

Therapy
Now.

**PARTICIPANT
HANDBOOK**

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Introduction

The NDIS Commission aims to uphold the rights of people with disability, including the right to dignity and respect, and to live free from abuse, exploitation, and violence. This is in keeping with Australia's commitment to the *United Nations Convention on the Rights of Persons with Disabilities*.

The Commission will achieve this through:

- Empowering people with disability to exercise choice and control in the support services they receive while ensuring appropriate protections are in place.
- Building the capacity of people with disability, their families, and their carers to make informed decisions about NDIS providers.
- Responding to and managing concerns and complaints.
- Supporting a strong and viable market for disability supports and services.

TherapyNow - Who we Are

TherapyNow Pty Ltd is a NDIS Registered provider. We connect NDIS participants with the most appropriate:

- Speech Therapists
- Occupational Therapists

All TherapyNow therapists are appropriately qualified, have NDIS Worker Screening Checks, Working with Children Checks and work to uphold the mission of TherapyNow.

MISSION:

TherapyNow is on a mission to close the therapy gap in regional Australia, bringing faster, reliable face-to-face therapy to everyone who needs it.

Rights

TherapyNow recognises that human rights and freedoms apply to people, including children, with disability, including the right to:

- access their physical environment, transport, information and communications, and other facilities and services
- live independently and be included in the community
- equal opportunity and inclusion in education
- the highest attainable standard of health and access to health care, ancillary health care, and rehabilitation services
- work
- an adequate standard of living
- intimacy and sexual expression
- equal recognition before the law and access to justice
- respect for privacy and family relationships
- be free from cruel, inhuman, or degrading treatment
- freedom of movement and personal mobility.

TherapyNow will ensure all participants are provided with information on their rights by:

- Being provided with the TherapyNow *Participant Handbook*
- Discussing their rights with them
- Facilitating access to interpreters, translators, and advocates where required.

To ensure you understand your rights, staff will provide information in ways that suit your individual communication needs. This may include using language, or mode of communication and terms, that you understand. The *Participant Handbook* is also available in Easy Read if required.

For children, engagement with family is essential. These rights will be explained to the family, and to the child in language appropriate to their age and level of development, where appropriate.

Charter of Rights

You have the Right to access supports that:

- promote, uphold, and respect your legal and human rights.
- respect your culture, diversity, values, and beliefs.
- respect and protect your dignity and right to privacy.
- are free from violence, abuse, neglect, exploitation, or discrimination.

You also have the right to exercise informed choice and control regarding the supports we provide.

It is our responsibility to:

- tell you about and uphold your rights.
- provide supports in a way that promotes, upholds, and respects your rights to freedom of expression, self-determination, and decision-making.
- support you to make informed choices, exercise control and maximise your independence in relation to the supports we provide.
- respect your autonomy, including your right to intimacy and sexual expression.
- provide you sufficient time to consider and review your support options and seek advice if required, at any stage of our service delivery.
- support you to access an advocate (including an independent advocate) of your choosing.
- support you to engage with your family, friends and chosen community in the ways you want to.
- treat you with fairly, with courtesy, dignity, and respect and without discrimination.

- give you information about our services and associated costs, as well as other support options.
- involve you in decisions about your supports.
- provide services that consider and respect your lifestyle, cultural, linguistic, and religious background, and preferences.
- protect your personal information and only use it for the right reasons.
- support you to provide us with feedback on our service, including complaints.
- promptly address enquiries and complaints about the supports you are receiving.
- support you to connect with other services, including advocates, interpreters, and translators, if needed.
- provide safe and appropriate services that are culturally relevant and support your needs and goals.

As our client we ask that you:

- provide us with information that will help us to best support you.
- tell us if things change or you cannot keep an appointment or commitment.
- act respectfully and safely towards our staff.
- provide us with feedback about our service and how we can improve.
- promptly pay the agreed fees associated with your services.
- tell us as early as possible if our services are not required.

Feedback and Complaints

If you have any feedback or a complaint or concern about the quality or safety of services provided to a NDIS participant in any state and territory, you can make a complaint on behalf of a person with a disability, to the NDIS Commission.

If you have complaints or concerns about the way a NDIS provider treats its workers, you can contact the Fair Work Commission.

More information:

- How to make a complaint.

<https://www.ndiscommission.gov.au/document/806>

- Make a complaint (Complaint Contact Form).

<https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=PRD00-OCF>

- NDIS Complaints Management and Resolution; Rules 2018.

<https://www.legislation.gov.au/Details/F2018L00634>

- How to make a complaint about a provider.

<https://www.ndiscommission.gov.au/about/complaint>

- Compliance and Enforcement Policy V2.0 – June 2019.

<https://www.ndiscommission.gov.au/sites/default/files/documents/2019-06/compliance-and-enforcement-policy-v2-june-2019-word.pdf>

- NDIS Complaints management.

<https://www.ndiscommission.gov.au/providers/complaints-management>

You have the right to raise all your complaints or concerns in the unfortunate event of any incident occurring that did not meet your expectations of care. A formal review will commence once we receive a complaint or concern.

Each participant will be provided with information on incident management and investigation outcomes. Participants may benefit from support offered by an Advocate – please see section *Right to access an Advocate* in this handbook.

You may also complete our *Feedback and Complaints Management Form* that TherapyNow has been provided in this handbook (Appendix 1). Anonymous feedback or complaints are also accepted and will be treated seriously. You will never be discriminated against because you, your family, or support person, has raised a complaint.

All suggestions and feedback are welcome to contribute to the governance of TherapyNow and will provide input into the development of our policies and processes relevant to the provision of services and supports and the protection of participant rights.

Please feel free to contact us directly:

Phone: 1300 438 843

Email: hello@therapynow.au

Incident Management Information

TherapyNow has established an incident management system which identifies, manages, and resolves incidents that:

- have, or could have, caused harm to a person with a disability receiving supports or services; and
- acts by a person with a disability that happen in connection with the provision of supports or services and that have caused serious harm, or a risk of serious harm, to another person; and
- reportable incidents that are alleged to have occurred in connection with the provision of supports or services.

We support and involve people with disability affected by an incident in resolving the incident, particularly when any action is required. Copies of the documented incident resolution will be made available to the participants, their family and support network appropriately, if requested.

Incidents may be identified through direct observation, discussion with participant and support network, complaints, audits, and reviews. Incidents may be identified at the time they occur or at any time after the event.

At TherapyNow, we encourage and support any person to report any incident including violence, abuse, neglect, exploitation, or discrimination during service and support provision. Where violence, abuse, neglect, exploitation, or discrimination has occurred, TherapyNow will respond promptly to protect the participant from any further harm.

If a reportable incident occurs or is alleged to have occurred (including death, serious injury, abuse, neglect, unlawful sexual or physical contact with, or assault of an NDIS participant, sexual misconduct committed against, or in the presence of, a participant, including grooming of the participant for sexual activity, the unauthorised use of the restrictive practice in relation to an NDIS participant), TherapyNow will give details about the incident to the NDIS Quality and Safeguards Commissioner. Most incidents are notified within 24 hours, while those related to unauthorised restrictive practices are notified within 5 business days. The Commissioner will be kept updated and provided with a final report.

All participants and/ or their representatives are also required to report any incidents they are aware of, including violence, abuse, neglect, exploitation, or discrimination using the details provided in the *Feedback and Complaints* section of this handbook and/ or complete our *Participant Feedback and Complaints Form* that has been provided in this handbook.

Alternatively, you may inform us of the incidents face to face or via email or phone.

All our staff are trained in, and comply with, the required procedures in relation to incident management. We will keep you informed of the incident investigation process and the outcome.

Privacy & Confidentiality

TherapyNow is committed to implementing a system to ensure each participant will receive quality services and supports that respect and protect their dignity and right to privacy by complying with the *Privacy Act 1988* and the *NDIS Quality and Safeguarding Framework* requirements and other legal obligations.

To ensure privacy for the participant when discussing sensitive or personal matters, TherapyNow will only collect personal information which is necessary for the provision of services and supports or information that is given voluntarily to them.

At TherapyNow, we will protect and uphold the dignity and right to privacy of the participant for all personal and confidential information. All our employees and workers are trained and committed to respect and protect the dignity and right to privacy of the participant for all personal and confidential information.

We will provide an interpreter if required for communication with the participant, and work with participant's interpreter or representatives respectfully.

All personal and confidential information will only be collected, used, retained, and disclosed to other parties such as their advocate after obtaining the participant's consent.

We will inform the participant in what circumstances the information could be disclosed, including that the information could be provided without their consent if required or authorised by law.

TherapyNow ensures the information is appropriately prevented from misuse, loss, removal, change, unauthorised access, and disclosure to or use by any other person or organisation.

Each participant can request to have access to the collected information by contacting us via email, mail or phone using the details provided in the *Provider Contact Details* section of this handbook at any time to correct their information and withdraw or amend their prior consent.

At TherapyNow, we aim to collect information accurately and maintain that it is up to date. All documents are stored on a securely protected database with appropriate use, access, transfer, storage, security, retrieval, retention, destruction, and disposal processes. Hard copies will be kept securely in a locked filing cabinet.

The personal information that is no longer required, or legally expired, will be disposed of appropriately.

Each participant can provide any feedback on the quality of service or make a complaint about a breach of privacy using the details provided in the *Feedback and Complaints* section of this handbook.

Participant Consent

At TherapyNow, we are committed to protecting participant's information, and ensure it is accurately recorded, current, maintained confidentially, easily accessible to the participant and appropriately utilised by relevant workers.

We only collect personal information which is necessary for the provision of services and supports or information that is voluntarily given to us. This information will be used to:

- Identify the participant needs, support requirements, strengths, goals, culture, diversity, values, and beliefs.
- Manage and improve the process of planning and delivery of the services and supports.
- Manage the administrative and financial requirements of the services and supports.
- Disclose the information to the NDIS Quality and Safeguards Commission, NDIA or other authorities if required.
- Disclose the information to health professionals if needed.
- Disclose the information to other parties such as the participant's advocate.

TherapyNow will make sure that each participant understands and acknowledges what type of personal information, including recorded material in audio and/ or visual format, will be collected and for what reason.

All personal and confidential information will only be collected, used, retained, and disclosed by obtaining the participant's consent. For further information please refer to the *Privacy & Confidentiality Information* section in this handbook.

We will provide an interpreter if required for communication with the participant and work with participant's interpreter or representatives.

Each participant has the right to gain access to the information we hold about them. Please refer to the *Privacy & Confidentiality Information* section in this handbook.

The participant's written consent will be obtained through the *Consent Form* at the start of any new planned activities.

The participant is required to read and understand *Participant Consent* and the *Privacy & Confidentiality* and sign the *Acknowledgement* section of the handbook.

Cancellations

- If less than 48 hours' notice is given, we will charge a cancellation fee equal to that of the session time booked.
- If TherapyNow is not given notice of a cancellation and a therapist attends the site for the session, we will charge a cancellation fee equal to the full booking (including travel time and kms).

Culture, Diversity, Values and Beliefs

TherapyNow is committed to providing quality services and supports to each participant that respect their culture, diversity, values, and beliefs in line with the *Cultural and Linguistic Diversity (CALD) Strategy 2018* guidelines.

The *Cultural and Linguistic Diversity (CALD) Strategy 2018* is the NDIA's public statement of commitment to working alongside people with disability from Aboriginal and Torres Strait Islander and CALD backgrounds to achieve access to, and outcomes from, their NDIS Plan on an equal basis with the broader population.

More than a quarter of Australians (26%) were born overseas, and of these, two-thirds were born in non-English speaking countries. Historically, Australians from culturally diverse backgrounds have been underrepresented in the disability sector.

The NDIA recognises that people with disability from Aboriginal and Torres Strait Islander and CALD backgrounds can face additional challenges in terms of inclusion in their communities, and this extends to their ability to access the NDIS and supports.

At TherapyNow, the participant's right to practice their culture, values and beliefs while accessing supports is encouraged.

Our workers are inducted to recognise and respect the diverse backgrounds and allow participants to practice their culture, values and beliefs while accessing supports.

Participant needs, support requirements, strengths, goals, culture, diversity, values, and beliefs specified by the participant, including the inputs from their family and support network, are identified during the Initial Assessment Process, and documented in the *Support Plan*.

Participant's preferences for therapists, such as the same language, same culture or specific criteria will be considered, where possible.

Children

All children receiving therapy at TherapyNow will have this completed by appropriately trained staff. Working in school environments required that therapists undergo mandatory 'Child Abuse' training annually and a copy of the certificate be held on their MYP file. Supports provided in school/preschools are completed in line of site of a school/preschool employee. Sessions occurring in the home environment occur with a parent/carer/authorised adult present during the entire session.

Violence, Abuse, Neglect, Exploitation & Discrimination

TherapyNow is committed to providing quality services and supports that are free from violence, abuse, neglect, exploitation, or discrimination and establish a process to actively prevent these incidents.

TherapyNow recognises the right of the participant to feel safe in an environment where they are protected from violence, abuse, neglect, exploitation, or discrimination.

TherapyNow is committed to respecting human rights and believes that all people should be treated with dignity and respect. TherapyNow seeks to prevent or mitigate any negative human rights impacts in connection with our operations or activities and maximise any potential positive impacts where we are present. All TherapyNow's therapists and staff are required to comply with the information outlined here. As a part of our commitment to respect human rights, TherapyNow will:

- Work to align our business activities and practices with the *UN Guiding Principles on Business and Human Rights*.
- Treat our employees fairly and without discrimination and promote diversity in the workplace.
- Respect the human rights of the communities in which we operate.
- Consult with our participants on human rights issues and provide easily accessible feedback and complaints management to resolve grievances in a timely manner.
- Recognise the rights of Indigenous people, acknowledging their connections to lands and waters and respecting their culture.

TherapyNow implements the following practices and safeguards in relation to preventing abuse, neglect, and exploitation of the participants.

- Staff proactively attempt to identify and understand the communication modes and individual needs of the participants, that have been documented in the *Support Plan*.
- Recruitment, training, and supervision of staff focusing on values and the rights of the participants to have a voice, choice and control in their lives.
- Staff are informed of their obligations in interactions with the participants, and their significant others, families, and supporters, to conduct these interactions in a manner that reduces the opportunity for abuse and neglect to occur.
- Meetings are to be held at a location that is consented by the participants.
- Staff are provided with education and training on recognising and responding to indicators of abuse, neglect and harm, exploitation, and rights-based approaches.

At TherapyNow, we encourage and support any person to report any type of incidents including violence, abuse, neglect, exploitation, or discrimination during their services and supports. Please refer to the *Incident Management* section in this handbook.

We respect the participant's right to access an advocate. Please refer to the *Right to Access an Advocate* section in this handbook.

Decision Making

TherapyNow is committed to delivering quality services and supports that provide participants with the ability to make informed choices as well as allowing participants to exercise control and maximise their independence relating to the supports provided.

“People with disability have the same right as other members of Australian society to be able to determine their own best interests, including the right to exercise choice and control, and to engage as equal partners in decisions that will affect their lives, to the full extent of their capacity.” (National Disability Insurance Scheme Act 2013).

“People with disability should be involved in decision-making processes that affect them, and where possible, make decisions for themselves.” (National Disability Insurance Scheme Act 2013).

At TherapyNow, we will support the participant to:

- Understand relevant information.
- Retain or remember relevant information.
- Use or weigh up relevant information.
- Communicate the decision in words, gestures or by other means.

TherapyNow facilitates the environmental factors, such as the quality of support relationships and the availability of someone willing to provide support to shape the participant’s ability to make a decision.

A participant’s representative can assist the participant to make a decision where there is no conflict about it, and where it does not jeopardise the wellbeing of the participant. This decision should be based on the participant’s wishes and preferences.

An advocate can promote the wishes and preferences of the participant and seek to enable them to access services and support. We respect the participant’s right to access an advocate. Please refer to the *Right to Access an Advocate* section in this handbook.

At TherapyNow, the participant’s autonomy to make their individual choices is respected. The benefits and risks of the participant’s options and decisions will be advised to the participant. We will allow sufficient time for the participant to consider and review their options and seek advice at any time.

We will provide an interpreter if required for communication with the participant and respect to work with participant’s interpreter or representatives.

Right to Access an Advocate

At TherapyNow, we respect the participant's right to access and engage an advocate of their choice to negotiate on their behalf.

One of the purposes of the NDIS is to provide funding for reasonable and necessary supports to enable eligible individuals to:

- Make decisions that will affect their lives, to the extent of their ability.
- Achieve their goals, objectives, and aspirations.
- Maximise their independence.
- Increase their social and economic participation.
- Develop their capacity to take part in the community actively.

(National Disability Insurance Scheme Act 2013)

Advocacy for people with disability can be defined as speaking, acting, or writing with minimal conflict of interest, on behalf of the interests of a disadvantaged person or group, to promote, protect and defend the welfare of and justice for either the person or group by:

- Acting in a partisan manner (i.e., being on their side and no one else's).
- Being primarily concerned with their fundamental needs.
- Remaining loyal and accountable to them in a way that is empathic and vigorous (whilst respecting the rights of others).
- Ensuring the duty of care at all times.

The Participant may use an advocate:

- During the assessment and planning as well as review process.
- In the event that an incident including violence, abuse, neglect, exploitation, or discrimination occurs.
- To provide feedback or make a complaint.
- For any communication between the participant and TherapyNow.

We will allow sufficient time for the participant to consider and review their options and seek advice at any time. The benefits and risks of the options will be advised to the participant.

We will provide the information in written form and/ or verbally to the participant about the use of an advocate (including an independent advocate). Access to an advocate will be facilitated where allegations of violence, abuse, neglect, exploitation, or discrimination have been made, as well as information on how to give feedback or make a complaint.

At TherapyNow, we aim to create a supportive environment for any person who provides feedback and/ or makes complaints.

We will support the participant where they request assistance by providing them with information on the type of individual advocacy available to them.

Confirmation will be obtained from the participant or the participant's representative to authorise the advocate to act on behalf of the participant.

The *National Disability Insurance Scheme Act 2013* defines an independent advocate, in relation to a person with a disability, to mean a person who:

- *Is independent of the Agency, the Commission and any NDIS providers providing supports or services to the person with a disability.*

- *Provides independent advocacy for the person with a disability, to assist the person with a disability to exercise choice and control and to have their voice heard in matters that affect them.*
- *Acts at the direction of the person with a disability, reflecting the person with a disability's expressed wishes, will, preferences and rights.*
- *Is free of relevant conflicts of interest.*

The Act acknowledges the important role of advocates (including independent advocates) and other representatives of persons with disability. This Act requires registered NDIS providers to cooperate with, and facilitate arrangements for, advocates (including independent advocates) and other representatives of persons with disability who are affected by complaints or incidents, and who wish to be independently supported in that process by an advocate or other representative.

For further information on disability advocacy and finding a disability advocate, see: the **Disability Advocacy Finder** (<https://disabilityadvocacyfinder.dss.gov.au/>).

Participant Money and Property

At no time during the provision of services at TherapyNow will any staff member or contractor be required to manage, or be responsible for, a participant's money or property. At no time will a staff member or contractor give financial advice to a participant.

Conflict of Interest Information

TherapyNow is committed to managing conflicts of interest in an open and transparent manner at all levels in the organisation and will comply with all NDIS rules and other obligations in this regard.

“Conflict of interest occurs when an individual or a NDIS provider is in a position to exploit their own professional or official capacity for a personal or corporate benefit (other than in the usual course of charging fees for services or supports rendered).” (*The NDIS Code of Conduct*)

A conflict of interest may affect the way a person acts, decisions they make or the way they vote on group decisions. We will ensure that each participant will be treated equally, and no participant will be given preferential treatment above another in the receipt or provision of supports.

TherapyNow will act proactively to manage perceived and actual conflicts of interest through development and maintenance of organisational policies to ensure that personal or individual interests do not impact the organisation's services, activities, or decisions.

We will also:

- ensure our organisational or ethical values do not impede a participant's right to 'choice and control'.
- manage, document and report on individual conflicts as they arise.
- ensure that advice to a participant about support options (including those not delivered directly by the Provider) is transparent and promotes choice and control.

Declaration and management of conflicts of interest are specifically required for management members as part of their legal responsibilities.

Our management team, employees, and workers:

- Are always required to act in the interests of the organisation, and to notify the organisation when this conflicts with other interests or commitments.
- Will present each participant with a range of choices about providers of supports.
- Will never accept any offer of money, gifts, services, or benefits that would cause them to act in a manner contrary to the interests of a NDIS participant.
- Must have no financial or other personal interest that could directly or indirectly influence or compromise the choice of TherapyNow or provision of supports to the participant.
- May accept meals, drinks, or entertainment only if such courtesies are unsolicited, infrequently provided, and reasonable in amount.

TherapyNow will ensure that when providing services and supports to the participant under the NDIS, any conflict of interest is declared, and any risks to the participant are mitigated.

Service Delivery Alternatives

If there is a public health emergency of national/international concern some restrictions may be put in place to try and stop the spread of disease. This may cause disruption to the provision of services such as non-essential disability support services.

TherapyNow will always support participants that rely heavily on TherapyNow staff. Those participants that receive regular face-to-face supports are prioritised to ensure they have access to ongoing support as required.

TherapyNow has a *Continuity of Supports Policy* that ensures all participants are contacted during times of emergency or disaster, to ensure important supports remain in place. Provision of supports may be reduced or performed in a different way during these times such as on-line or via the phone. This will be explained to the participant in a way they will understand and will be time limited.

Provider Contact Details

Provider Name	TherapyNow
Phone	1300 438 843
Email	hello@therapynow.au