

# Submission to the Charter Review 2015 (Review of the Charter of Human Rights and Responsibilities Act 2006)

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Written by Jessie Lees, Catherine Joyce & Jason Rostant

## **Contact**

Jason Rostant  
Director, Advocacy & Partnerships  
365 Hoddle Street  
T 9411 4376 M 0414 935 692  
[Jason.Rostant@cohealth.org.au](mailto:Jason.Rostant@cohealth.org.au)

**cohealth.org.au**

## 1. Introduction

cohealth is pleased to provide a submission to the 2015 Review of the Victorian *Charter of Human Rights and Responsibilities Act 2006*. Our submission focuses on “examples of effective ways to improve human rights outcomes in practice” (Charter Review Consultation Paper, page 4). More specifically, we provide information about how our organisation, an independent not-for-profit community health service, is working to implement and embed rights-based approaches.

## 2. About cohealth: a rights-based organisation

2.1 cohealth delivers medical, dental and allied health services as well as a diverse range of support services across 14 Local Government Areas in north and west metropolitan Melbourne. We have over 800 staff across more than 40 sites, who provide services to over 100,000 individual registered clients a year.

2.2 cohealth delivers these services to a diverse mix of people who are frequently marginalised and disadvantaged, who experience multiple barriers to participation, autonomy and self-determination, and for whom discrimination and stigma are frequent experiences. These groups include:

- Refugees and asylum seekers
- Aboriginal and Torres Strait Islander peoples
- People at risk of harm associated with alcohol and drug use
- Families and young people at risk
- People with or at risk of chronic disease
- People with or at risk of mental illness or poor mental health
- Older people with complex needs
- Lesbian, gay, bisexual, transgender and intersex people
- People who are, or are at risk of being homeless.

2.3 cohealth is the product of a merger between three long-standing and respected community health organisations a little over 12 months ago. Two of these, Western Region Health Centre and North Yarra Community Health (along with numerous other health organisations across the north and west of Melbourne) were party to a joint submission to the 2011 Scrutiny of Acts and Regulations Committee Charter review process.<sup>1</sup>

2.4 cohealth supports all recommendations made in the 2011 review. We agree with the notion that the best human rights outcomes are achieved when people’s rights are taken into account in everyday business.

2.5 As a new organisation, but one which is built on the rights-based practice of our predecessor organisations, cohealth has taken this rare opportunity to create a health organisation with a rights-based approach as one of its key defining features.

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<sup>1</sup>[http://www.parliament.vic.gov.au/images/stories/committees/sarc/charter\\_review/submissions/118\\_Group\\_West\\_Region\\_Health\\_Womens.pdf](http://www.parliament.vic.gov.au/images/stories/committees/sarc/charter_review/submissions/118_Group_West_Region_Health_Womens.pdf) (accessed 30/5/15)

The commitment to human rights was an explicit component of cohealth's "merge proposition". Rights-based practice and supporting mechanisms have successfully been embedded in the core architecture of our organisation, and are being implemented in planning, service delivery and interactions with the community. The principles of participation, accountability, non-discrimination and attention to vulnerable groups, empowerment and linkages to human rights (PANEL principles) are being realised in all of these facets and dimensions of our organisation.

2.6 cohealth combines an explicit focus on equity and a social model of health. It has a commitment to support, promote and advance human rights. As a health organisation, rights within the Victorian *Charter of Human Rights and Responsibilities* (2006) which are of particular significance for us include:

- the right to recognition and equality before the law;
- the right to life;
- the right to protection from torture and cruel, inhuman or degrading treatment;
- the right to privacy and reputation;
- the right to freedom of thought, conscience, religion and belief;
- the right to freedom of expression;
- the right to protection of families and children; and
- cultural rights.

2.7 cohealth notes that while the Victorian Charter does not explicitly include the right to health and other economic, social and cultural rights as contained in the International Covenant on Economic Social and Cultural Rights (ICESCR) and other international conventions and declarations, we regard these rights as fundamental to our work. We recommend their inclusion for protection within Victorian legislation.

2.8 We further recognise the Australian Charter of Healthcare Rights, which was endorsed by Australian Health Ministers in 2008. This articulates the right to health and other rights for health service users, such as the right to be active participants in decisions that affect them.

2.9 We acknowledge that, for many, the full enjoyment of the right to health and other human rights remains a distant goal, and that structural and other obstacles resulting from factors beyond the control of the individual or family impede the full realisation of rights.

### **3. Strategies and mechanisms to realise a rights-based approach**

3.1 We have established practices and processes that promote a human rights culture. cohealth's commitment to human rights is evident in a range of strategies, mechanisms and policies, embedded within the organisation's first 12 months, and forming the platform for further detailed planning and implementation over coming years. Some of these activities are described below, in relation to leadership, priority populations, education for service users and staff, and advocacy.

## **3.2 Organisational commitment and leadership**

- 3.2.1 Senior staff within the organisation are committed to the realisation of rights-based principles and processes. This creates an authorising environment for rights-based decision making and practice.
- 3.2.2 cohealth's mission is to strengthen community and make a difference to the lives and wellbeing of people, particularly of those who experience stigma and the risk of marginalisation. We create impact through a powerful combination of advocacy, innovation in service delivery, and partnership with consumers, communities and other stakeholders.
- 3.2.3 cohealth's commitment to rights-based practice is made explicit in core strategic documents, including for example the forthcoming inaugural strategic plan, staff code of conduct, position descriptions and policy submissions.
- 3.2.4 The whole-of-organisation approach is best encapsulated within cohealth's document management structures that include a forthcoming Human Rights and Advocacy Framework, to be endorsed by the cohealth Board in mid-2015.
- 3.2.5 All other organisational frameworks (our highest level, Board-endorsed policy statements) also explicitly reference cohealth's commitment to human rights, rights-based practice and obligations under the Act. A human rights impact assessment is required as part of policy development and review process.
- 3.2.6 The organisation has resourced dedicated roles within the Advocacy and Partnerships Directorate which focus on rights-related issues. These roles include: the Director; Senior Manager of Community Partnerships, Programs, and Strategies; and Manager of Diversity Projects and Strategies.
- 3.2.7 There is an established formal process for ethical review of research and evaluation (a Human Ethics Advisory Group comprised of staff and consumer nominees), underpinned by a research and evaluation ethics policy.

## **3.3 Priority populations**

- 3.3.1 A rights-based approach underpins our focus on structural causes of disadvantage and marginalisation, and their impacts on health.
- 3.3.2 We focus on groups who are likely to experience adverse health outcomes due to particular disadvantages, including Aboriginal and Torres Strait Islander people, refugees and asylum seekers, people at risk of harm associated with alcohol and drug use, families and young people at risk, people experiencing mental illness and people who are, or are at risk of being, homeless.
- 3.3.3 We do this through strategic, whole-of-organisation strategies and initiatives for inclusion and cultural competence (e.g. Reconciliation Action Plan, Aboriginal Employment Action Plan) as well as priority access and tailored responses at a service delivery level (e.g. assertive outreach programs, priority/drop in appointment systems etc.).

- 3.3.4 In addition to overseeing the RAP, the newly created Manager Diversity Projects and Strategies role is responsible for overseeing development of an integrated approach to diversity planning that will further incorporate strategies for other population groups, including refugees and asylum seekers, GLBTIQ communities, people with disabilities including psychiatric disabilities, and others.

### **3.4 Education and support for service users**

- 3.4.1 cohealth is committed to informing and educating service users and community members about their rights and responsibilities outlined in the Victorian Charter and the Charter of Healthcare Rights.
- 3.4.2 We have developed easy English communication materials about rights and responsibilities (see Appendix 1), co-designed by service users with our communications, quality, client services and community partnerships teams. Our co-design approach to the development of resources is further supported through the establishment of a cross-organisation strategy to promote and develop improved health literacy.
- 3.4.3 We support service users to advocate for their rights by providing information about advocates, support people, advocacy groups, and complaints bodies; and by supporting self-advocacy. This is led in particular by our Community Partnerships, Programs and Strategies Team in the Advocacy & Partnerships Directorate; and our Consumer Leadership Team within the Mental Health, Alcohol and Other Drugs, and Homelessness Directorate.
- 3.4.4 A concrete example is assistance provided to clients of our mental health community support services to develop Advanced Care Directives, to support respect for their preferences and wishes during periods of acute ill health. This work evolved as a specific response to the review of the Victorian Mental Health Act, intended to bring it into line with human rights standards under the Charter.
- 3.4.5 In partnership with our community advisory committee, we have designed feedback systems which are simple to use and navigate. We maximize transparency and accountability by providing quality improvement data to our committee and to our broader community periodically through our Quality of Care Report to the Department of Health and Human Services. We provide information to clients about a range of internal and external feedback and complaints mechanisms.

### **3.5 Organisational development**

We provide staff education and training to ensure understanding of and compliance with human rights obligations. A key target of this training has been management-level staff with responsibility for development, approval and implementation of organisational frameworks and policy. This is part of a multi-tiered approach to staff development, culture and organisational change which seeks to build rights culture, and more specifically a dialogue model as a common practice. This approach is designed to build and support staff capacity to balance competing rights, discuss complex issues using a common set of shared values, and bring to the fore countervailing interests and obligations.

### 3.6 Community and consumer participation and co-design

- 3.6.1 Through co-design processes we actively involve people who use our services in the design, development and delivery of those services. Key among our co-design mechanisms is our community advisory governance structure which ensures that through myriad regional and special interest committee structures, local communities inform cohealth decision-making at every level.
- 3.6.2 We implement leadership development models aimed at increasing everyday people's human rights literacy, engagement and advocacy capacity. These initiatives tackle pressing population health issues, such as prevention of family violence, through community-led engagement and activation that is both locally and culturally relevant and targeted. cohealth's work in this area draws on the significant learnings from the Victorian Equal Opportunity and Human Rights Commission's Everyday People, Everyday Rights project.<sup>2</sup>

### 3.7 Advocacy and Influence

- 3.7.1 The creation of a stronger platform for evidence-informed advocacy, underpinned by a commitment to consumer participation and co-design, was another key driver for the creation of cohealth from the merger of the three predecessor organisations.
- 3.7.2 In partnership with service users, community advisors and partners, we play an active role in policy dialogue. Our advocacy positions and policy submissions are informed by a human rights framework.
- 3.7.3 We are committed to contributing to the development of a human rights culture, particularly within the Victorian health sector. We champion and actively promote our commitment and approach and look forward to further opportunities to contribute to the review process.

## 4. Concluding comments

cohealth views the protection and promotion of human rights as of intrinsic value for individuals and communities. As a health organisation, in line with our adoption of a social model of health, we further view the protection and promotion of human rights as a key determinant of health and wellbeing. As such, our adoption of human-rights based approaches is undertaken with the intention of improving health and wellbeing outcomes for the individuals and communities with whom we work. We anticipate that these benefits are realized through improved access to health care, empowerment to maintain one's own health to the fullest extent possible, and enhanced self-determination and participation for individuals and communities.

We further anticipate that our rights-based approach contributes to cohealth being an employer of choice for people committed to social justice, and that it supports recruitment and retention of high quality staff.

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<sup>2</sup> <http://www.humanrightscommission.vic.gov.au/index.php/our-projects-a-initiatives/past-projects/item/483-everyday-people-everyday-rights> (accessed 2/6/15).

**Appendices:**

1a. Welcome to cohealth poster

1b. Welcome to cohealth detailed information

1c. Welcome to cohealth A5 flyer

1d. cohealth feedback form



## what to expect from us = your rights



Respect for you and your beliefs  
Safe, high quality health care



Good communication  
To make informed decisions  
about your health care  
To have a say in how your  
health service works



Talk to us about fees that  
might apply

## what we expect from you = your responsibilities



Correct information so we can  
best help you



Respect for people and property  
at our services



Let us know if you cannot  
attend an appointment  
(24 hour notice)

## you are welcome to



Free access to an interpreter  
(talk to our staff)



Bring a support person when  
you see us, or ask us to help  
arrange support for you from  
an advocate



Give feedback:

- Talk to our staff
- Fill in feedback form and put  
in feedback box in waiting  
areas or give it to our staff
- Email [info@cohealth.org.au](mailto:info@cohealth.org.au)
- Write to **The Quality Manager**  
**cohealth**  
**PO Box 39**  
**Moonee Ponds 3039**

## your information is private



We keep your information  
safe and secure

We will seek your permission to  
share your information

You can ask to access your  
information

cohealth follows Australian  
privacy laws

*everyone is welcome*



# welcome

## Your rights and responsibilities



### what to expect from us = your rights

- Access: You can access services to address your health care needs.
- Safety: You can expect to receive safe and high quality health services, provided with professional care, skill and competence.
- Respect: The care provided shows respect to you and your culture, beliefs, values, personality, appearance and identity. You can bring a support person (friend, family member) with you to cohealth.
- Communication: You can expect to receive open, timely and appropriate communication about your health care in a way you can understand, including information on services, treatment options, and costs. You can use an interpreter if required.
- Participation: You may join in making decisions and choices about your care and about health service planning.

### what we expect from you = your responsibilities

- Respect: It is important that you show respect for all other people and property at our service regardless of social status, gender identity, race, sexual orientation, religion, political belief, mental illness or any access requirements.
- Communication: Giving us accurate and correct information so we can help you and telling us if you cannot make an appointment (at least 24 hour notice)
- Privacy: We ask that you respect the privacy of other people, including information discussed in group programs.
- Safety: We expect you to act in a way that will mean you and other people are safe when visiting us or when you are with our staff.

### you are welcome to

#### Use an interpreter

For free access to an interpreter you can phone **131 450** and ask them to call us on:  
Collingwood, Fitzroy, Melbourne CBD – **9411 4333**  
Kensington, Moonee Ponds, Niddrie – **9377 7100**  
Footscray, Braybrook, Werribee, Melton – **8398 4100**  
Whittlesea and Preston (Mental Health Services only) – **9471 8165**

#### Use an advocate

You can choose to have a family member or friend come with you when you attend a cohealth service. Other formal advocate services can help support you or if you wish, speak to us on your behalf.

#### Health Services Commissioner

1800 136 066  
[www.health.vic.gov.au/hsc](http://www.health.vic.gov.au/hsc)

#### Mental Health Complaints Commissioner

1800 246 054  
[www.mhcc.vic.gov.au](http://www.mhcc.vic.gov.au)

#### Disability Services Commissioner

1800 677 342  
[www.odsc.vic.gov.au](http://www.odsc.vic.gov.au)

#### Victorian Equal Opportunity and Human Rights Commission

03 9321 7100  
[www.equalopportunitycommission.vic.gov.au](http://www.equalopportunitycommission.vic.gov.au)

## Give feedback

If you have any concerns, you have the right to make a complaint by:

- completing a feedback form (available on our website or at reception). You can put your completed feedback form in the boxes at each site
- writing to the **Quality Manager, cohealth, PO Box 39, Moonee Ponds VIC 3039**
- call the **Quality Manager** on **9377 7100**.
- emailing us via the cohealth website – **cohealth.org.au**
- contact the **Health Services Commissioner** or the **Mental Health Complaints Commissioner**

All complaints and feedback will be investigated and you will be provided with a response.

## your information is private

### Collection and storage of information

All personal information collected, stored, used, released and destroyed by us complies with the laws relating to confidentiality and privacy.

We collect and store your contact details and information about your health in an electronic file so we can care for you in the best possible way.

We also use the information to improve our services and to meet our legal requirements.

We will always try to collect information in a fair and sensitive manner. If you decide not to share some of your information with us, that is your right, but it might not be possible for us to provide the best service to you.

If possible, we collect information directly from you, rather than from others. If information is collected from others, we will ask you if we can do this.

We store your information securely and where possible, we keep it in an electronic file. By law, we store your personal information for a minimum amount of time. When it is no longer required, we destroy or delete the information.

Your information can only be seen by the staff in this service involved in your care.

We only release information outside of cohealth if you agree or if we are required to by law.

### Keeping your identity secret or using an alias

You can choose to not identify yourself, or to use a pseudonym (alias) when dealing with us. However, this may not always be possible and we may need to know your identity to work with you. For example, we would need to know who you are to give you specific advice, a formal response to feedback or to check if you are eligible for certain services.

### Access

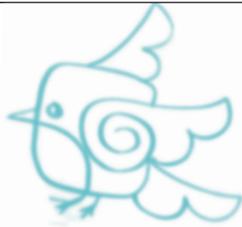
You have a right to request access to your health information and ask for it to be corrected if necessary. You will need to complete a "Request for Access Form", available from reception or our website. We may charge a fee (as allowed under legislation) for photocopying and sending the information.

For further information, you can request access to cohealth policy documents or learn more about the Victorian Charter of Human Rights and Responsibilities, and/or the Australian Charter of Healthcare Rights, at:

[humanrightscommission.vic.gov.au](http://humanrightscommission.vic.gov.au)

[safetyandquality.gov.au](http://safetyandquality.gov.au)

*cohealth acknowledges the traditional custodians of the land on which we are located and we pay our respects to them, their culture, and their Elders past and present.*



### what to expect from us = your rights



Respect for you and your beliefs  
Safe and high quality health care



Good communication  
To make informed decisions about your health care  
To have a say in how your health service works



Talk to us about fees that  
might apply

### what we expect from you = your responsibilities



Correct information so we can best help you



Respect for people and property at our services



Let us know if you cannot attend an appointment  
(24 hour notice)



### you are welcome to

Bring a support person when you see us, or ask us to  
help arrange support for you from an advocate



Free access to an interpreter  
(talk to our staff)



Give feedback:

- Talk to our staff
- Fill in feedback form and put in feedback  
box in waiting areas or give it to our staff
- Email [info@cohealth.org.au](mailto:info@cohealth.org.au)
- Write to **The Quality Manager, cohealth**  
**PO Box 39, Moonee Ponds 3039**



### your information is private

We keep your information secure and safe  
We seek your permission to share your information  
You can ask to access your information  
cohealth follows Australian privacy laws

*everyone is welcome*

### call to find out about services in and near:

Collingwood, Fitzroy, and Melbourne CBD – **9411 4333**

Kensington, Moonee Ponds, and Niddrie – **9377 7100**

Footscray, Braybrook, Werribee, and Melton – **8398 4100**

Whittlesea and Preston (Mental Health Services only) **9471 8165**



**we love to hear from you. please let us know if you are happy or not happy with our services**

- Talk to our staff
- Fill in the form on the back and put in feedback box in waiting areas or give it to our staff
- Email **info@cohealth.org.au**
- Write to **Quality Manager**  
**cohealth**  
**PO Box 39**  
**Moonee Ponds 3039**
- Phone the Quality Manager **9377 7100**

### **frequently asked questions**

#### *What happens with the feedback?*

We will look into what you say and respond within 30 days. Your feedback helps us improve services for our community.

#### *Do I need to give my name?*

If you would like to hear back from us we need your name and contact information.

#### *What if I'm not happy with the response to my feedback?*

You can phone the cohealth Quality Manager **9377 7100** or contact the Health Services Commissioner or Mental Health Complaints Commissioner



Free access to interpreter  
Phone **131 450** and ask them to call us

# feedback form

date .....

I have an idea

I'm happy

I'm not happy

## your comments

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**if you'd like to hear back from us in response to your feedback, please provide:**

name .....

address .....

phone .....

email .....