



This template letter has been developed by Deaf Victoria, the peak advocacy organisation for deaf and hard of hearing Victorians. Deaf Victoria is funded by the Victorian Department of Families, Fairness and Housing (DFFH – formerly DHHS) to provide advocacy support and advice to those who experience barriers to participation and services or discrimination. Due to widespread concern in the Deaf Community about inaccessible and unsafe healthcare practices, this letter enables deaf and hard of hearing people to self-advocate and raise concerns directly if they felt their needs have not been met or their health or safety compromised in a healthcare setting.

In addition to completing this letter, the person/s named herein may also engage with Deaf Victoria's advocacy services directly which will likely result in your service receiving a formal letter of concern or complaint. If the issue is not resolved to the satisfaction of the client and/or deemed to be serious in nature, Deaf Victoria will take further action which may include the matter being passed onto relevant bodies such as the Health Complaints Commissioner, the Victorian Equal Opportunity and Human Rights Commission (VEOHRC) or relevant state ministers.

More information or to book Cultural Competency training for staff: www.deafvictoria.org.au or info@deafvictoria.org.au

Dear

RE: Complaint related to lack of access in healthcare for

[] born on [].

I wish to make a complaint in relation to my experience (or the patient I am supporting) at your healthcare facility as my access requirements were not met appropriately and in a timely manner.

Deaf and hard of hearing people often face barriers related to communication and access to information where requirements are not acknowledged and made by professionals and service providers in a sufficient time frame. Oftentimes, deaf and hard of hearing people shoulder the responsibility to ensure the interaction between themselves and professionals is successful – this also adds emotional and physical stress to the deaf person.

For deaf people who use Auslan, lipreading and spoken English are usually not the most accessible methods of communication and can hinder their confidence in understanding the information that is being provided to them. This also adds another barrier for them, as they are unable to fully convey questions and thoughts to those they are interacting with.

The right for deaf and hard of hearing people to receive access to healthcare in a way that meets their access needs is enshrined in multiple federal and state laws and charters. These include: Equal Opportunity Act 2010 (Vic), Charter of Human Rights and Responsibilities Act 2006 (Vic), Australian Commission on Safety and Quality in Health Care – National Safety and Quality Health Service Standards for Hospitals (Cth) and the Australian Charter of Healthcare Rights (Cth).

According to the Victorian Equal Opportunity and Human Rights Commission’s guide for complying with the Equal Opportunity Act 2010 (Vic), failure to use an interpreter in medical settings can amount to discrimination and/or a failure to make reasonable adjustments for a patient with a disability. Additionally, the Language Services Policy (2017) state that people with low English proficiency or use Auslan are afforded access to high quality services.

This letter is to inform your department that, I have been denied access or received substandard access whilst receiving care and services at your healthcare facility.

Under your care, I have:

| | |
|--|--|
| Had my request for access denied or downplayed | |
| Needed to justify or prove my need for the requested support | |
| Needed to repeat my request for access every time I interact with the health service or a new health professional | |
| Not have had adequate input into discussions or assessment about the level of supports I/they require | |
| Had to educate staff members on how to access or implement required supports | |
| Been told that the support required is not available after-hours (when there is a 24/7 booking line that can be used for interpreters on demand) | |
| Had to rely on friends, family members or others who are not qualified to provide support or interpret medical related discussions | |
| Had to accept support only at points of care deemed “important” by staff. For example, only at admission but not discharge, for inpatients, not during rounds. | |
| Other: | |

Details of this specific complaint as follows:

| | |
|-----------------------------|--|
| Date/s of incident/s | |
| Access issue | |
| Response from staff | |

| | |
|----------------------------|--|
| Required to resolve | <input type="checkbox"/> Auslan interpreters booked for all my future appointments or admitted visits to your healthcare facility. <input type="checkbox"/> Staff members at your healthcare facility to undergo Cultural Competency Training. <input type="checkbox"/> Assurance on my future access requests to be respected and fulfilled. <input type="checkbox"/> Apology from staff at the healthcare facility for the lack of access I received. |
| Other | |
| Additional comments | |

In the circumstance that your department or healthcare facility needs to book an interpreter, please refer to your contracted interpreter agency such as VITS Language Loop, Oncall or preferably an Auslan interpreting agency, for example Auslan Connections, Auslan Services, Echo Interpreting or NABS.

Please note: for after-hours emergency, you can contact the following agencies for an Auslan interpreter:

- *Auslan Connections – 03 9473 1174
(Auslan Connections is a Health Purchasing Victoria registered provider)*
- *Echo Interpreting – 0449 259 153*

I would appreciate a response from you outlining how my complaint will be resolved within five (5) business days so I/the named patient can feel safe to access health care services from your facility. Please also include what processes have been put in place to ensure appropriate access for myself/the named patient and any other potential deaf and hard of hearing patients. I would also like to know what training has been organised for staff so they can better understand their obligations for deaf and hard of hearing patients. I would appreciate your responses in plain English without the use of jargon or highly specialised terminology.

If you would like to discuss this further, please contact me via the email or SMS number provided.

Kind regards,