

Feedback on Charter of Healthcare Rights - review

Prefacing comments

1. It is noted that the statement that “*I have a right to*” has been specified at the top of the charter and removed from each statement. The commencement of each statement with *I have a right to ...* acts to emphasise, embed and strengthen the rights of consumers and also give greater meaning to the statements (which appear more obscure/generalised without this prefix). It also enables each Right statement to stand alone – where under the current draft these statements would be meaningless. Recommend reinstating this prefix to each Right Statement.
2. It is assumed that the rationale for removing the section “*What this means*” is intended to provide clearer language for consumers and whilst this intent is applauded there are potential implications for this decision. By removing the meaning of these rights statements – the context and understanding for consumers may contribute further to confusion relating to terms that many not have shared understanding (this was noted in the consultation report). It also appears that some of the rights statement have no context whilst others have been expanded to - by default – add the necessary context. This adds an inconsistency to the statements overall ie some are very short and have become almost cryptic, whilst others are too long and cumbersome to read. If the meaning of these statements is to be removed – then perhaps a middle ground needs to be identified whereby more context is added to some of the shorter statements to prove meaning whilst others could be shortened for readability and understanding.
3. HCA supports the need for supporting resources for health service providers, in terms of application of the Charter into practice and accountability, and for consumers, to support greater understanding of the context of the rights statements and what might constitute a breach of their rights, should they have concerns.

Draft Amended Rights 2 nd Edition		HCA comments
I have a right to		
Access	Access health care to meet my needs	This statement reads as very generalised. How will a consumer know if this right has been met or not? Suggestion - <i>Access health care services and treatment to meet my needs</i>
Safety	Safe and high quality care	It is noted the consultation process some respondents identified that there was not necessarily a shared understanding of some of the terms – this statement was one cited Suggestion - <i>Safe, quality care provided by trained, competent staff</i>

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	Receive care in a safe environment	This statement could benefit from context as safe environment can be physical, emotional, mental, built (and will mean different things to different groups) eg a built environment with poor wayfinding or lack of information in other languages may not feel culturally safe.
Respect	Be shown dignity and respect	
	Be treated as an individual and have my culture, identity, diversity, beliefs, values, goals and choices respected	Lengthy Suggestion - <i>To be treated as a whole person, an individual with unique identity, cultural and personal beliefs and values</i> <i>"Goals and choices respected"</i> is more reflective of partnership as part of person centred care. OR Separate this statement to two dot points; <i>Be treated as an individual</i> <i>Have my culture, identity, diversity, beliefs, values, goals and choices respected</i>
Partnership	Be a part of planning and decisions about my care	Could strengthening the requirement for partnership by making statement more active Suggestion - <i>To partner with health professionals to make decisions and plan my care</i>
	Include the people that I want in decisions about my care	
	Share my experience and be involved in health service planning	Suggestion - <i>Share my experience and views about health services and be involved in health service planning , development and review</i>
Information	Clear information about my options including services waiting times, costs and the possible benefits and risks of different tests and treatment	Lengthy – this is an example where a consumer resource or inclusion of meaning as context can shorten this statement Suggestion - <i>Receive clear, information about my treatment options and their benefits, risks and costs</i> Service waiting time and costs could be included in a consumer resource
	Be engaged in meaningful informed consent processes	
	Access my health information	Should this statement include access without undue hindrance or artificial barriers Would this also include control access to others ...given My Health Record

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	Know if something has gone wrong during my healthcare, and be told what happened and what is being done to make care safer	<p>This statement is about open disclosure so could be clearer. <i>“Know if”</i> is vague and hard to measure Suggestion - <i>Be told</i> if something has gone wrong during my healthcare, what has happened and what is being done to make care safer</p> <p>This includes making care safer for others and may not resolve the issue for the individual- This would be important information in a consumer resource and important information about quality improvement in a health service resource</p>
Privacy	Have my privacy respected	
	Have my health information kept secure and confidential	Suggestion - <i>Personal and health information</i>
Feedback	Provide feedback without it affecting the way I am treated	
	Have concerns dealt with in a fair and timely way	Consumers should be informed that they have a right to complain. This statement could be strengthened to include <i>concerns and complaints</i> and also should include a consumers right to know if their complaint is resolved and what action was taken and what has now changed as a result.