

COMMUNITY LIVING ABC
Operational Policy

Client Rights

OP 1.3

POLICY STATEMENT

1. Employees are required to provide support in a manner that upholds and is consistent with human rights legislation and the rights of clients as defined in this policy.
2. The rights of an individual client shall be respected and balanced with the rights of others and the common good.
3. A copy of this policy shall be provided to each client and to members of their support circle by the ABC Community Living Agency and shall be explained and reviewed by an appropriate employee.

OVER-RIDING CONSIDERATIONS

The interpretation and implementation of this policy is subject to three over-riding considerations:

a. THE LIMITS OF THE LAW

The realization of an individual or client right may not infringe upon the rights of others as defined by law, established in legislation or defined in a collective agreement.

b. THE FUNDED CAPACITY OF THE ABC COMMUNITY LIVING AGENCY

The ABC Community Living Agency cannot spend beyond its approved operating budget. Consequently there may be limits on the level of support that the ABC Community Living Agency can provide to a client. Where the ABC Community Living Agency is unable to provide the level of support desired or required by the client, where an accommodation cannot be made that satisfies both parties and where the differences cannot be resolved due to funding constraints, the ABC Community Living Agency shall support the client to find other means to realize his / her client rights.

c. THE EXERCISE OF INDIVIDUAL RESPONSIBILITY

The exercise of any right requires the exercise of personal responsibility, consideration of the rights of others and respect for the common good of the group or community. The ABC Community Living Agency shall support a client to curtail or modify the realization of a right where the client is unable or unwilling through their behaviour to demonstrate personal responsibility to protect themselves, others and the community from harm or undue risk in the expression of that right.

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CLIENT RIGHTS

The rights of ABC Community Living Agency clients, in addition to any rights provided under law, include the right to:

1. Be supported, with respect and dignity and with consideration for your preferences and wishes as an adult, by all employees and volunteers. Our support services and work practices must reflect this.
2. Be supported to live in a place of your choosing in your own community and to be supported to access community opportunities.
3. Receive information about choices and to access opportunities that provide a variety of experience so you can practice informed choice.
4. Relationships with employees and volunteers that are characterized by shared power, mutual respect, honesty and the opportunity to negotiate through differences of view.
5. Develop your own life plan and to choose family, friends and professionals to help you.
6. A support environment where it is safe and acceptable for you to realize your dreams, where inquiry and commitment to truth is the norm, where experimentation is accepted and where challenging the status quo is expected.
7. Support that encourages reasonable risk as a means to experience life and to grow.
8. Support that preserves your dignity, safety and well-being, as well as that of others.
9. Support that encourages your relationships with members of your family and with other persons you have chosen as friends or supporters.
10. Request a change in the support you receive or in the employee who provides primary support to you. The ABC Community Living Agency shall do all it can to accommodate such a request within the limits of its funding, government legislation and the collective agreement.
11. Have a regular review of any limitation of a right or privilege that may have been imposed or negotiated as part of your support plan. Such limitations shall only be placed on you by the ABC Community Living Agency in the interests of your safety and well-being and must be subject to approval and review by the Advisory Committee.

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12. Use the ABC Community Living Agency's "Client Problem Resolution Process" to have a problem or complaint reviewed and addressed. If you choose to use the "Client Problem Resolution Process", you have the right to be supported through the process by another person of your choice.

PROCEDURES

The Manager responsible for the service providing support to the client shall ensure that a copy of this policy is provided to each client and to members of their support circle and that these rights are explained and reviewed with the client and the support circle by an appropriate employee.

REFERENCE MATERIAL

- OPR 1.1 Canadian Charter of Rights and Freedoms
- OPR 1.2 Ontario Human Rights Code
- OPR 1.3 Ontarians with Disabilities Act
- OPR 1.4 Beijing Declaration on Rights of People with Disabilities in the New Century

FORMS FOR USE WITH THESE PROCEDURES

- OPF 1.1 Client Rights Information Form

Procedures Approved by Executive Director:	Policy Approved by the Board of Directors:
Date:	Date:

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