



Australian Commission

31 MAR 2008

on Safety and Quality
in Health Care

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Chief Executive

Level 3, 11 Moore Street, Canberra City ACT 2601
GPO Box 825 Canberra ACT 2601
Phone: (02) 6205 0825 Fax: (02) 6205 0830
Website: www.health.act.gov.au
ABN: 82 049 056 234

File No:

Professor Chris Baggoley
Chief Executive
Australian Commission on Safety and Quality in Healthcare
GPO Box 5480
Sydney NSW 2001

Chris
Dear Professor Baggoley

Thank you for your letter of 22 January 2008 inviting ACT Health to contribute to the draft National Patient Charter of Rights Consultation process.

ACT Health strongly supports the development of a national health care consumer rights document. A national approach will provide consistency for consumers that can form the foundation for an effective partnership between consumers and health care providers in health care.

Health care providers, consumer groups and organisations such as the ACT Human Rights Commission were consulted in developing the ACT Health submission.

If you require any further information please contact Alice Jones on 6205 3548 or alice.jones@act.gov.au.

Yours sincerely

Mark Cormack
Chief Executive

27 March 2008



Submission

to the

**Australian Commission on Safety and Quality in
Health Care**

Draft National Patient Charter

Consultation

March 2008

Executive Summary

ACT Health supports the development of a set of national principles for consumer rights and responsibilities.

The Commission's work in this area is an opportunity to establish consistent national principles that can form the foundation for an effective partnership between consumers and health care providers in health care. It is an opportunity to recognise the active role consumers can play in accessing quality health care when their rights within the health care system are upheld and supported.

National Charter

ACT Health supports a single set National Charter or Principles. The Principles outlined by the Commission are the more useful of the two documents provided.

With regard to the language used in the documents even simpler 'plain English' text would assist consumers with limited experience of the health system.

The term 'consumer' would be more appropriate than 'patient' in the ACT context as ACT Health provides care in community and acute settings, and the term 'patient' is not used in all of our hospitals or in our community based care.

Carer representatives in the ACT indicated strongly that they felt the term 'patient' did not effectively represent their interests or experiences. ACT Health would suggest that specific reference to the role, rights and responsibilities of carers be made in the document, perhaps through reference to existing statements in States and Territories.

The *10 Tips for Safer Health Care* materials are a good example of the way a Charter/Principles could be effectively presented and distributed.

Rights

The rights included in the Charter are comprehensive. In ACT Health's view the principles are most effectively expressed.

Principles

The principles are comprehensive, however, more expansive explanations of the concepts would be beneficial.

Rights and Responsibilities

ACT Health staff that participated in the consultation felt strongly that consumer responsibilities needed to be more clearly articulated in the document. A number of consumers who were consulted supported this approach.

In ACT Health's view inclusion of clear consumer responsibilities or recognition of the rights of health care providers would be important to obtaining health care provider endorsement and support for the final principles or charter.

It would be important to address consumer responsibilities in terms of their roles as active participants in the health care system and ensure any responsibilities identified did not limit consumer rights.

Existing Charters

The principles outlined in the document would work well with existing ACT Health consumer rights and responsibilities material.

Use of the Charter

ACT Health sees that a national charter or principles document would be form the basis of similar documents developed within the organisation and be used to review the current rights and responsibilities document.

Effective implementation of the Charter/Principles by the Commission with State and Territory input would be essential to their successful uptake. Tools for measuring how well consumers access these rights in the health system would also be valuable.

About ACT Health

ACT Health is a diverse organisation that is responsible for providing and facilitating access to health services in the ACT. ACT Health delivers a range of coordinated health and community care services to the ACT and region through a wide range of program, services and partnerships.

Unlike other health service in Australia, ACT Health has a role in all aspects of health planning, policy development and service delivery in the ACT. These roles range from the management of the Canberra Hospital, the major tertiary referral centre for the ACT to providing advice to the Minister for Health on national policy issues, to managing non government contracts for community health based services

Consultation

ACT Health consulted broadly with key stakeholders to develop this submission.

Strategies for consulting included face-to-face communication such as meetings, interviews and via email.

Group consulted included:

- Consumers (including Health Care Consumers Association and the ACT Council of Social Services).
- Community and carer groups including Culturally and Linguistically Diverse groups, and other specific population groups.
- ACT Human Rights Commission.
- Peak ACT Health Quality Committees, ACT Health Clinical Council.
- ACT Health Executives, senior staff and other key personnel.

Response to Consultation Questions

1. National Patient Charter of Rights and National Patient Charter Principles

ACT Health received strong feedback from stakeholders that a National Charter/National Principles document would be extremely useful for supporting and clarifying expectations for all those involved in health care.

ACT Health considers the existence of two documents to be confusing for stakeholders and found the Principles to be the more useful of the two documents due to the more detailed and explanation they provide.

Respondents in the ACT found that the Charter information as a stand-alone document was less useful and through lack of explanation, may be open to consumer misinterpretation or unrealistic expectations.

Example: Access: I am entitled to have access to public health care – Access to public health service is based on clinical need, not the ability to pay.

ACT Health staff who work in community health fields explained how they felt the above statement, may lead some consumers to believe they have the right to access all health services without incurring any out-of-pocket cost. This is not the case for all services, particularly health services that are provided outside of the hospital. In addition access is about more than just cost, it is also about issues such as timeliness and location, transport and transfer issues.

Language

ACT Health would suggest that the language used in the Charter could better reflect its intent to support active participation and partnership between consumers and health care providers.

There was a broad feeling from respondents in the ACT, that the style and tone used in the Charter, assumed a passive approach to consumer engagement, through use of the term patient, by focusing only on rights and not responsibilities and by not including health care providers voice from this Charter.

The use of the term 'consumer' or 'health consumer' rather than patient would be one way to achieve this. Stakeholders consulted by ACT Health support this. This issue is discussed further in section four below.

Importantly, stakeholders consulted by ACT Health did not feel the term patient represented families, carers and other nominated support persons as suggested in the charter. ACT Health would suggest that specific reference to the role, rights and responsibilities of carers be made in the document, perhaps through reference to existing statements in States and Territories.

Comment from respondent: "Mothers who take their babies to a clinic for immunisation would not be likely to consider themselves patients any more than a person who attends a health promotion session would."

The language used in the final presentation of the Charter/Principles would ideally be as 'plain english' as possible. Consumers found the language in the existing charter and principles was at times 'jargony' and assumed a level of knowledge of the system that they felt consumers would not necessarily have, particularly consumers who access the health system infrequently.

Style and Presentation

Consumers in the ACT indicated that a prompting style of information is the most useful way to present this information for example, “*What this means to me style of information*”.

There was also support for using the “*10 Tips to Safer Health Care*” style of publication and presentation in a range of long short and poster and fact sheet formats.

2. Rights included in the Charter

In the ACT there was broad agreement that the issues list in the Charter was comprehensive enough to cover the range of consumer concerns and human rights.

3. Points included in the Principles

While the rights were considered complete, they could benefit from more comprehensive explanations. For example, discussing access to health services in terms of timeliness to services and services provided in a place that they can get to, transfer arrangements and choice of providers as well as cost.

4. Rights and Responsibilities

ACT Health staff strongly felt that the Charter/Principles would be more effective if they more clearly outlined the responsibilities that consumers have within the health system as well as their rights. Some consumers also identified this issue.

The draft Principles include just two statements of what health care providers can expect from consumers and the Charter does not address health care provider rights.

Comment from respondent: If the draft Charter is to provide a useful framework for both consumers and health care providers, there should be an acknowledgement that health providers have rights also. For example, all health care providers (and especially those who visit people in their home) have the right to a safe work environment, which free from smoke or physical threats or verbal bullying.

In ACT Health’s view if these concerns are not addressed it could limit the engagement of health care providers with the charter and hinder its effective implementation. It would be important to address consumer responsibilities in terms of their roles as active participants in the health care system and ensure any responsibilities identified did not limit consumer rights.

The ACT Health rights and responsibilities framework is attached for the Commission’s information.

5. Existing Charters

The ACT Health Rights and Responsibilities information is written to health consumers. It includes an overarching statement about the commitment of ACT Health to work with consumers in partnership to ensure best possible care and the importance of understanding both rights and responsibilities as they relate to individuals health care.

ACT Health does not expect any overlap of National and the Territory documents would be an issue if the national Charter continues to provide the universal principles or high quality framework from which program level documents could be tailored.

ACT Health would expect that the National Charter would play a role in setting a consistent, National 'culture' based on strong communication, respect and aspirations of continual improvements in quality and safety in health care.

6. Possible uses of the Charter

In the ACT a National Patient Charter would:

- Not replace any consent forms or other program/service specific consumer information
- Act as a standard against which practice can be measured. The Human Rights Commissioner could use the Charter/Principles as part of the process to determine if breaches have occurred.
- Increase consumer satisfaction because of clearly defined rights and responsibilities
- Include reference to open disclosure ie, informing patients and their families when there is an adverse event.

ACT Health sees that a national charter or principles document would be form the basis of similar ACT Health documents and be used to review the current rights and responsibilities document.

In terms of implementing the charter or principles ACT Health sees a national dissemination strategy as central to the presentation, uptake, understanding and acceptance of the agreed principles. Dissemination should be appropriately resourced and include State and Territory level input.

In addition when implementing charter or principles, consideration could be given to the development of supporting performance measures for the rights and responsibilities. In ACT Health success against the ACT Health Consumer Rights and Responsibilities are assessed and reported against consumer feedback and other complaints mechanisms

You have a responsibility to:

- ▶ Treat health care workers and other patients or consumers of health services courteously and with respect, and to respect the rights and privacy of health care workers and other people using the service.
- ▶ Provide treating staff with complete information about your condition, previous treatment, allergies, medications you have taken, changes to your health or symptoms, and any other information relevant to your treatment.
- ▶ Acknowledge that ACT Health services must give priority to those most in need of care.
- ▶ Ask questions until you feel fully informed about your illness and any treatment that is recommended, and then make an informed choice about treatment. Please tell us if you do not understand the information that is given to you or if you do not know what is expected of you.
- ▶ Advise service providers if you stop taking prescribed medication or if you make any other changes to your treatment.
- ▶ Advise treating staff if your condition worsens or does not seem to be improving with treatment.
- ▶ Keep appointments and notify the service if this is not possible.

Contacts

ACT Health Consumer Liaison Officers:

The Canberra Hospital, Aged Care & Rehabilitation Stream, and Capital Region Cancer Stream
6244 2974
or 6244 2447

Calvary Public Hospital 6201 6111

Community Health 6205 3311

Mental Health ACT 6205 3311

Health Services Commissioner 6205 2222

Go to the ACT Health website for more consumer information and advice specific to the kind of health care you are receiving:
www.health.act.gov.au

ENGLISH
ARABIC
CHINESE
CROATIAN
GREEK
ITALIAN
PERSIAN
PORTUGUESE
SERBIAN
SPANISH
TURKISH
VIETNAMESE

If you need interpreting help, telephone:
إد احنيتف لمساعدة فم الترفجة التملوية. إتصل برفق بالهاتف:
如果你需要传译员的帮助, 拨打电话:
Ako trebate pomoć tumača telefonirajte:
Αν χρειάζεστε διεγερτική τηλεφωνική βοήθεια στο
Se avete bisogno di un interprete, telefonate al numero:
اگر به ترجمه شما نیاز دارید به این شماره تماس کنید:
Se voce precisar da ajuda de um intérprete, telefone:
Ako vam je potrebna pomoć prevodnika telefonirajte
Si necessita la asistencia de un intérprete, llame al:
Tereimana ihiyacomiz varsa lūfien telefon editiz:
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TRANSLATING AND INTERPRETER SERVICE 131 450
Canberra and District - 24 hours a day, 7 days a week
HEALTH CARE INTERPRETERS 6205 3333

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Your Rights and Responsibilities

ACT Health Services

ACT Health is committed to working in partnership with the consumers of our health services to ensure that you receive the best care possible. To do this, it is important that you understand your rights and responsibilities as they relate to quality and safe health care.

You have a right to:

Access to services

- ▶ You will have equitable access to a range of services which promote good health, prevent ill health and disability, provide high quality treatment and assist with rehabilitation and community support on the basis of your clinical needs.

High standards of service

- ▶ ACT Health services will be delivered with professional skill, care and competence and be consistent with ethical and professional standards and practices.
- ▶ You will be treated with dignity and respect by all health care staff. This includes your right to receive service without discrimination on the basis of age, disability, race, gender, sexual preference, religion, culture or ability to pay any fees.

Be informed and make decisions

- ▶ You will be fully informed about your health or condition and any treatments you may require, including the risks and

benefits and the likely consequences of not undertaking treatment. In this way, you will have all the information you need to make decisions about your health.

- ▶ You have the right to make informed choices and give informed consent to your care and treatment, to refuse treatment or services (unless subject to legislation), to discharge yourself from the service at any time, or to seek a second opinion about your care and treatment.
- ▶ Subject to the Health Records (Privacy and Access) Act 1997, you have a right to information about your care and access to your personal information or records.

Confidentiality, privacy and security

- ▶ ACT Health staff have a responsibility to ensure the security of your health records, and to provide appropriate surroundings that allow for private and confidential consultations.

Provide feedback

- ▶ You have the right to provide feedback, including the right to make a complaint without reprisal or penalty, and to utilise the services of a family member or advocate to resolve a complaint.
- ▶ It helps to deal with problems as soon as they arise—approach a staff member, or ask to talk to the person who deals with complaints. If this fails, or if you need further help, contact the independent Commissioner for Health Complaints.

Participate in your health care

- ▶ You have the right to participate in all stages of your health care or treatment and to involve your family, friends, carer and /or advocate in your support, decision-making, participation and communication.