

Senior Project Officer, HCSCC Charter of Rights Project Information for applicants January 2010



Introduction

The office of the Health & Community Services Complaints Commissioner (HCSCC) is an independent statutory office established by the *Health and Community Services Complaints Act 2004* (the Act). HCSCC has been open to the public since October 2005. HCSCC is located at 50 Grenfell St, Adelaide, co-located with the office of the Guardian for Children and Young People.

The Act and the HCSCC 2008-09 Annual Report are available at www.hcsc.sa.gov.au

Part 3 Charter of Health and Community Services Rights (the HCSCC Charter)

The sections of the Act relevant to the Charter are set out in Part 3 and section 85(1) of the Act. The development of the HCSCC Charter was delayed due to a lack of resources. SA Health has provided once-off funding in 2009-2010 to develop the HCSCC Charter.

There are several factors relevant to the HCSCC Charter development, including:

1. health sector forerunners to the HCSCC Charter exist:
 - 1.1 for public health services: Your Rights and Responsibilities - A Charter for Consumers of the South Australian Public Health System - available at <http://www.safetyandquality.sa.gov.au/Default.aspx?tabid=68>
 - 1.2 for private patients in hospitals: <http://www.health.gov.au/internet/main/publishing.nsf/Content/health-privatehealth-consumers-charter-index.htm>
2. The Australian Charter of Healthcare Rights was endorsed by Australian Health Ministers' in July 2008 - available at <http://www.safetyandquality.gov.au/internet/safety/publishing.nsf/Content/PriorityProgram-01>
3. The scope of the HCSCC Charter extends to all services within HCSCC's jurisdiction including public, private and non-government health and community service providers.
4. In response to a review of the Act, the South Australian government has endorsed proposals to amend the Act including:
 - Section 22 Charter principles to include an entitlement to being assisted when making a complaint under the Act
 - Section 76 reports to include reporting complaints about HCSCC Charter rights.

Amendments to give effect to these proposals are anticipated in the first parliamentary session after the state election on 20 March 2010.
5. Some accreditation and other regulatory standards in the health and community services sectors include requirements that mirror the Charter principles set out in section 22 of the Act
6. Minimal attention has been paid to rights-based approaches to health and community services within HCSCC's jurisdiction.

7. HCSCC has statutory obligations for special needs groups - Section 9(2)-(3) of the Act.
8. Australia's ratification of the International Convention on the Rights of Persons with Disabilities in July 2008 provides impetus to rights-based approaches to health and community services within HCSCC's jurisdiction.

HCSCC services

Since October 2005, HCSCC has dealt with over 4200 complaints. More than 90% of complaints concern health services.

The HCSCC Complaint Resolution Service assists service users, their families and carers and service providers to resolve complaints. The Manager, Complaint Resolution Service, is responsible for the overall management of the service.

The first point of contact, the HCSCC Enquiry Service, is provided through a dedicated phone line Mon-Thurs 10 am-4 pm. The Enquiry Service is complemented by a web site to assist people to take many steps unaided. Two Information & Assessment Officers are the mainstay of the Enquiry Service.

In addition to contributing to the HCSCC Enquiry Service, 6 Complaint Resolution Officers case manage complaints and resolve complex matters. Each Complaint Resolution Officer has a caseload of up to 25 active files. The Complaint Resolution Officers also contribute to training and mentoring in good practice complaint handling.

Concurrent projects

HCSCC completed an outreach project consulting Aboriginal people and workers in Aboriginal and mainstream health and community services in 2009. The project report, a summary, a community information sheet and an HCSCC preliminary action plan for 2010, in response to the report recommendations, are available at www.hcsc.sa.gov.au

Key HCSCC stakeholders

HCSCC has a wide range of stakeholders. They include the Health Consumers Alliance; Carers SA; Independent Advocacy Inc, designated consumer advisors and complaints officers employed within health and community services, the SA Ombudsman, the Guardian for Children and Young People, government departments for Health and Families and Communities, in particular Disability SA and Families SA, the Office of the Public Advocate and the 10 health professional registration boards.

Contact for further information

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