

Provision of information

Disability Act 2006

Introduction

The *Disability Act 2006* ('the Act') becomes fully operational from 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 provided to people with a disability is available in an easily understood and accessible format (as appropriate)
- disability service providers make information specific to that service available to people when they commence using the service.

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

The Act requires that any advice, notice or information required under the Act, must be explained to a person with a disability. The explanation must be, to the maximum extent possible, in the language and form of communication that 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 convey the information in a manner the person is most likely to understand. To meet this requirement, a disability service provider may provide a copy of the advice, notice or information 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 to 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 are required 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:

- details of the disability service to be provided
- any costs associated with the service
- any condition related to the provision of 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 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 provided in a residential statement. Refer to Information sheet 5 Rights in Residential Services.

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

People with a disability commencing any service for the first time after 1 July 2007 must receive written information about those services and it must be accessible in line with section 7 of the Act.

All existing users of the disability service should receive written and accessible information as soon as practicable and by no later than February 2008.

For more information about provision of information:

Disability Services Division, Department of Human Services
Telephone 1300 366 731 (9am to 5pm, 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