

A.A.S.S. POLICY

WORKER AND CLIENT RIGHTS



Purpose: The purpose of this policy is to ensure that all workers and clients are aware of their rights in the workplace.

1. Definitions:

- 1.1 AASS Worker – includes employees, contractors, work experience students and volunteers.
- 1.2 Client – includes parents, carers, and advocates of children, and social group participants.

2. Worker Rights

- 2.1 Whilst employees' rights are covered by their contracts of employment and the National Employment Standards (Fair Work Act 2009), volunteers are also entitled to a protection of rights. These include:
 - 2.1.1 The right to work in the safe environment;
 - 2.1.2 The right to work in a workplace free of discrimination, harassment and bullying;
 - 2.1.3 The right to be covered by insurance;
 - 2.1.4 The right to be reimbursed for any out of pocket expenses;
 - 2.1.5 The right to be covered by all policies and procedures of the Autism Advisory & Support Service;
 - 2.1.6 If you are a volunteer, you will not fill a position previously performed by a paid employee;
 - 2.1.7 If you are a volunteer, you have the right not to do the work of employees during industrial disputes;
 - 2.1.8 The right to a job description and agreed working hours;
 - 2.1.9 The right to have your confidential and personal information dealt with in accordance with the principles of the Privacy Act 1988;
 - 2.1.10 The right to be provided with sufficient training to do your job;
 - 2.1.11 The right to be treated fairly and with respect;
 - 2.1.12 The right to say no. As a volunteer, you have a right to know what tasks are expected of you, and you have the right to say no if you do not wish to do them.
 - 2.1.13 You have the right to make a complaint (follow Complaint procedure).

3. Client Rights

- 3.1 The rights of clients of AASS are listed below:
 - 3.1.1 The right to be provided with an environment free from discrimination, harassment, bullying, financial, sexual, physical and emotional abuse, neglect and exploitation;
 - 3.1.2 The right to privacy, with an expectation that personal records and details are dealt with in an ethical and confidential manner;
 - 3.1.3 To be treated fairly and with respect;
 - 3.1.4 To be included where possible, in activities facilitated by AASS;
 - 3.1.5 The right to be in a safe environment;
 - 3.1.6 You have the right to make a complaint (follow the Complaint procedure).

A.A.S.S. PROCEDURES CLIENT / WORKER COMPLAINT PROCEDURES



Purpose:

All Clients and workers have the right to complain, without fear of retribution, victimisation or vilification. Complainants are not limited to Clients, as defined below. All complaints will be handled in a sensitive and confidential manner, and will be responded to promptly. The following procedure sets out the guidelines for complainants.

1. Definitions:

- 1.1 Client – includes parents, carers, and advocates of children, and social group participants.
- 1.2 Complainant – includes Clients, workers, members of the Community, other services or organisations and other interested parties.
- 1.3 AASS Worker – includes employees, contractors, work experience students and volunteers.

2. Principles:

- 2.1 Any individual who comes into contact with AASS will be treated with dignity, courtesy and respect.
- 2.2 All complaints will be treated sensitively, fairly, confidentially and in a timely manner.
- 2.3 AASS will promote appropriate standards of conduct at all times.
- 2.4 Complainants have a right to be present at all hearings pertaining to the complaint.
- 2.5 The complaint procedure is based on the principles of natural justice.
This means:
 - 2.5.1 Fully informing a person of any allegations that are made against them.
 - 2.5.2 Giving individuals the opportunity to state their case, provide an explanation or put forward a defence.
 - 2.5.3 Ensure that proper investigation of the allegations occurs.
 - 2.5.4 Ensuring that the decision-maker acts fairly and without bias.

3. Procedure for complaint against AASS

- 3.1 Clients and workers are encouraged to raise their complaint with the AASS worker concerned in the first instance. This can be done either informally or formally.
- 3.2 If the client or worker is not satisfied with the outcome, or does not wish to discuss the issue with the AASS worker concerned, they should contact another AASS worker. Ideally, this will be the H.R. Co-ordinator. At this stage the informal complaint has become formal.
- 3.3 Once a formal complaint is made, a Complaints Form is filled in by the complainant.
- 3.4 Once the complaint form has been completed, the complainant will forward to an appropriate AASS worker (ideally the H.R. Co-ordinator).
- 3.5 The initial complaint should not be made to the President, unless it is an informal complaint about the President, as this role may be involved in the decision making part of the appeal process.
- 3.6 Once a complaint has been made, ideally the complainant should be contacted within 72 hours to acknowledge receipt of the complaint. The issue can be dealt with either over the telephone, or a meeting can be organised to discuss the nature of the complaint.
- 3.7 The H.R. Co-ordinator will investigate the issue if required, ensuring that the principal of natural justice is followed. During investigations, all parties are able to have a support person present (to ensure investigation is conducted in a fair manner, and to interpret if necessary).

- 3.8 If the complaint is found to be of a criminal nature, then the police will be contacted for investigation and action.
- 3.9 Once the issue is investigated, a Complaint Action Plan will be developed for resolution of the complaint (where applicable).
- 3.10 The action plan will clearly state the action(s) to be taken, the AASS worker(s) responsible for the action, and the date by which action is to be achieved.
- 3.11 If the complainant is not satisfied with the resolution proposed, then the complaint will be forwarded to the President of AASS for review.
- 3.12 If there is still no resolution achieved, then the complainant has the right to take the complaint to an external party. These include, but are not limited to:

NSW Ombudsman
Ph: 02 9286 1000
Toll free (outside Sydney metro): 1800 451 524
www.ombo.nsw.gov.au/complaints/making-a-complaint
Email: nswombo@ombo.nsw.gov.au

Director, Investigation & Conciliation Service
Australian Human Rights Commission
www.humanrights.gov.au/complaints
email: newcomplaints@humanrights.gov.au
GPO Box 5218
Sydney NSW 2001

Anti-Discrimination Board of NSW
Ph: 02 9268 5544
Toll free (outside Sydney metro): 1800 670 812
Email: complaintsadb@agd.nsw.gov.au

- 3.13 If the complainant does not wish for the complaint to be dealt with internally, then they should contact one of the above mentioned agencies.

4. Feedback and evaluation

- 4.1 The staff member handling the feedback must, upon completion, request that the complainant fill out and submit a complaint feedback and evaluation form.

5. Review

- 5.1 This policy will be reviewed on an annual basis to ensure it meets all legislative requirements.