

Human
Services



Peoplefirst

Department of Human Services and Community Visitors Program Protocol

October 1997

This protocol is designed to foster better communication and relationships between Department of Human Services regional staff and Community Visitors. It outlines the roles and responsibilities of Community Visitors and the responsibilities of departmental staff in relation to Community Visitor visits.

Background

1. The *Intellectually Disabled Persons' Services Act 1986* (IDPS Act) requires that Community Visitors monitor residential services provided to people with an intellectual disability. Community Visitors monitor services for people with an intellectual disability to ensure that they are granted the same rights and opportunities as any other members of the community.
1. Community Visitors are community volunteers from a range of occupations and backgrounds. They usually have had some involvement with people with disabilities.
3. Community Visitors are appointed to a region rather than to a specific facility or facilities. However, for ease of administration, the Office of the Public Advocate allocates groups of Community Visitors, known as panels, to particular facilities.
4. A panel of Community Visitors usually consists of two or three people. Each panel has a nominated panel secretary who is responsible for arranging meeting dates, making notes and reports and representing the consensus views of the panel to staff and/or residents.
5. One Community Visitor in each region is nominated as a *Regional Convenor*. In some regions, however, more than one convenor is appointed. The Regional Convenor(s) has overall responsibility for the activities of Community Visitors in the region, in addition to undertaking normal community visitor duties.

Community Visitor Responsibilities

6. A Community Visitor is entitled to inspect any part of the premises and see a client, with or without notice at any time. Clients or people acting on their behalf, such as a guardian or family member can also specifically request to speak to a Community Visitor. Community Visitors have the right to inspect documents and records relating to the client or residential facility.
7. Specifically, the IDPS Act requires that Community Visitors:
 - ascertain the appropriateness and standard of accommodation for the physical well-being and welfare of residents;
 - inquire about the adequacy of opportunities and facilities for the recreation, occupation, education and training of residents;

- determine whether services are being provided in accordance with the principles of the IDPS Act (Section 5);
- inquire into the use of restraint, seclusion and aversive therapy;
- access clients' Individual Program Plans (IPPs) to determine whether they have been complied with;
- determine any failure to comply with the provisions of the IDPS Act;
- respond to and inquire into any complaint made to them by a resident;
- visit each residential institution at least once every month and community residential units at least twice each year;
- submit a report to the Public Advocate on visits made at least twice a year.

*It should be noted that issues relating to staff work conditions do not fall within the parameters of Community Visitors' responsibilities.

Visiting Procedure

Department of Human Services Staff

8. When Community Visitors visit a residential facility, departmental staff will:
 - request that the Community Visitor produce identification when they arrive at the facility where necessary, eg where they have not previously met the Community Visitor;
 - introduce the Community Visitors to residents and explain their role where necessary;
 - provide the Community Visitors with assistance to effectively perform their duty during the visit;
 - respect a client's right not to speak to the Community Visitors if they so choose;
 - respond to the best of their knowledge to questions asked by a Community Visitor, which relate to the Community Visitor's responsibilities under the IDPS Act. If staff are unable to answer a question asked by a Community Visitor, they must seek advice from their supervisor or obtain the required information as soon as possible;
 - complete a Record of Visit report for visits by Community Visitors;

- forward a copy of the completed Record of Visit report to the Accommodation Services Manager or Training Centre Manager (this task is usually the responsibility of the House Supervisor/Deputy Unit Manager);
- forward a copy of the monthly summary report listing issues raised in the Record of Visit report and the status of each issue to the Regional Convenor of the Community Visitors Program.

Community Visitors

9. When visiting a residential facility, Community Visitors will:
 - produce identification for staff upon arrival;
 - respect the rights of residents if they indicate that they do not wish to discuss anything with the Community Visitor;
 - complete a Visiting Report form for each visit.
10. In addition, Community Visitors will meet at least quarterly with regional Disability Services management to discuss issues identified through the quarter. The frequency of these meetings may be varied by mutual agreement, if required.

Access to Client Records and Other Client Related Documentation

11. In accordance with the provisions of the IDPS Act, Community Visitors are able to access a range of information in fulfilling the requirements of their role. Much of this information is of a *personal* or *sensitive* nature and will be treated confidentially.
12. Information gained by Community Visitors will only be used for the purpose of carrying out their responsibilities under the IDPS Act.
13. Except for IPPs, Community Visitors will only request access to client records or other client related documentation kept at a house or unit when their inquiries cannot satisfactorily be resolved without access to such records.
14. Community Visitors will complete a *Photocopy Request* form (see Attachment 1) when requesting photocopies of documents held at a residential facility. The completed form must be approved by the relevant Sector Manager/Unit Manager before information is photocopied. (Please note that the process detailed in point 17 below will need to occur before photocopies of medical or financial documents can be made).

15. Photocopies of documents regarding individual clients or groups of clients provided to Community Visitors and notes made by Community Visitors will be stored in lockable systems to ensure security and confidentiality. Only staff designated by the Co-ordinator of the Community Visitors Program will have access to this information.
16. Any photocopies of documents obtained by Community Visitors will be destroyed by shredding when the issue they relate to has been addressed. No individual client specific information will be retained for longer than twelve months following resolution of a matter.
17. While it is not a requirement of the IDPS Act, the Department of Human Services and the Community Visitors Program have agreed that Community Visitors will complete an Access to Medical/Financial Documents form (see Attachment 2) when requesting access to any client related **financial** or **medical** documents held at a residential facility. The completed form must be endorsed by the Regional Convenor then approved by the relevant Disability Services Accommodation Services Manager/Training Centre Manager before information is released.
18. Any requests for substantial systemic information relating to a group or groups of residents of a departmental facility or facilities (such as information on hours of activities provided for residents or numbers of request for BIST involvement) will be forwarded in writing on behalf of Community Visitors by the Public Advocate or the Co-ordinator of the Community Visitors Program to the relevant Manager Client Services, Manager Disability Accommodation Services or Training Centre Manager.
19. All written requests will provide a rationale for why the information is required and will indicate that the information will be stored and disposed of according to the requirements identified in point 16 above.

Grievance Process

20. If a direct care staff member/manager is concerned that a request made for information is inappropriate, not relevant to the Community Visitor role or relates to information that is of a highly sensitive or highly personal nature, such as a client's HIV/Hep B status or Justice Plan information, or a Community Visitor is concerned that a request has not been appropriately responded to, the following procedure will be implemented:
 - the identified issue of concern should be raised with the Community Visitor, supervisor and/or staff member on duty **at the time of the visit** where possible;

- if discussion at this point does not adequately resolve the issue, the Community Visitor, supervisor, and on-duty staff member (as appropriate) will arrange a separate meeting in an attempt to clarify the situation and resolve any outstanding issue;
 - if the issue is still unresolved, the Regional Convenor of the Community Visitors Program and the Program Manager, Sector Manager or Unit Manager as appropriate will meet to resolve the issue;
 - if the issue remains unresolved, it should then be referred to the Coordinator of the Community Visitors Program and the appropriate Manager Disability Accommodation Services or Training Centre Manager for a joint decision. Please note that at this level, the party with the grievance will put the matter in writing.
 - if required, the grievance resolution process will involve referral of an issue to the Manager, Client Services and, if necessary, the Regional Director and Public Advocate. The involvement of the incumbents of these positions in any grievance process will be rare and will only occur after all previous stages in the grievance resolution process have been undertaken.
21. Where issues in dispute relate to **interpretation of regional or departmental policy**, by mutual agreement between the Community Visitor and the supervisor, these may be directed to the relevant Sector Manager, Program Manager or Unit Manager for resolution. If the issue cannot be resolved at this level then the process described above will apply.
22. The Department of Human Services and the Office of the Public Advocate agree that where a grievance exists, the procedure detailed in point 20 will be implemented without undue delay.

Other Information

23. Further information on the Community Visitors Program can be found in the following documents:

Community Visitors Handbook (OPA publication)
Community Visitors Practice Instruction (IDS Accommodation Services Practice Instruction Manual, 1993 , Vol 1)
Community Visitors Handbook (departmental publication)
IDPS Act 1986

24. Where information contained in any of the above listed documents contradicts the information presented in this protocol, with the exception of the IDPS Act, the information presented in this protocol will take precedence.

PHOTOCOPY REQUEST

I being a Community Visitor appointed under the *Intellectually Disabled Persons' Services Act 1986*, request a photocopy of the document(s) listed below:

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A photocopy of this/these document(s) is sought for the purpose(s) of:

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A photocopy of the document(s) listed above will assist me in carrying out my duties under the *Intellectually Disabled Persons' Services Act 1986*.

(signed) (Community Visitor)

(endorsed) (Regional Convenor)

Date

(photocopy of information approved)
(Sector Manager/Unit Manager)

Date

ACCESS TO MEDICAL/FINANCIAL DOCUMENTS

I being a Community Visitor appointed under the *Intellectually Disabled Persons' Services Act 1986*, request access to the document(s) listed below:

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Access to this/these document(s) is sought for the purpose(s) of:

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Access to the document(s) listed above will assist me in carrying out my duties under the *Intellectually Disabled Persons' Services Act 1986*.

(signed) (Community Visitor)

(endorsed) (Regional Convenor)

Date

(release of information approved)
(Disability Accommodation Services/Training Centre Manager)

Date