

Provision of information

Disability Act 2006

Introduction

The Disability Act 2006 (the Act) commenced on 1 July 2007.

The Act seeks to ensure people with a disability are empowered to exercise their rights and choices in making decisions that affect their lives. The Act requires that:

- written information is provided to people with a disability in a format they will most likely understand
- disability service providers provide information to people when they commence using their service.

What does the Act say about how information is provided to people with a disability?

The Act says that any advice, notice or information required under the Act, must be explained to a person with a disability. The explanation must be, as far as possible, given in the way the person is most likely to understand. Where reasonable, an explanation must be given both verbally and in writing.

What should happen if a person with a disability does not understand the information?

The disability service provider must take reasonable steps to give the information in a manner the person is most likely to understand. If a person cannot understand the information, it may be given to a family member, guardian, advocate or other person chosen by the person with a disability.

What if the person does not have a family member, advocate, guardian or someone else to assist them?

The disability service provider can provide information to another person who can explain the information to the person with a disability. If this occurs, the person chosen cannot be employed by, or be a representative of, the disability service provider.

What information do disability service providers have to provide to people with a disability?

Disability service providers have to provide relevant written information about their service as soon as a person with a disability starts accessing the service.

The Act requires, as a minimum, the following information must be given:

- details of the disability service provided
- any costs associated with the service
- any condition related to providing the disability service
- an explanation of the procedures for making a complaint to the disability service provider and to the Disability Services Commissioner
- details of any legal rights and entitlements the person has under the Act
- any information that is required by the Secretary or the Senior Practitioner
- any information required to be provided under an order made by the Victorian Civil and Administrative Tribunal.

If a person is a resident of a residential service, the disability service provider is not required to provide information that has already been given in a residential statement. Refer to Information sheet 5 - *Residential rights for people living in residential services*.

When should disability service providers start implementing the requirement of 'provision of information'?

People with a disability commencing any service for the first time after 1 July 2007 must receive information about those services and it must be explained and where possible given in writing.

All people currently using the disability service should receive information as soon as possible and by no later than February 2008.

For more information about provision of information, contact:

Disability Services Division, Department of Human Services

Telephone: 1300 366 731 (9 am to 5 pm, Monday to Friday)

TTY: (03) 9096 0133 (for people who are deaf or have a hearing, speech or communication impairment)

Email: disability.legislation@dhs.vic.gov.au