

UNDERSTANDING MY HEALTHCARE RIGHTS AND RESPONSIBILITIES

A guide for consumers
of SEMPHN



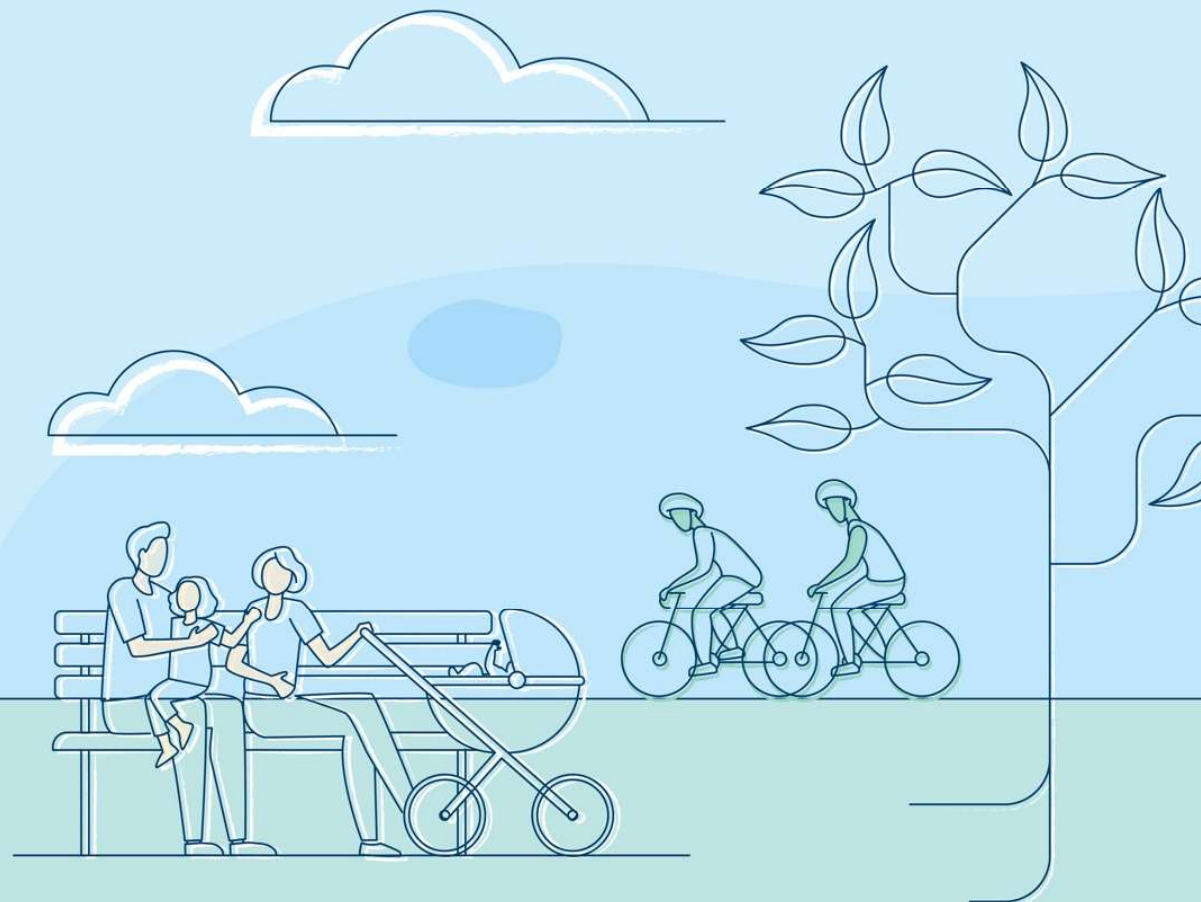
Acknowledgement

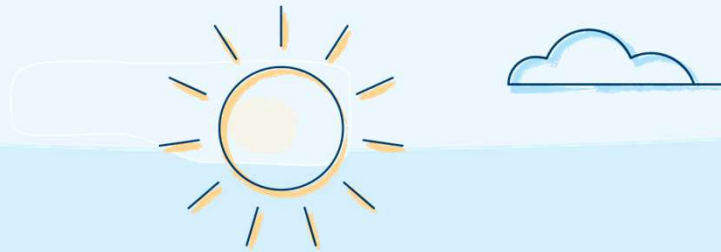
SEMPHN acknowledges the Bunurong and Wurundjeri peoples of the Kulin Nation, the Traditional Owners and Custodians of the lands, waters, and skies in which we work.

We pay our respects to their Elders past and present. We also acknowledge all First Nations peoples with whom we work. Sovereignty was never ceded.

semphn
STRATEGY 2023-2028

phn
SOUTH EASTERN
MELBOURNE
An Australian Government Initiative





About SEMPHN

South Eastern Melbourne Primary Health Network (SEMPHN) is funded primarily by the Australian Government to help people in south east Melbourne get the health care they need, when and where they need it.

Our local focus is to positively impact population health and service demand, consumer-focused healthcare, primary health services, innovation and system reform and organisational excellence and sustainability.

Our Vision

Creating opportunities for people in south east Melbourne to live their healthiest lives.



Purpose

We foster and support a more equitable, person-centred and seamless health system to positively impact the health outcomes for south east Melbourne communities.



About this guide

This guide outlines:

- The rights and responsibilities of consumers and staff at SEMPHN
- How to ask questions, raise concerns or provide feedback about your experience
- Links to helpful information and resources.
- Information on who you can contact about your rights and responsibilities is in **key contacts**.

Information provided in this guide has been adapted from the [*Understanding my Healthcare Rights: a guide for consumers*](#) published by the Australian Commission on Safety and Quality in Health Care.

Common terms used in this guide

A **consumer** is a person who uses (or may use) a health service, or someone who provides support for a person using a health service. Consumers can be patients, carers, family members or other support people.

Informed consent is when you decide to agree to participate in a service or treatment. Informed consent must be given voluntarily, which means it is your free choice and you do not feel pressured.

A&R is a commonly used way of referring to SEMPHN's Access and Referral team.

A **carer** is a person who provides personal care, support and assistance to another person due to a disability, medical condition, mental illness, or who is frail or aged. A person is not considered a carer if they are paid, a volunteer for an organisation or caring as a part of a training or education program.

To provide your informed consent, you need to have the **legal capacity** to make the decision. This means that you must be able to:

- Understand and remember information and choices given to you
- Think about the possible risks and benefits of the options and how they may affect you
- Explain your decision about having a treatment or not having it.

A&R team members are healthcare professionals (such as nurses, psychologists, social workers and Aboriginal and Torres Strait Islander health workers) who provide A&R services at SEMPHN.

Giving **feedback** means sharing your views and experiences with others. Feedback can be positive (such as a compliment) or negative (such as a concern or complaint).

Telehealth refers to healthcare being provided remotely (phone or video) instead of through face-to-face appointments.

An **advocate** is someone who can stand up for your rights.

Access and Referral Service

Our Access & Referral (A&R) service provides up-to-date access, information and support regarding SEMPHN-funded mental health and alcohol and other drug services.



Accessible Psychological Interventions

Short-term counselling and psychological therapy to individuals, families, and groups.



Mental Health Integrated Complex Care

For people with severe mental illness and complex needs requiring extended support (6-12 months).



BounceBack

For young people (aged 12-25 years) requiring flexible, medium-term support.



Connect

Peer-led mental health support service designed to support people experiencing significant stress, anxiety, grief, sadness and related emotions.



Commonwealth Psychosocial Services

Assistance for people with severe mental illness to manage daily tasks, undertake work/study, find housing, get involved in activities, and make connections.

Residential Aged Care Facilities Psychological Services

Provides goal-focused psychological interventions for residents with low to mild symptoms of mental ill-health.

ResetLife

Intensive outpatient Alcohol and Other Drug (AOD) treatment program.

Medicare Mental Health

A free service to connect consumers with support that is right for them. Medicare Mental Health Centres and Kids Hubs connect consumers with a range of mental health professionals.

Contact Access and Referral



semphn
STRATEGY 2023-2028

phn
SOUTH EASTERN
MELBOURNE
An Australian Government initiative

Our Access and Referral (A&R) service accepts referrals from:

- general practitioners (doctors),
- other health professionals- such as a nurse- or
- directly from consumers or their families or carers, with consent.



A &R team members have extensive knowledge of local community and health supports and can help direct you to a more appropriate service if required. You can contact us to discuss eligibility, make a referral or to find services in your area.

1800 862 363 8.30am-4.30pm weekdays

(except Victorian public holidays)

We do not provide after-hours or emergency advice or support.

If you are experiencing an emergency at any time, please call 000 for assistance.



The Charter



The Australian Charter of Healthcare Rights (the Charter) explains what you or someone you care for can expect when receiving health care.

You have a right to:

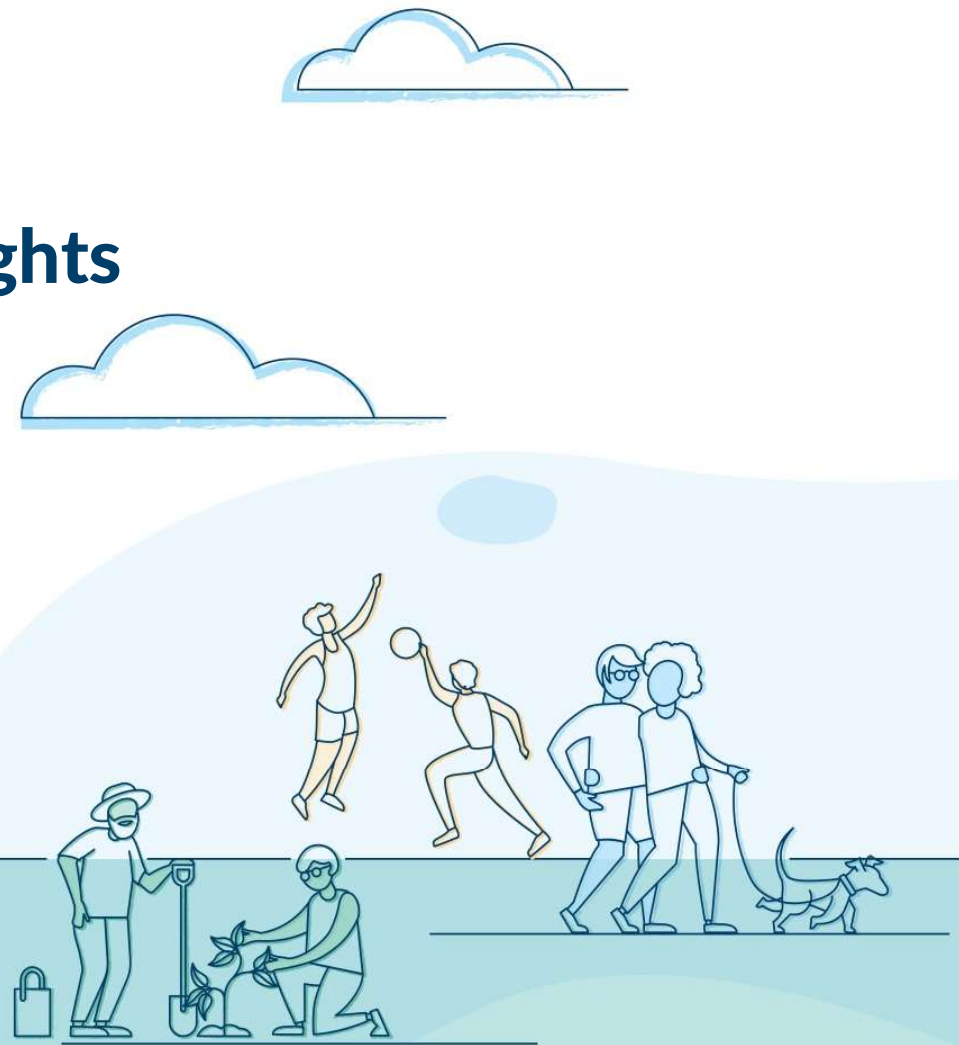
- **Access**
- **Respect**
- **Information**
- **Give Feedback**
- **Safety**
- **Partnership**
- **Privacy**

Healthcare rights are human rights

All staff at SEMPHN are responsible for upholding the rights described in the Charter.

We recognise the rights described in the Charter and provide information about these rights to consumers.

Our A&R staff members have an ethical responsibility to uphold your healthcare rights, and this responsibility is included in their professional codes of conduct.



Your rights

ACCESS

You have the right to access healthcare services and treatment that meets your needs. Access to mental health or alcohol and other drug care is a basic right for everyone in Australia. This means that you have the right to use healthcare services and receive treatment when you need it.

SEMPHNs A&R service can be accessed by any eligible person regardless of their race, religion, gender, age, disability, sexuality or health status.

Contact A&R on **1800 862 363** 8.30am-4.30pm weekdays (except Victorian public holidays) to discuss eligibility or to find services in your area.

Costs: There is no cost for you to access SEMPHNs A&R service. A&R clinicians may suggest you are referred to another provider (listed under Our Access and Referral Service) which can also be accessed free of charge.

Telehealth: Some of the SEMPHN funded programs the A&R team can refer you to are delivered via telehealth. When you speak to an A&R team member, they will ask if you want or are able to engage via telehealth.

Referrals to local services : You have the right to access the health services and treatment that you need, regardless of where you live. Wherever possible, SEMPHN makes referrals for you to providers close to your home within the South East catchment of Melbourne.

Sometimes we may be unable to refer you to your preferred service. This can be due wait lists, closures or eligibility. A&R team members will make some suggestions of other options for you to choose, if you wish.

Physical environment: You have a right to access services that are accessible to people with different needs, including people with disabilities. This includes building entries and exits, equipment, signage, bathroom and parking.

You do not need to visit a SEMPHN building. You can speak to an A&R team member about your accessibility needs and this will be considered when making referrals to other providers.



SAFETY

You have the right to:

- Receive safe and high-quality mental health and alcohol and other drug care that meets national standards
- Be cared for in an environment that makes you feel safe.

A&R team members will ensure that you receive safe and high- quality mental health or alcohol and other drug care. That means you get the right care, in the right place, at the right time. Our A&R service is based on the best available evidence. Referrals are made to other providers based on your needs and your personal preferences.

Our A&R team members have relevant qualification and experience to provide your mental health or alcohol and other drug care.

We provide mental health and alcohol and other drug care that feels safe and is safe. We provide services that are culturally safe, respectful and welcoming.

Our services are free from threatening, violent or abusive behaviour for everyone. If you feel unsafe at any time or for any reason, talk to an A&R team member or ask to speak to a SEMPHN manager. You can also lodge a complaint (see [Give feedback](#)). You could also contact the police.



RESPECT

You have the right to:

- Be treated as an individual, and with dignity and respect
- Have your culture, identity, beliefs and choices recognised and respected.

Everyone has the right to be treated with dignity, respect and compassion. This includes you and the people who support you, such as your family, carers and advocates.

You have the right to have your human rights respected and to be treated fairly. You have the right to not be discriminated against because of your age, disability, race, sex, intersex status, gender identity, sexual orientation, religious beliefs or other personal characteristics.

SEMPHN provides care for you in a way that recognises and respects your culture, identity, beliefs and choices.

Our A&R team members will ask about your individual needs, listen to what is important to you and provide care that respects your preferences.

Find out more

If you are concerned that you have experienced discrimination, you can contact the Human Rights Commission on **1300 656 419** or www.humanrights.gov.au.

You can also contact the antidiscrimination department in your state or territory. The Australian Human Rights Commission has factsheets about your human rights:

www.humanrights.gov.au/education/human-rights-explained-factsheets



PARTNERSHIP

You have the right to:

- Ask questions and be involved in open and honest communication
- Make decisions with your clinician, to the extent that you choose and are able to
- Include the people that you want in planning and decision-making.

Communication: You have the right to be treated as an equal partner in your mental health or alcohol and other drug care. Communication with an A&R team member is important, and you should share information with each other. This will help ensure that you receive care that is right for you.

An A&R team member will discuss your health and treatment options with you in an open and honest way.

You have the right to ask questions and ask for more information if there is something that you do not understand or are worried about.

You should let your SEMPHN clinician know if you need:

- Someone with you when talking about your care.
- Help communicating.
- An interpreter

You have the right to make your own decisions about your mental health or alcohol and other drug care and treatment, and your A&R clinician will respect the decisions you make. You also have the right to not be involved in decision-making, if that is what you prefer.

Involving support people: You have the right to involve the people you want in planning and making decisions about your care and treatment. This could be a family member, carer, friend, or a consumer advocate such as a social worker. Advocacy organisations can be found in the **Key contacts** at the end of this guide.

Including the people who are important to you in these decisions can help you to feel more confident and supported. Let your SEMPHN clinician know who you want to include.

PARTNERSHIP continued

Capacity and decision-making: An A&R team member must get informed consent from you before providing services or referring you to another provider. You must have the legal capacity to provide informed consent.

If you need support to understand or communicate your wishes, let an A&R team member know. This may include if you have difficulty with your hearing, speech or language, if you are from a culturally or linguistically diverse background or are living with a cognitive impairment (see Find out more at the end of this section). You have the right to have support people involved in your care to help you (see Involving support people).

In some situations, you might not be able to provide your consent – for example, in an emergency or if you are unwell. If you lack capacity to give consent, a substitute decision-maker must be asked to give consent on your behalf, except in an emergency. This person could be chosen by you, appointed by a tribunal or assigned under the law.

If you are under the age of 18, there are rules about whether you can make a decision yourself or if a parent or guardian decides for you. You can speak to your clinician about this if you have any questions.

In Victoria, the Mental Health and Wellbeing Act (2014) allows you to make an advance statement of preferences. An advance statement of preferences tells others what you want and do not want for mental health treatment, care and support if you become unwell and cannot communicate this information yourself.



Find out more

Information and resources about cognitive impairment:
cognitivecare.gov.au

My Healthcare Rights, a guide for people with cognitive impairment:
<https://www.safetyandquality.gov.au/our-work/cognitive-impairment/cognitive-impairmentresources>.

Children and young people have specific healthcare needs and rights:
https://awch.org.au/wp-content/uploads/2018/10/kids-rights-in-healthcare-australian_version_final_210911web.pdf.

Find out more about advocacy services:

www.healthdirect.gov.au/your-healthcare-rights#advocacy.

The Victorian Department of Health provides information on advance statements of preferences:

<https://www.health.vic.gov.au/mental-health-and-wellbeing-act-handbook/advance-statements-of-preferences>.

INFORMATION

You have the right to:

- Clear information about your mental health or substance use, what services are being provided and your options for treatment, care or support, so you can give your informed consent
- Receive information about services, waiting times and costs
- Be given assistance, when you need it, to help you to understand and use health information
- Access your health information
- Be told if something has gone wrong, how it happened, how it may affect you and what is being done to make care safe.

You have the right to receive information about all aspects of your mental health care. This information should be clear and easy to understand, so that you can make the best decisions for yourself.

If you are under the age of 18, there are rules about whether you can make a decision yourself or if a parent or guardian decides for you. You can speak to your clinician about this if you have any questions.

In Victoria, the Mental Health and Wellbeing Act (2014) allows you to make an advance statement of preferences. An advance statement of preferences tells others what you want and do not want for mental health treatment, care and support if you become unwell and cannot communicate this information yourself.

GD1: Australian Commission on Safety and Quality in Health Care. Understanding my healthcare rights: a guide for consumers (2020).

Second opinion: You have the right to ask for advice from another A&R clinician or a clinician from another service. This is called a second opinion.

Health information: You have the right to receive information about different kinds of mental health or alcohol and other drug services, how long you may have to wait for treatment and the likely costs.

If you need help understanding the information about your mental health or alcohol and other drug care, it is your right to be offered this help. This could include being provided with information translated into another language (see **Find out more** at the end of this section), or provided in different formats (such as written, electronic or video information) to make it easier to understand.

Accessing your information: You have the right to access your own health information (or the information of another person over whom you have legal authority). Speak to an A&R team member about the options available for accessing your information. **Find out more** at the end of this section.



Slide 15

GD1

not relevant for this document but
for our Referrals forms and rediCASE fields - should we have a field available that allows us to ask and record this question ?

Galina Daraganova, 2025-08-14T09:29:28.387

INFORMATION continued

Informed consent: Before you provide informed consent, an A&R team member will:

- Discuss your concerns in a way that is easy for you to understand
- Give you information about the different options available to you. This may include information about waiting times
- Explain to you the possible benefits and risks of the different options.

The A&R team member may tell you which option they think would be best for you, but you have the right to accept or refuse the treatment offered.

It is important that you feel comfortable about making a decision that is right for you. Before you give your informed consent, ask yourself:

- Do I need an interpreter, communication aid or support person with me?
- Do I have any questions or need more information?
- Have I had enough time to think about the information and to talk to a support person (if I want to)?
- Do I understand the information that I have been given?
- Do I have enough information to make a decision?

Once you are ready, your A&R clinician will ask you if you agree to proceed with the service and give your informed consent. After you have provided your informed consent, you still have the right to change your mind or withdraw your consent at any time.

Source: Australian Commission on Safety and Quality in Health Care. Understanding my healthcare rights: a guide for consumers (2020).

Interpreters: You have the right to use a health interpreter if you have difficulty speaking or understanding English. If you do not understand any information, you can ask an A&R team member for an interpreter.

This is especially important when talking about your mental health or alcohol and other drug history, diagnosis, treatment options, and when you provide informed consent for treatment.

If you need an interpreter, SEMPLHN will book one for you. There is no cost to you. You can also contact the Telephone Interpreters Service to request a booking. **Find out more** at the end of this section.

The National Relay Service provides a free service to support people who are deaf or have a hearing or speech impairment. **Find out more** at the end of this section.



INFORMATION continued

Accessing your information: You have the right to access your own health information (or the information of another person over whom you have legal authority). Speak to your SEMPHN clinician about the options available for accessing your information. (see **Find out more** at the end of this section).

Open disclosure: If something goes wrong or does not go to plan with your mental health care and you experience harm, you have the right to be told and discuss what went wrong. This process is known as open disclosure (see Find out more at the end of this section). Your clinician should:

- Start an open disclosure process
- Treat you with empathy and respect
- Apologise or acknowledge to you that something went wrong
- Explain and help you understand what happened
- Explain how you may be affected
- Help you with any support you might need and let you know what they are doing to make care safer in the future.

Find out more: To book an interpreter, contact the Translating and Interpreting Service (TIS) on **131 450** (24 hours) or [tisonline.gov.au](https://tisonline.nsw.gov.au).

Health Translations has health resources translated to 100 different languages: www.healthtranslations.vic.gov.au

The National Relay Service helps people who are deaf or have a hearing or speech impairment. Contact **1300 555 727** (24 hours) or [National Relay Service](https://www.nrelayservice.gov.au).

Request access to your information: You can make a request to access your health information by contacting the SEMPHN Privacy Officer via email to privacy@semphn.org.au.

You can also make a request in writing, addressed to:

SEMPHN Privacy Officer
Level 2 15 Corporate Drive
Heatherton Victoria 3202

If you find that your information is not correct, you can request an update by contacting the SEMPHN Privacy officer.





PRIVACY

You have the right to:

- Have your personal privacy respected
- Have information about you and your health kept secure and confidential.

You have the right to have your personal privacy respected when accessing SEMPHNs A&R service. This includes respect for the privacy of your body, your belongings, your information and your personal space.

When you access our A&R services we will create a record of your contact. This record will include information about your concerns, treatment and other personal information that is needed for your mental health or alcohol and other drug care. When you speak to an A&R staff member, they will explain to you what information is collected, why it is collected and ask for your consent to collect it.

You have the right to expect that your personal and health information is collected, recorded, used and discussed privately and securely. SEMPHN collects your information only to provide the A&R service. Your information is securely stored according to Australian privacy laws.

Your personal information will remain confidential unless the law allows it to be disclosed (for example, in an emergency) or you choose to share it with others.

Find out more

If you are concerned about how your private information has been handled by SEMPHN, you can contact:

- SEMPHNs Privacy Officer: Privacy@SEMPHN.org.au

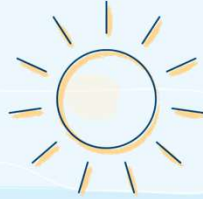
SEMPHN Privacy Officer

Level 2 15 Corporate Drive

Heatherton Victoria 3202

- Office of the Victorian Privacy Commissioner:
<https://ovic.vic.gov.au/>





GIVE FEEDBACK

You have the right to:

- Provide feedback or make a complaint without it affecting the way that you are treated
- Have your concerns addressed in a transparent and timely way
- Share your experience and participate to improve the quality of care and health services.

You have the right to provide feedback or make a complaint about the mental health care you receive from SEMPHN or the way it made you feel (your experience). It is important that SEMPHN receives feedback so we can improve care and services for you and others. Anyone can provide feedback, including consumers, family members and carers.

You can provide feedback about anything, such as the care provided to you, how services could be improved and if you think your rights have not been met.

Feedback can be provided by talking to someone, writing a letter or email, or by responding to a consumer survey.



Sharing feedback about SEMPHN or an A&R team member will not negatively affect how you are treated.

You can provide feedback yourself or can have someone support you to do this such as a family member, carer or a consumer advocate (see [Partnership](#)).

How to provide feedback

You can provide feedback to SEMPHN directly by:

- Filling out our [feedback form](#)
- Contacting our Feedback Officer on **1300 331 981** (press option 6)
- Email to feedback@semphn.org.au
- Writing a letter addressed to:

SEMPHN Feedback Officer

Level 2, 15 Corporate Drive, Heatherton VIC 3202

We will ensure you receive a response to your concerns, are told if something has gone wrong or has not gone to plan and that your concerns are addressed within a reasonable time frame.



GIVE FEEDBACK continued

Providing feedback to a different organisation

If you feel you cannot raise your concerns with us, or if you are not happy with our response to your feedback, you can contact the:

- Victorian Mental Health Commission:
<https://www.mhwc.vic.gov.au/>
- Victorian Department of Health:
<https://www.health.vic.gov.au/feedback-and-complaints>
- Australian Health Professional Regulation Agency (if your concern is about a clinician):
[AHPRA](#)

The contact details for these organisations are in **Key contacts**.

SEMPHN regularly involves consumers in activities to improve the quality of care and services we deliver. If you would like to get involved, speak to your SEMPHN clinician.

You can also get involved through VMIAC, the peak Victorian non-government organisation for people with lived experience of mental health issues or emotional distress:

<https://www.vmiac.org.au/>



Your responsibilities

To ensure we can work together to provide the best possible care, we ask that you:

- **Are respectful to A&R team members.** SEMPHN staff have the right to work in a safe environment and be treated with dignity and respect. Being respectful to your clinician is an important way of ensuring that everyone feels safe.
- Understand that you **may be refused a service** if you act in an abusive, disrespectful or threatening manner.
- **Share information.** To help your clinician understand your needs, it is important to share information about yourself with them, such as your health history, any medicines you are taking, what you expect from your treatment and what matters to you.
- **Ask questions** if you don't understand any information.
- **Participate with the A&R service.** This means asking question, discussion options and making choices about your care.

Key Contacts

More information and support			Department of Health	Translating & Interpreting
My Aged Care www.myagedcare.gov.au Phone: 1800 200 422	Federation of Ethnic Communities' Councils of Australia www.fecca.org.au Phone: 02 6282 5755	National Disability Insurance Scheme www.ndis.gov.au Phone: 1800 800 110	Phone: 1300 650 172 [local calls free within Victoria, except mobile phones]	To book an interpreter, contact the Translating and Interpreting Service (TIS) on 131 450 (24 hours) or tisnational.gov.au
Dementia Australia www.dementia.org.au Phone: 1800 100 500 (national helpline)	Beyond Blue www.beyondblue.org.au Phone: 1300 224 636	Disability Gateway www.disabilitygateway.gov.au Phone: 1800 643 787 (Disability Information Helpline)	International, interstate and mobile callers: (+61 3) 9096 0000	
Carer Gateway www.carergateway.gov.au Phone: 1800 422 737	Lifeline www.lifeline.org.au Phone: 13 11 14	1800RESPECT (national sexual assault, domestic family violence counselling service) www.1800respect.org.au Phone: 1800 757 732	National Relay Service	Complaints
Healthdirect www.healthdirect.gov.au Phone: 1800 022 222	Kids Helpline www.kidshelpline.com.au Phone: 1800 551 800		For people who are deaf, hard of hearing or have a speech/ communication difficulty and find it hard speaking with people who use a phone. Contact 1300 555 727 (24 hours) or National Relay Service .	Health Complaints Commissioner www.hcc.vic.gov.au Phone: 1300 582 113
Victorian Aboriginal Community Controlled Health Organisation www.vaccho.org Phone: 9411 9411	QLife (LGBTI peer support and referral) www.qlife.org.au Phone: 1800 184 527			Mental Health & Wellbeing Commission www.mhwc.vic.gov.au Tel: 13 11 44