affect their care and services or funding and

- consumers are required to pay any agreed individual contribution amounts on time, if applicable.

If any of the above responsibilities cannot be met, Bilingual Care will work with consumers to provide solutions and support them as best as possible. This will be achieved through a care management meeting and discussing ways Bilingual Care can support them to resolve or overcome any barriers to meeting their responsibilities. This may include providing support to apply for financial hardship, or a comprehensive review of the consumer's environment to ensure the safety of both the consumer and Bilingual Care staff.

Staff Responsibilities

To ensure compliance with this policy and procedure, staff must provide services in a way that is culturally safe, culturally appropriate, trauma-aware, healing-informed, and respectful of each individual's rights, their identity, culture, background, spirituality and diversity, consistent with the *Aged Care Act 2024 (Cth)*, *Statement of Rights*, the *Strengthened Aged Care Quality Standards* and the *Aged Care Code of Conduct*.

Bilingual Care recognises that consumers will have diverse experiences and backgrounds, including:

- Aboriginal and Torres Strait Islander peoples
- people from culturally and linguistically diverse backgrounds
- people with diverse genders, bodies and sexualities
- people with experience of trauma
- veterans
- people who are financially or socially disadvantaged
- people who are homeless or at risk of becoming homeless
- people who live in rural or remote areas
- care leavers
- parents separated from their children by forced adoption or removal
- people experiencing mental health problems and mental illness
- people living with cognitive impairment including dementia
- people living with disability

Staff will consider and sensitively respond to these experiences in line with the rights-based obligations of the *Aged Care Act 2024*, as per Bilingual Care's *Inclusion, Diversity and Culturally Safe Service Delivery Policy and Procedure*.

Upon commencement, all staff will undergo Induction, which will include education about the *Statement of Rights*, consumer rights and responsibilities, and how best to ensure each consumer understands them.

Feedback and Complaints

Consumers are invited to provide their feedback and raise concerns with Bilingual Care at any time, including concerns about their rights not being upheld. Consumer complaints will be addressed in accordance with Bilingual Care's *Feedback and Complaints Policy and Procedure* and *Open Disclosure Policy and Procedure.*

Consumers and other stakeholders may also raise concerns via whistleblower processes. See Bilingual Care's *Whistleblower Policy and Procedure* for more information.

Other ways that complaints can be raised include:

- using an independent advocate via OPAN – phone 1800 700 600 or
- contacting the Aged Care Quality and Safety Commission – phone 1800 951 822

Consumers will not be disadvantaged or have their services withdrawn for raising a concern.

Privacy and Confidentiality

In accordance with Bilingual Care's *Privacy and Confidentiality Policy and Procedure*, respect for and protection of consumers' privacy and confidentiality will be reinforced on an ongoing basis, verbally and in literature promoting the services offered by the organisation.

Supporting Documents

Documents relevant to this policy and procedure include:

- *Feedback and Complaints Policy and Procedure*
- *Inclusion, Diversity and Culturally Safe Service Delivery Policy and Procedure*
- *Open Disclosure Policy and Procedure*
- *Privacy and Confidentiality Policy and Procedure*
- *Whistleblower Policy and Procedure*
- *Consumer Information Pack*
- *Aged Care Quality and Safety Commission Statement of Rights*
- *Aged Care Quality and Safety Commission Aged Care Act 2024 Statement of Rights – A4 Explainer*
- *Aged Care Quality and Safety Commission Aged Care Code of Conduct – fact sheet for older people*

Monitoring and Review

The Leadership Team will review this policy and procedure at least annually and include consumer and other stakeholder feedback.

Annual service delivery and satisfaction surveys will assess consumer:

- awareness of their rights and the extent to which they feel able and supported to exercise them
- satisfaction with the support they are provided to exercise their rights
- awareness of what to do if their rights are violated
- satisfaction with the quality of services they receive
- satisfaction that their privacy and confidentiality are maintained
- views on how easy it is to access the feedback, compliments, and complaints system
- satisfaction with how complaints and feedback are managed
- awareness of their responsibilities and satisfaction with any support needed to meet them and
- satisfaction with the management of reviews and appeal.

Bilingual Care's *Continuous Improvement Plan* will be used to record and monitor progress of any improvements identified.

DOCUMENT CONTROL

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