

6. PRIVACY

Everyone participating in the healthcare system needs to respect the privacy of other people in the health system. Patients and consumers have a right to expect that their personal health and other information will be collected, used, disclosed and stored in accordance with the relevant laws about privacy, and that this information will remain confidential unless the law allows disclosure or the individuals direct otherwise. Some of the ways participants can contribute to maintaining privacy and confidentiality are listed below.

PATIENT OR CONSUMER	HEALTHCARE PROVIDER	HEALTH SERVICE ORGANISATION
<p>If you would like access to your health records, ask for them to be provided to you and bring to your healthcare providers' attention any information that is incorrect, incomplete or out of date.</p> <p>Understand that in some situations your health information will need to be shared between health providers.</p> <p>Respect the privacy and confidentiality of others.</p>	<p>Ensure that patients' health information is only shared with other appropriate healthcare providers.</p> <p>Recognise that patients and consumers have a right to access their records and be prepared to discuss the contents of their records with them.</p> <p>Be sensitive to the privacy needs of patients and consumers.</p>	<p>Ensure that procedures are in place so that information about patients and consumers is treated in confidence. Facilities must be available to secure health records.</p> <p>Provide systems to support patients and consumers to access their personal health information where permitted under relevant legislation.</p> <p>Ensure procedures are in place to assist staff to understand the privacy rights of others, and what information they can disclose to whom.</p>

7. COMMENT

All participants in the healthcare system benefit from processes that encourage feedback about the services received by patients and consumers and that encourage any concerns to be resolved in an open, fair and timely manner. Patients and consumers have the right to seek to have their concerns resolved by independent arbitrators such as healthcare complaints commissions. Some of the ways participants can contribute to effective feedback and resolution of concerns are listed below.

PATIENT OR CONSUMER	HEALTHCARE PROVIDER	HEALTH SERVICE ORGANISATION
<p>If you wish to provide feedback, first try to use the local procedures and systems as they are more able to provide timely feedback.</p> <p>When making a complaint, try to provide your feedback in a way that is respectful to other patients, consumers and healthcare staff.</p> <p>Be aware that there are multiple ways in which you can pursue an issue.</p>	<p>Acknowledge and take seriously all comments and feedback made by patients and consumers.</p> <p>Establish feedback channels that are available throughout the whole time of admission.</p> <p>Facilitate the efficient and equitable resolution of complaints by participating in organisational processes.</p> <p>Establish 'reflective practices' to consider issues arising from comment to determine possible improvements.</p>	<p>Have a complaints handling system in place that operates according to best practice and operates throughout admission.</p> <p>Ensure that patients and consumers have access to information about the comment process without having to ask for it.</p> <p>Have a quality improvement system in place that considers the issues emerging from complaints.</p> <p>Ensure processes are in place that enable healthcare staff to make complaints about their workplace and have their concerns acted on.</p>



ROLES IN REALISING THE AUSTRALIAN CHARTER OF HEALTHCARE RIGHTS

Everyone who is seeking or receiving care in the Australian health system has certain rights regarding the nature of that care. The Australian Charter of Healthcare Rights tells patients and consumers about their rights in our healthcare system.

The Australian Health Ministers adopted the Australian Charter of Healthcare Rights on 22 July 2008. This brochure, *Roles in Realising the Australian Charter of Healthcare Rights*, has been developed by the Australian Commission on Safety and Quality in Health Care to help everyone in the health system work towards ensuring that the rights described in the Charter are put into practice. It provides information that all participants, patients and consumers, staff and health service organisations, can follow to help ensure that rights are upheld.

Patients, consumers, staff and health service organisations all have a role in contributing to a safe and high quality healthcare system and achieving the best possible outcomes from the system. Patients, consumers and staff can all contribute by cooperating fully with others involved in the healthcare system and providing feedback on their experiences so that the system can be improved.

Healthcare organisations have a particular responsibility for making sure that policies and procedures describing how the rights are to be achieved are clearly written and readily available.

Roles in Realising the Australian Charter of Healthcare Rights aims to encourage all participants to work together so that the rights described in the Charter are realised. It provides guidance only, and does not lay down rules or provide a comprehensive list of actions.

Patients and consumers will not always be able to contribute to achieving their rights. Staff need to be aware of a patient's or consumer's circumstances and consider these circumstances when providing care.

In *Roles in Realising the Australian Charter, on Healthcare Rights* the following definitions are used to describe the different people involved:

A 'patient' or 'consumer' refers to a person receiving health care. A 'consumer' also includes carers, families and professional or chosen support people, who also have an important part to play in achieving good health outcomes.

The 'healthcare provider' is the trained health professional, or team of health professionals providing health care.

The 'health service organisation' is the organisation responsible for providing healthcare services. Small organisations have to work to achieve healthcare rights within existing systems and available resources. In some cases support from external agencies, such as telephone interpreters, may be needed.

1. ACCESS

Access to health care is a fundamental right for everyone. In Australia this right is supported by Medicare which, together with state and territory governments, provides access to free or subsidised treatment by doctors and access to free public hospital services. Not all services, however, are available in all areas, and an individual's right to health care may be limited by his or her geographic location and the available health services. Access to private healthcare services can require payment. Some of the ways participants can contribute to achieving the right to access health care are listed below.

PATIENT OR CONSUMER	HEALTHCARE PROVIDER	HEALTH SERVICE ORGANISATION
<p>If you are admitted to a public hospital, decide whether you want to be treated as a public or private patient.</p> <p>Understand that in some circumstances you may need to travel or wait to receive the health care services you need.</p> <p>Try to attend booked appointments for healthcare services and notify staff when you are unable to attend.</p>	<p>Discuss any issues concerning access with the patient, family or carer to enable them to understand choices they may have and constraints that exist.</p> <p>Ensure efficient use of services and timely discharge processes to enable access by others.</p>	<p>Ensure that adequate facilities, equipment and supplies are available so that staff can provide services in a timely and appropriate fashion.</p> <p>Ensure efficient management of beds and facilities to optimise access.</p> <p>Provide an opportunity for patients and consumers to choose whether to be treated as a public or private patient and explain that choice.</p> <p>Where appropriate, provide support for people who need to travel to receive public healthcare services.</p> <p>Ensure transparency and accountability by documenting decisions about access.</p>

2. SAFETY

Patients, consumers and healthcare providers are entitled to a safe, secure and supportive healthcare environment. Patients and consumers have the right to expect that safe care and treatment will be provided in every encounter with the health system. All participants can help to ensure safe and high quality care. Some of the ways they can do this are listed below.

PATIENT OR CONSUMER	HEALTHCARE PROVIDER	HEALTH SERVICE ORGANISATION
Let staff know if you think something has been missed in your care or that an error might have occurred.	Provide healthcare services with professional skill, care and competence.	Employ clinical staff who are appropriately qualified, competent and experienced.
Explain any circumstances that may make your health care riskier or any other safety concerns that you have.	Provide healthcare services that are based on evidence of safety and effectiveness.	Employ appropriately qualified and experienced managers.
	Involve yourself actively in patient safety systems established by the health service organisation in which you work.	Ensure that facilities and procedures meet industry standards.
	Work to provide effective continuity of care for patients.	Provide staff with the resources that are necessary to provide safe and effective health care.
		Put systems in place that promote patient safety.

3. RESPECT

All participants in the healthcare system are entitled to be treated with respect and not be discriminated against in any way. Patients and consumers have a right to receive care in a manner that is respectful of their culture, beliefs, values and characteristics like age and gender. Staff and health service managers are entitled to be treated politely and with consideration of their workload. Some of the ways participants can show respect within the healthcare system are listed below.

PATIENT OR CONSUMER	HEALTHCARE PROVIDER	HEALTH SERVICE ORGANISATION
Respect the well-being and rights of other patients, consumers and staff by conducting yourself in an appropriate way.	Demonstrate professional conduct that is based on ethical standards and treat patients and consumers with dignity and consideration.	Develop and maintain a co-operative and mutually respectful environment to support interactions between patients, consumers and staff.
Let staff know if there are changes to your condition or new symptoms.	Provide care in a manner that is respectful of a person's culture and beliefs, and that is free from discrimination.	Support staff to abide by agreed and published ethical standards and practices and professional codes of conduct.
Discuss plans that have been agreed with staff and let them know if you have been unable to follow these plans.	Interact with clinical colleagues, paramedical and service staff and managers in a respectful manner.	Develop and sustain healthcare services that are free from discrimination and delivered in a manner that shows respect for patients and consumers.



4. COMMUNICATION

To obtain the best possible health outcomes the exchange of information between patients, consumers and staff must be full and open. This can be facilitated by clear, timely and effective two-way communication. In particular, staff and health service organisations are encouraged to offer and arrange access to services such as interpreters and patient support groups that might enhance the patient's or consumer's involvement with the healthcare system. Patients and consumers have a right to be fully informed about all aspects of their health care including what options are available, where the services would be provided and the costs of the service. Some of the ways participants can contribute to achieving effective communication and sharing of information are listed below.

PATIENT OR CONSUMER	HEALTHCARE PROVIDER	HEALTH SERVICE ORGANISATION
Be as open and honest with staff as you can, including giving details of your medical history and medication you may be taking.	Provide patients and consumers with open, complete and timely communication throughout the period of care, including when plans change or if something goes wrong.	Provide patients and consumers with advice on how and where to ask questions and obtain information about diagnosis and treatment from their healthcare team.
Ask questions of staff if you would like more information about any aspect of your care.	Provide comprehensive information regarding proposed treatment, available options and continuing health care.	Make all reasonable efforts to afford access to services such as interpreters and patient support groups to assist with clear communication.
If you are experiencing difficulties communicating with staff, ask for your family to help or request support services, such as qualified interpreters or a patient advocate.	Provide information to patients and consumers in a way that can be understood.	Provide information about the facility's waiting times and costs of services.
	Ensure the appropriate transfer of information when care is handed over to another health provider	Ensure systems are in place to support open disclosure when things go wrong.
		Where possible, have in place processes that support continuity of service providers.

5. PARTICIPATION

To obtain good health outcomes, it is important for patients and consumers to participate in decisions and choices about their care and health needs. This provides the basis for informed consent and informed decision making. In some situations, such as emergencies, the opportunity to participate in decision making may be limited. As well as participating in decision making about their own care, patients and consumers also have the right to participate in health service planning. Some of the ways to support participation are listed below.

PATIENT OR CONSUMER	HEALTHCARE PROVIDER	HEALTH SERVICE ORGANISATION
Take an active role in your health care and participate as fully as you wish in the decisions about your care and treatment. Your family can be actively involved too.	Encourage patients and consumers to make fully informed decisions by discussing treatment options available, including expected outcomes, success rates and incidence of side effects. This includes informing patients and consumers of their right to refuse treatment or withdraw consent at any time.	Develop and maintain policies that encourage and appropriately support patients, consumers and their families to be involved in the decision making.
Seek a second opinion if you have any uncertainty.	Ensure patients and consumers are invited to consent for any care or treatment offered to them that is experimental or part of teaching or research.	Facilitate the involvement of patients and consumers in decisions regarding health service policies and planning.
Give or withhold your permission for treatment.	Respect the role family members, friends, carers and advocates may have in the patient's or consumer's care and treatment.	
Consider involving your family, carers or other nominated support people to support your decision making.		