



Welcome Home

Module 2: Rights and Responsibilities



This module takes a closer look at the SDA performance area Rights and Responsibilities and the requirements for an SDA provider to uphold the legal rights of a tenant.

In this module you will learn about:

- The legal rights of an SDA tenant
- The practice principles and service objectives that support a rights-based approach to service delivery
- The SDA provider's responsibility to support informed decision-making and tenant autonomy

Please note, we recommend this module as pre-reading for any of the Welcome Home webinars.

Disclaimer

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Introduction

An SDA provider has a responsibility to ensure a tenant's rights are upheld in the way they deliver housing and tenancy support services. In this Welcome Home video, SDA tenants talk about why rights are an important part of their home lives.

[Click here to watch a Rights and Responsibilities – SDA Tenants Rights video.](#)

What's next?

The following sections walk you through the performance outcome and indicators for this standard, with tools and resources to download along the way.

To complete Module 2, work through each section and then have a go at the quick quiz.

Performance Outcome

The first performance area in the [SDA Practice Standards](#) concerns rights and responsibilities. The performance outcome requires an SDA provider to uphold the legal, human and consumer rights of a tenant.

Each participant's access to specialist disability accommodation dwellings is consistent with their legal and human rights and they are supported to exercise informed choice and control.

Legal Rights

Throughout the SDA Practice Standards, the term 'legal rights' is used to reference the protections an SDA tenant has under laws governing the delivery of housing and tenancy support services. These include commonwealth, state/territory and local area laws concerning:

- Residential tenancies
- Building and construction standards
- Health and safety, and
- Privacy

The delivery of SDA services is also governed by NDIS rules and regulations including:

- [NDIS \(Specialist Disability Accommodation\) Rules 2020](#)
- [NDIS \(Specialist Disability Accommodation Conditions\) Rule 2018](#)
- [NDIS \(Complaints Management and Resolutions\) Rules 2018](#)
- [NDIS \(Incident Management and Reportable Incidents\) Rules 2018](#)
- [NDIS Act 2013](#)
- [NDIS \(Registered Providers of Support\) Rules 2013](#)

The *Welcome Home – SDA Compliance Register* is a tool you can use to monitor your legal obligations in the jurisdiction(s) you deliver services. [Download \(XLS\)](#)

Human Rights

The human rights of all NDIS participants are defined under the [United Nations Convention on the Rights of Persons with Disabilities \(CRPD\)](#). The CRPD asserts the rights of an individual with disabilities to independence and full social and economic participation.

The NDIS Act 2013 gives effect to Australia's obligations as a signatory to the CRPD, alongside commonwealth laws including the [Australian Human Rights Commission Act 1986](#) and the [Disability Discrimination Act 1992](#).

The [NDIS Code of Conduct](#) and the [NDIS Practice Standards](#) set requirements for service providers to respect and uphold an NDIS participant's human rights, including their right to freedom of expression, self-determination and decision-making.

An SDA provider must have particular regard for an SDA tenant's rights to live autonomously and independently in their community, as asserted under Article 19 of the CRPD.

Convention on the Rights of Persons with Disabilities – Article 19

Article 19 asserts: *The equal right of all persons with disabilities to live in the community, with choices equal to others, and shall take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community, including by ensuring that:*

- 1. Persons with disabilities have the opportunity to choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement*
- 2. Persons with disabilities have access to a range of in-home, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community*
- 3. Community services and facilities for the general population are available on an equal basis to persons with disabilities and are responsive to their needs*

Consumer Rights

A key objective of the NDIS is for participants to become discerning consumers in a market-based service system.

Under the [NDIS Code of Conduct](#), all registered service providers are required to uphold the consumer rights of participants by delivering high quality services with care and skill, and in a safe and competent manner.

A provider must act with integrity, honesty and transparency and respond promptly to any concerns a participant has about the quality of their services.

The [SDA Practice Standards](#) require an SDA provider to establish policies and procedures that uphold a tenant's rights as an NDIS participant and a consumer, including the right to make informed decisions about their SDA services and exercise choice and control over the supports they receive in their home.

What does this mean for the SDA provider?

An SDA provider must:

- Develop policies and procedures for upholding the legal, human and consumer rights of an SDA tenant
- Ensure all policies and procedures comply with applicable laws and standards governing the delivery of SDA services
- Ensure compliance with policies and procedures by employees, officers, agents and subcontractors
- Work with a tenant to ensure they understand their legal rights and the obligation of an SDA provider to uphold those rights
- Ensure all policies and procedures comply with the NDIS Code of Conduct

An SDA provider should:

- Make a clear organisational commitment to upholding the defined rights of an SDA tenant
- Ensure their service objectives align with the performance outcomes outlined in the SDA Practice Standards
- Ensure all policies and procedures align with the principles and objectives of the NDIS Quality and Safeguarding Framework.
- Work with service providers who with a tenant in their home to establish a consistent rights-based approach to service delivery.

The *Welcome Home Factsheet: SDA Tenant Rights* outlines the legal, human and consumer rights of an SDA tenant. [Download PDF](#) | [Download DOC](#)

What's next?

There are 3 performance indicators for the Rights and Responsibilities standard.

The remaining sections of this module explore each indicator in detail, including service obligations and outcomes, compliance challenges and good practices.

Performance Indicator 1

Knowledge and understanding of each participant's legal and human rights and incorporation of these rights into everyday practice, including through reasonable adjustments or modification to the dwelling to meet each participant's needs.

This performance indicator requires an SDA provider to have policies and procedures in place that uphold a tenant's rights and enable tenancy management staff to respond to an individual's changing housing support needs.

Service Objectives/ Policy Intent	Good Practice	Tenant Focused Outcomes
Internal policies commit to upholding tenant rights and outline principles and procedures that ensure service delivery is responsive to a tenant's support needs and preferences.	Establish a Compliance Register or comprehensive record keeping system to record and monitor all legal obligations related to service delivery.	A tenant lives in quality housing that complies with all applicable building and safety laws and standards.
	Ensure policies define tenant rights and reference applicable laws and standards	A tenant receives tenancy support that is responsive to their housing support needs and remains fit for purpose.
	Establish tenancy management procedures that apply a person-centred approach to service delivery.	A tenant is supported by staff who have an up to date understanding of their housing, communication and decision-making support needs and can comply with all applicable laws and standards governing tenancy management practices.
	Establish procedures to monitor a tenant's housing, communication and decision-making support needs throughout their tenancy.	

What's next?

The following topics explore issues and challenges related to this performance indicator. The tools and resources provide good practice tips.

Topic content

- Translating organisational commitments into practice
- Dwelling modifications
- Adopting a person-centred approach

Translating organisational commitments into practice

“It’s all very well to write a document outlining tenants and human rights... It is harder to build that into your service model.” (SDA provider)

Successfully adopting a rights-based approach to service delivery relies on the service provider’s ability to translate their organisational commitments into everyday practices.

An SDA provider’s corporate, operational and tenancy documents should send a clear and consistent message to staff, service providers and tenants about the provider’s expectations for service delivery.

Tenants and their supporters should understand what a rights-based approach to service delivery looks like and the service outcomes they should expect from their SDA provider.

Staff induction and training should reinforce the centrality of tenant rights and a person-centred approach to the delivery of SDA services.

What does this mean for an SDA provider?

An SDA provider should:

- Ensure all corporate, operational and tenancy documents align with NDIS Quality and Safeguarding principles and objectives
- Align service objectives with the relevant performance outcomes in the SDA Practice Standards
- Policies and procedures should support an organisation-wide approach to rights-based service delivery
- Staff induction and training should include disability awareness training and person-centred principles and practices
- Plain language and universal design principles should be applied to all documentation and tenancy information should be available in a range of accessible formats

The Welcome Home resource: *A rights-based approach to service delivery*, provides good practice tips for developing a framework to support everyday practices that uphold tenant rights. [Download PDF](#) | [Download DOC](#)

Dwelling modifications

An SDA provider has an obligation to respond to a tenant's changing housing support needs and ensure their SDA dwelling remains fit for purpose. A provider must respond to all reasonable requests by a tenant to modify or adjust a dwelling to ensure their ongoing safety and independence.

A dwelling modification is any reasonable or necessary adjustment to the structure or customisable items of an SDA dwelling.

A reasonable and necessary dwelling modification should be made at no cost to a tenant.

New builds

The customisable and structural elements a person requires to live independently in their home should be established in consultation with a tenant and their OT prior to a person beginning their tenancy. The assessment should also consider any likely adjustments that will be needed if the person's support needs change.

The [SDA Design Standard](#) aims to reduce the need for, and the cost of, dwelling modifications through the application of universal design principles that support highly accessible and adaptable dwelling designs that can support a person over their lifetime.

A new build SDA should be 'design ready' and 'assistance technology ready' to accommodate any reasonable customisations consistent with the dwelling's design category.

Existing and legacy housing

Tenants living in existing or legacy dwellings also have the right to request necessary dwelling modifications to ensure their safety and independence.

An SDA tenant has the right to request modifications to a home that they share with other people if their housing support needs change or are not being met. The Tenancy Management standard for SDA includes a performance indicator for assessing a modification request, including in shared housing.

Tenancy Management Standard – Performance Indicator 5

“Where a change in participant needs or circumstances occurs, reasonable adjustments are made to accommodate the changes. If the changed support needs exceed the design category or functionality of the dwelling, work is undertaken to modify the dwelling following consideration of the impact of the modifications on the other tenants (if applicable). Where the participant's needs or circumstances cannot be accommodated, the participant and any relevant support providers are made aware of the need to find alternative accommodation.”

What does this mean for an SDA provider?

An SDA provider must make reasonable adjustments to a dwelling to ensure a tenant's ongoing independence and safety.

If an SDA provider is not the owner of the property, they must seek permission from the owner for a modification to be made to the dwelling before work can begin.

An SDA provider should establish clear procedures for working with a tenant to assess and manage dwelling modifications, including:

- Establishing the types of adjustments that can and cannot be made by the SDA provider
- Providing a tenant with information about any limitations in responding to a modification request, such as structural issues related to a dwelling

- Establishing all roles and responsibilities related to supporting a tenant to request a dwelling modification
- Providing a tenant with information about the criteria for assessing a request, such as cost effectiveness
- Providing information about a tenant's right to continuity of support and the SDA provider's responsibilities to support a tenant in the event that a modification request is rejected.

An SDA provider should ensure a tenant has appropriate support to make a dwelling modification request and the provider should be available to discuss the request directly with the tenant, including any suggested changes.

The criteria for assessing a dwelling modification request should apply person-centred principles that ensure the housing support needs of the individual are not unnecessarily compromised by other considerations, such as the impact of works on other tenants.

A tenant should not be afraid to make a request for a dwelling modification or concerned a request may have a negative impact on their tenancy. They should also have a clear understanding of their options and any responsibilities of the SDA provider in the event that an SDA dwelling can no longer meet their housing support needs.

An SDA provider should develop an understanding of the potential for universal design to facilitate independent living for people with high level support needs and apply these principles to all capital works.

Adopting a person-centred approach

"We've got a customer engagement strategy that we try to do face-to-face. We want to know all of their communication requirements – who needs OT, who is non-verbal, who can actively make decisions on their own... And how does that link up with our own systems for things like complaints, feedback, all that sort of stuff... It's huge and probably our biggest goal for the next 12 months." (SDA provider)

Adopting a person-centred approach to everyday practices will help an SDA provider bring their commitment to upholding a tenant's rights to life.

By getting to know a tenant and learning about their housing support needs and their preferences for communicating and making decisions about their tenancy, an SDA provider can better facilitate the person's goals for independent living.

SDA providers instinctively adopt a person-centred approach when they embark on co-designing new SDA with a tenant, developing a direct relationship with the person to learn about their housing support needs and using this knowledge to inform the design of their home.

"Our focus in the most part is on person-centric co-design... It could be around location, it could be around configuration or it could be around specific design elements." (SDA provider)

An SDA provider can also apply a person-centred approach to tenancy management, by establishing an information system that records the details of a tenant's housing, communication and decision-making needs and preferences and integrates this information with tenancy management policies and procedures.

What does this mean for an SDA provider?

An SDA provider should keep comprehensive records about a tenant's circumstances, support needs and experiences throughout their tenancy. Tenant records may include:

- Housing support needs and dwelling modification requests
- Independent living goals and lifestyle preferences
- Communication support needs and preferred methods of communication
- Decision-making support needs and preferred decision-making supporters
- Details about the tenant's support network
- Records of all tenant feedback, requests and complaints related to their SDA dwelling or tenancy

Dedicated tenancy management roles should be established to monitor tenant welfare and keep tenant records up to date.

The *Welcome Home Tenant Register* is a tool that you can use to establish tenant records that support a person-centred approach to service delivery. [Download XLS](#)

Performance Indicator 2

Any agreement or contract entered into with each participant, and any communication with the participant about the provision of specialist disability accommodation, including about rights and responsibilities in relation to the dwelling, is responsive to their needs and provided in the language, mode of communication and terms which that participant is most likely to understand.

This performance indicator requires an SDA provider to ensure that all direct communication and information provided about a tenancy is delivered in a way that allows a tenant to make informed decisions about their housing and tenancy support services.

Service Objectives/ Policy Intent	Good Practice	Tenant Focused Outcomes
Policies and procedures ensure a tenant's preferences for receiving information and communicating directly with service providers are met.	<p>Establish a Tenant Register or comprehensive record keeping system to record a tenant's preferences for direct communication and receiving information.</p> <p>Ensure procedures are in place to establish whether a tenant needs support with decision-making and what support is available to them.</p> <p>Ensure all tenancy information is easy to understand and available in accessible formats.</p> <p>Ensure staff can utilise a range of communication tools and methods.</p> <p>Regularly review records detailing a tenant's communication and decision-making needs and preferences with the tenant.</p>	<p>A tenant can communicate directly with an SDA provider about any issues concerning their tenancy.</p> <p>A tenant has adequate support to make informed decisions about their SDA services.</p> <p>A tenant has opportunities to build their knowledge, skills and confidence to make their own decisions throughout their tenancy.</p>

What's next?

The following topics explore some of the key issues and challenges related to this performance indicator. The tools and resources provide good practice tips.

Topic content

- Communicating effectively with tenants
- Working with a tenant's support network
- Supporting informed decision-making

Communicating effectively with tenants

“If you’re building an apartment or providing support for tenants, it’s really important that you actually listen to them – go out of your way to understand what they are trying to say.”
(SDA tenant)

A successful SDA tenancy requires good communication between the SDA provider and the tenant.

Some SDA tenants require support to communicate directly with others or process information, including through the use of communication aides or with the assistance of a support person.

Regardless of a tenant’s communication support needs, they will have ideas and wishes for their home life that an SDA provider should understand.

What does this mean for an SDA provider?

An SDA provider should:

- *Always work on the presumption that a tenant has the capacity to communicate directly with them about their tenancy.*
- *Establish procedures to confirm a tenant’s preferences for communicating directly with service providers and receiving information.*
- *Ensure staff have access to information about a tenant’s communication needs and preferences, and the relevant skills to work with an individual using their preferred methods of communication.*

The *Welcome Home Factsheet: Effective Communication* provides good practice tips for establishing clear communication with all SDA tenants. [Download PDF](#) | [Download DOC](#)

Working with a tenant’s support network

“Many participants would require a lot of support... They either have a family member or a support coordinator working with them, providing that very necessary link between them and us.”
(SDA provider)

Most SDA tenants will have access to individuals who can provide them with advice and support throughout their tenancy.

A support network can be made up of any individuals that a tenant trusts to provide them with guidance or support to make decisions. A network may also include formal advocates, appointed by a tenant or on their behalf, to ensure all decisions are made in the person’s best interests.

Supporters can play an important role in helping a person to understand and negotiate the terms and conditions of their tenancy and communicate effectively with their SDA and other service providers.

A tenant’s supporters should not be used to replace direct communication with the person or undermine a tenant’s autonomy. The availability of support should not obscure opportunities to build a tenant’s skills and confidence to make their own decisions.

What does this mean for an SDA provider?

An SDA provider should be confident a tenant has access to an appropriate level of support to make informed decisions about their tenancy.

An SDA provider should:

- Ensure a tenant can access their support network throughout their tenancy and as they require
- Support a tenant to direct the way in which they are supported to make decisions
- Ensure a tenant is free to change or cease their informal support arrangements at any time
- Ensure a tenant's support network is not relied upon unnecessarily and does not undermine the person's autonomy or right to make their own decisions
- Establish procedures for working with a tenant who does not have adequate support to make informed decisions

The Welcome Home Factsheet: Working with a tenant's support network provides good practice tips for engaging appropriately with a tenant's supporters. [Download PDF](#) | [Download DOC](#)

Supporting informed decision-making

"Somebody's moved into one of our units and he has Down syndrome. The family were saying, 'I'm not sure that he's going to be better off living by himself. Wouldn't he be better off in a group home?' Well, just because he has Down syndrome doesn't mean he should never be given the opportunity to decide to live on his own and see." (SDA provider)

An SDA provider has a responsibility to ensure a tenant has appropriate information and support to make informed decisions about their tenancy. A tenant is likely to need to make decisions about their SDA dwelling and the delivery of services in their home:

- A tenant *should* make the decision about whether they consent to the terms and conditions in their SDA service agreement
- A tenant *should* be the driver of any decisions about how a service provider communicates and interacts with them on a daily basis
- A tenant *may* have the opportunity to make decisions about the layout or accessible design features of their SDA dwelling
- A tenant *should* decide how they wish to proceed and work with their SDA provider if their housing support needs change

An SDA provider should always remember that while many SDA tenants have communication support needs, only some of these individuals will also need support to make decisions. These two separate areas of support that should not be conflated or confused with each other.

What does this mean for an SDA provider?

An SDA provider should:

- Always work directly with a tenant to understand their views and wishes and provide opportunities for the person to make their own decisions about their tenancy
- Ensure support with decision-making is always available to a tenant but only used when the person is unable to make an informed decision on their own
- Establish and record the level of support a tenant may need with decision-making and the availability of informal and formal supporters
- Work directly with a tenant to establish how they wish to receive support with decision-making
- Establish policies and procedures to guide the use of supported decision-making, including compliance with any applicable laws and guidelines
- Ensure tenants with appointed decision-makers continue to be consulted about planning and decisions about their tenancy

An SDA provider should not play an active role in a tenant's decision-making as this may constitute a conflict of interest. The SDA provider's responsibility is to ensure a tenant has access to adequate support when a decision is required and that all persons involved in supported decision-making have the knowledge and skills to comply with applicable laws and guidelines.

The *Welcome Home Factsheet: Supported decision-making* provides some good practice tips for establishing a decision-making model for SDA tenants. [Download PDF](#) | [Download DOC](#)

Performance Indicator 3

Each participant's autonomy, including their right to privacy, intimacy and sexual expression is respected.

This performance indicator requires an SDA provider to deliver housing and tenancy support in a way that respects a tenant's inherent dignity, autonomy and privacy.

Service Objectives/ Policy Intent	Good Practice	Tenant Focused Outcomes
Internal policies commit to facilitating tenant autonomy and prioritise principles and procedures that uphold personal freedoms, dignity and privacy.	<p>Establish and record information about a tenant including:</p> <ul style="list-style-type: none"> • Ethnicity and cultural background • Faith, expressed beliefs and values • Gender identity preferences • Any other personal or lifestyle preferences <p>Ensure all staff and service providers have the knowledge and skills to work with a tenant in a way that respects their background, beliefs and lifestyle preferences.</p> <p>Ensure a tenant understands and is comfortable with any service arrangements that may impact their personal freedoms or their privacy.</p>	<p>A tenant is confident about their SDA provider's commitment to respect their inherent dignity and autonomy.</p> <p>A tenant enjoys a reasonable level of personal freedom and privacy in their home.</p>

What's next?

The following topics explore some of the key issues and challenges for compliance with this performance indicator. The tools and resources provide examples and tips for good practice.

Topic Content

- Policies and house rules
- Living arrangements and visitors
- Privacy
- Review

Policies and house rules

“Onerous household rules like not having an overnight guest – in the past, providers saw this as risk management but now it represents non-compliance.” (SDA auditor)

“I used to have to put up with male nurses coming in and changing me and doing personal care and all that type of stuff... It just felt wrong. It was wrong to me.” (SDA tenant)

An SDA provider’s approach to service delivery should ensure a tenant experiences the same level of dignity, personal freedom and privacy that everyone expects to enjoy in their home.

SDA policy areas that may impact tenant autonomy and privacy include dwelling access, decision-making, information management and discrimination.

What does this mean for an SDA provider?

An SDA provider should ensure their policies, procedures and house rules do not place unreasonable restrictions or expectations on a tenant.

An SDA provider should:

- Work directly with a tenant to ensure they are comfortable with any household management procedures or rules that may impact their freedom of movement or privacy
- Ensure staff have the knowledge and skills to work appropriately with a tenant, with regard to their age, cultural background, gender identity and personal beliefs
- Ensure house rules concerned with access and use of living spaces in shared accommodation do not place unreasonable expectations on a tenant, including individuals with behaviour support needs
- In shared accommodation, house rules should be devised independently by tenants or in consultation with the SDA provider. House rules should never be imposed or altered without consultation or warning or set independently by another service provider, such as a SIL provider

Living arrangements and visitors

An SDA provider should uphold a tenant’s right to establish their preferred living arrangements including the people they wish to live and associate with in their home.

Under the [SDA Rules](#), a tenant has the right to share their SDA dwelling with family members, a partner or other preferred persons who are not NDIS participants or SDA-eligible.

NDIS (Specialist Disability Accommodation) Rules 2020 – Division 2, Section 24 (1)

- e) *if the eligible participant has chosen to reside in a bedroom with one or more other persons and the eligible participant is not providing specialist disability accommodation to themselves (as an SDA provider) – both:*
- the eligible participant has notified the CEO in writing of that choice; and*
 - the CEO is satisfied, having regard to the matters mentioned in subsection (2), that the eligible participant’s needs are not adversely impacted by having more than one person residing in the bedroom;*
- f) *the eligible participant must have access to a bathroom at the SDA dwelling that satisfies the minimum design requirements for an SDA design category specified in the eligible participant’s plan.*

The Rules also allow for a new or existing SDA dwelling to house more than 5 long-term residents if they are all from the same family (see Part 1 Definitions for existing and new build SDA).

An SDA provider should establish a procedure to negotiate rental payments for co-habitants who are not eligible for SDA. The [Operational Guidelines for SDA](#) state:

“Anyone you share your SDA home with will have to pay rent to the SDA provider. Their rent is not capped at the rate for Reasonable Rent Contributions. It’s up to you and the people you want to live with to talk to your SDA provider and agree on how much rent needs to be paid. The rent may be close to rates for a similar home on the standard rental market.” (NDIS Operational Guidelines for SDA, p. 10)

The [SDA Pricing Arrangements](#) outlines criteria for establishing rent and board payments for a tenant who shares their bedroom with another person.

Beyond cohabitation, an SDA provider should ensure tenancy terms and conditions or house rules do not place unreasonable limitations on a tenant using their home to pursue social or intimate relationships on their own terms.

What does this mean for the SDA provider?

An SDA provider must ensure their service delivery meets the conditions set under the SDA Rules for a tenant to establish their preferred living arrangements. This includes that:

- A tenant has a private bedroom and access to a bathroom that meets the minimum standards for the design category under which the SDA dwelling is enrolled.
- A tenant has access to appropriate information and support to notify the NDIA in writing of their preferred living arrangements and demonstrate the arrangements are their choice and will not create a serious risk of harm
- A tenant can notify their planner of their preferred living arrangements

An SDA provider should ensure that policies or house rules governing dwelling access or use do not isolate a tenant or place unreasonable restrictions on their ability to pursue social or intimate relationships in their home.

Privacy

An SDA provider should consider how dwelling features such as locks, surveillance systems or the configuration of private and shared spaces may impact on the freedom of movement and privacy of a tenant. Optical surveillance technology, for example, should not be used to observe a tenant in their home without the person’s knowledge and permission.

An SDA provider should ensure an individual tenant’s right to privacy is not undermined by other tenancy management considerations, such as dwelling security.

Clear policies and procedures should be in place to manage a tenant’s private information and maintain their confidentiality. This includes a consistent commitment across policies to ensure tenant privacy and confidentiality is upheld and procedures for recording and sharing tenant records comply with applicable privacy laws.

Review

To satisfy Performance Indicator 1, an SDA provider must:

- Establish policies and procedures that are appropriate for upholding an SDA tenant's legal, human and consumer rights
- Ensure all policies and procedures comply with applicable laws and standards
- Ensure all officers, employees, agents and sub-contractors have the knowledge and skills to implement policies and procedures

An SDA provider should:

- Establish systems to record and monitor all legal obligations related to the delivery of SDA services
- Ensure all documentation consistently reinforces key NDIS principles and objectives
- Ensure policies commit to defined tenant rights and service outcomes
- Ensure principles and practices that support a rights-based approach to service delivery are consistently applied to procedures supporting service delivery
- Establish systems to monitor the wellbeing of a person throughout their tenancy and respond to any changing housing support needs including modifications to the SDA dwelling

To meet Performance Indicator 2, an SDA provider must:

- Establish a tenant's available network of supporters and any legal authority a supporter has to represent the person during their tenancy, including making decisions on their behalf

An SDA provider should:

- Establish and document a tenant's communication and decision-making support needs and preferences and ensure these are met when communicating with them about any tenancy matters
- Regularly review a tenant's communication and decision-making support needs and preferences with them
- Establish clear procedures for working with a tenant who does not have adequate support to make informed decisions about their tenancy
- Identify opportunities to strengthen the knowledge, skills and confidence of a tenant to make their own decisions about their tenancy

To meet Performance Indicator 3, an SDA provider must:

- Ensure all information management policies and procedures guarantee a tenant's confidentiality and comply with applicable privacy laws

An SDA provider should:

- Ensure policies commit to a tenant's right to respect for their inherent dignity, autonomy and privacy
- Ensure policies and rules governing access and use of an SDA dwelling do not unreasonably constrain a tenant's personal freedoms including their freedom of movement and their right to establish social and personal relationships
- Consult and collaborate with tenants to establish rules for the use of shared living spaces
- Support a tenant's right to cohabit with family members, partners or other people of their choice
- Ensure the configuration, design and security arrangements for an SDA dwelling do not undermine a tenant's right to privacy

Quick Quiz: Rights and Responsibilities

(Answers are listed on page 18)

1. An SDA tenant has legal rights under which areas of law?

- a) Consumer law
- b) Privacy law
- c) Health and Safety law
- d) Residential tenancy law
- e) Human rights law
- f) Building and construction laws
- g) All of the above

2. An SDA tenant's right to independent living is asserted in which Article of the Convention on the Rights of Persons with Disabilities?

- a) Article 17
- b) Article 3
- c) Article 19
- d) Article 9
- e) All of the above

3. A person-centred approach to service delivery

- a) Increases the responsibilities of a tenant
- b) Strengthens the service delivery focus on a tenant
- c) Is only appropriate if a tenant can make their own decisions

4. An SDA tenant has the right to have their dwelling modified to ensure their safety and meet their daily living needs

- True
- False

5. A tenant who needs support to communicate must have a supported decision-maker in place

- True
- False

6. What type of rights are these – legal, human or consumer rights?

- a) The right to choose my SDA and support service providers
- b) The right to live where and with whom I choose
- c) The right to live in safe and secure housing
- d) The right to renovate my home

Quick Quiz: Rights and Responsibilities

Answers

1. *G*

2. *C*

3. *B*

4. *True*

5. *False*

6a. Consumer rights

6b. Human rights

6c. Legal rights

6d. This is not an SDA tenant right