

## Disability Services (Rights, Protection and Inclusion) Amendment Act 2013

The above Act came into effect on 5<sup>th</sup> December 2013 and applies to all prescribed disability service providers in South Australia and complements the suite of safeguarding policies previously developed and promulgated by the Department. Specifically the Act requires that service providers must have in place appropriate policies and procedures:

- To ensure the safety and welfare of service users including the management of care concerns, restrictive practices, supported decision-making and consent, disclosure of abuse and neglect, and reporting of critical incidents.
- To deal with complaints and grievances, ensuring that these refer people to relevant statutory complaint and dispute resolution bodies (where appropriate), and that information on these policies and procedures is readily accessible.

The Act also has provisions

- to deal with victimisation,
- to give the Governor the capacity to make regulations in respect to the Act ,
- to make change to the objects of the Act and
- to recognise the United Nations Convention on the Rights of Persons with Disabilities as a set of best practice principles.

The amended Act can be perused in full at:

<http://www.legislation.sa.gov.au/LZ/C/A/DISABILITY%20SERVICES%20ACT%201993/CURRENT/1993.18.UN.PDF>

The Department for Communities and Social Inclusion, through the Funds Management Directorate and the Senior Practitioner, will be working with the sector to assist them to understand and fulfil their obligations under the Act. This will include:

- Development of guiding documents for service providers with regard to new requirements under the Act.
- Development of a training package for Board Directors
- Development of reporting mechanisms

- Ensuring consistent practices across the Government and Non-Government sectors
- Consultation with the sector, particularly through National Disability Services and the Quality Reference Group

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