



Health and Disability Services
Complaints Office

Information sheet: legislation

As an independent statutory authority, the Health and Disability Services Complaints Office (HaDSCO) operates under a number of legislative frameworks outlined here:

Health and Disability Services (Complaints) Act 1995:

The primary legislation governing the operations of HaDSCO. This Act sets out the legislative framework for HaDSCO's functions, operations and powers for complaints relating to health services.

Part VI of the Disability Services Act 1993:

Covers complaints about disability services and provides a framework for management of complaints related to disability service providers.

The Carers Recognition Act 2004: Aims to change the culture of service providers so that the impact on carers is considered when services are assessed, planned, delivered and reviewed. A key part of the Act requires service providers to comply with the Western Australian Carers Charter.

Health Practitioner Regulation National Law (WA) 2010: Governs the registration of Health Practitioners throughout Australia. Previously Health Practitioners were registered individually in the state which they practiced.

Confidentiality: Section 71 of the Health and Disability Services (Complaints) Act 1995 ensures the negotiated settlement and conciliation processes are confidential. All oral and written communications aimed at resolving the issues in dispute are confidential. This means that any offers made or positions discussed during negotiated settlement and conciliation cannot be made public, recorded, or discussed with anyone else. Substantial fines can be imposed if these requirements are not complied with.

The Health and Disability Services (Complaints) Act 1995 also states that evidence of anything said or admitted during negotiated settlement is not admissible in proceedings before a court or tribunal.

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Supporting improvement through complaint resolution

