



Privacy and Confidentiality

Policy 2

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1 INTRODUCTION

1.1 USE OF CONFIDENTIAL INFORMATION - NDIS PRACTICE STANDARD

NDIS Practice Standards and Quality Indicators states that each Participant accesses supports that respect and protect their dignity and the right to privacy.

1.2 POLICY STATEMENT

Beyond Barriers Australia is committed to respecting and protecting the privacy and dignity of all Participants at all times.

1.3 SCOPE OF POLICY

This policy is applicable to Beyond Barriers Australia, NDIS Participants, and third parties in the wider community where relevant. Beyond Barriers Australia is committed to ensuring that it does not cause a breach of a Participants privacy, confidentiality, or dignity at any time through use of policies and procedures. Beyond Barriers Australia is subject to compliance with the NDIS Quality and Safeguards Commission rules and regulations, and this policy conforms with the [Privacy Act 1988](#) and the Australian Privacy Principles which govern the collection, use, and storage of personal information.

This policy applies to all records, whether in physical or digital format (including video and audio format), containing personal information about participants and other relevant third parties, and applies to interviews or discussions of a sensitive personal nature.

1.4 VALUES DEMONSTRATED BY BEYOND BARRIERS AUSTRALIA

- a) Beyond Barriers Australia recognises that upholding a Participants rights to privacy, confidentiality, and dignity is paramount, and is committed to maintaining this at all times unless otherwise required by law or other legal or ethical obligations.
- b) Beyond Barriers Australia understands the rights of third parties, stakeholders, and other service providers to privacy and confidentiality, and is committed to upholding these rights at all times unless otherwise required by law or other legal or ethical obligations.
- c) Beyond Barriers Australia is committed to secure and safe handling of private and confidential information to reduce risks of breaches to privacy or confidentiality.

- d) Beyond Barriers Australia understands the importance of informed consent and is committed to ensuring Participants are aware of the intent and purpose of the collection, storage, and distribution of their personal information.

1.5 DEFINITIONS

Personal Information	Recorded information (including images) or opinion, whether true or not, about an individual whose identity can reasonably be ascertained.
Authorised Representative	A person or organisation lawfully appointed or recognised to act on behalf of a Participant in decision-making or communication.
The Participant	An individual who receives services and supports from Beyond Barriers Australia under the NDIS.

2 COLLECTION OF INFORMATION

2.1 PURPOSE OF COLLECTION

Beyond Barriers Australia collects information in order to deliver services under the National Disability Insurance Scheme. Information collected generally includes but is not limited to; identifying details, relevant history, relevant reports and assessments, and NDIS information, and NDIS plans.

This information is used to support Participants to engage with services, receive therapeutic intervention and develop their capacity. Beyond Barriers Australia will only collect information that is relevant to service delivery unless it is necessary to collect additional information to promote Participant safety, wellbeing and development.

2.2 ENGAGEMENT COMMUNICATION

During initial engagements, Participants and their authorised representatives are informed of the information that will be collected, procedures in place to protect their privacy and dignity as well as their rights in relation to information collection, storage, and sharing. Participants are provided with this information in the language, mode of communication, and format that the Participant is most likely to understand. Participants retain the right to request this information at any time during service delivery.

Participants are informed that information collection, storage and sharing is a part of Beyond Barriers Australia's service delivery and is a requirement of working under the National Disability Insurance Scheme (i.e., documentation of services rendered to claim funds from a plan). Participants are informed of their rights to provide and withdraw consent for Beyond Barriers Australia to share information with selected people, and the circumstances under which Beyond Barriers Australia must share information without consent to fulfil legal obligations.

Beyond Barriers Australia will ensure that Participants and their representatives understand and agree to the type and general content of information collected, and the purposes around why information is collected, stored, and shared. If Beyond Barriers Australia suspects on reasonable grounds that a Participant does not understand their rights in relation to consent and information sharing, Beyond Barriers

Australia will encourage an advocate or representative to be present to ensure transparency and aid the Participant's understanding and security.

2.3 CONSENT TO SHARE

Beyond Barriers Australia seeks to obtain consent from Participants or their authorised representative at initial engagement to collect, store, and share information relevant to their support through the use of a [Consent to Share Information](#) form.

This form describes:

- a) The Participants rights in relation to giving and withdrawing consent;
- b) What information will be collected (including media consent);
- c) How it will be collected;
- d) How information will be stored;
- e) With whom information can be shared as directed by the Participant or authorised representative;
- f) The limit or scope of information being shared; and
- g) Under which circumstances Beyond Barriers Australia is obliged to share information without consent to fulfil legal and other obligations.

Beyond Barriers Australia must have a completed [Consent to Share Information](#) form signed by Participants or their authorised representatives in order to share information with other stakeholders, service providers, or other third parties as stipulated in the form. If the [Consent to Share Information](#) form is not able to be signed for any reason, Participants and their authorised representatives can provide written or verbal consent, which can be recorded as such on the consent form.

The Participant or their authorised representative maintains the right to determine what information can be shared and with whom unless Beyond Barriers Australia are legally required to share information, in which case consent is not required. The [Consent to Share Information](#) form and [Participant Welcome Pack](#) clearly outlines the legal and other obligations that apply to Beyond Barriers Australia in relation to sharing information without consent (i.e., mandated reporting, raising concerns about risks of harm to Participant or others).

2.4 TYPES OF CONSENT

Consent to share information can be provided to Beyond Barriers Australia in the following ways:

- a) Written
- b) Verbal

- c) Via other modes of communication (Auslan, Communication Devices)

Beyond Barriers Australia will record this consent on the [Consent to Share Information](#) form. Beyond Barriers Australia will require additional consent to be provided when liaising with the National Disability Insurance Agency or other government bodies that require additional authorisation for communication.

2.5 RECORDS OF CONSENT

Signed Consent to Share Information forms are securely stored in Participants' digital files, in accordance with our [Storage of Information Policy](#). Consent remains valid for 12 months and is monitored through regular audits to ensure timely review.

Participants or their authorised representatives may change or withdraw consent at any time by notifying Beyond Barriers Australia. Consent also ceases upon termination of services, as outlined in the Entry and Exit Policy.

2.6 INFORMATION RELEVANCE

Beyond Barriers Australia will only collect and record information relevant to service delivery. This ensures support is delivered in a person-centred way that upholds Participants rights to privacy and dignity.

Generally, relevant information will include:

- a) Identifying details;
- b) Relevant history;
- c) Relevant reports and assessments;
- d) NDIS information and NDIS plans;
- e) Living arrangements;
- f) Personal preferences relevant to service delivery;
- g) Cultural considerations; and
- h) Interests.

Beyond Barriers Australia may need to collect video or audio recordings of a Participant to support aspects of service delivery. Such information may be requested by treating professionals for purposes including:

- a) Repairs to equipment;
- b) Requests for assistive technology;
- c) Assessments of risks;
- d) Health and medical documentation.

3 DISTRIBUTION AND SHARING OF INFORMATION

3.1 DISTRIBUTION AND SHARING OF INFORMATION

Beyond Barriers Australia will only share information that is necessary for service delivery. Participant information may be shared when:

- a) The Participant wants to engage with a new provider or service;
- b) Beyond Barriers Australia must discuss Participant care with other providers (with consent);
- c) Beyond Barriers Australia must liaise with the National Disability Insurance Scheme and Local Area Partners;
- d) Beyond Barriers Australia must fulfil a legal requirement (emergency services, mandatory reporting).

Participants can indicate on the [Consent To Share Information](#) form the extent of information they wish Beyond Barriers Australia to share with others. However, certain personal identifying details are essential for service providers to engage with a Participant. If consent to share these details is not provided, Beyond Barriers Australia may be unable to deliver support effectively. These details include:

- a) Name;
- b) Date of Birth;
- c) NDIS Number;
- d) Phone Number/Email Address;
- e) Address;
- f) Fund management details.

It is the Participant's choice, or that of their representative, to discuss their information sharing preferences with Beyond Barriers Australia. Participants or representatives may request that certain details are not shared outside the organisation, including:

- a) Full copies of NDIS plans (including all total funding amounts);
- b) Contact details of relatives or other individuals;
- c) Other providers within care teams.

3.2 LEGAL OBLIGATIONS

Beyond Barriers Australia staff are mandated reporters and are legally obligated to share information if they reasonably suspect that an individual may be at risk of harm. If a Participant's situation poses a risk to Beyond Barriers Australia employees, the organisation may be required to lodge an internal or external report to ensure the safety of all parties. This may include non-consensual information sharing and potential use of the [Non-Consensual Sharing information Form](#).

There may also be circumstances in which a Participant with decision-making rights and Beyond Barriers Australia agree to withhold information from selected parties, such as family members or friends. If concerns arise regarding information sharing within a Participant's informal support network, Beyond Barriers Australia will discuss this with the Participant.

3.3 BREACHES OF PRIVACY AND CONFIDENTIALITY

In the event of a data breach, including accidentally, Beyond Barriers Australia will take immediate action to contain the breach, assess the impact, and notify affected individuals as soon as possible. Beyond Barriers Australia will investigate the cause of the breach, implement measures to prevent future occurrences, and comply with all relevant legal and regulatory obligations, including reporting to the Office of the Australian Information Commissioner (OAIC) if required.

3.4 DE-IDENTIFYING INFORMATION

Beyond Barriers Australia staff omit identifying information when making enquiries on behalf of Participants until the Participant consents to this sharing of their information. Identifying details will not be shared with external providers or organisations unless explicitly authorised by the Participant, either verbally or in writing.

3.5 USE OF ARTIFICIAL INTELLIGENCE (AI)

Beyond Barriers Australia may use commercially available artificial intelligence (AI) products. Where AI tools are used, practices will align with Australia's AI Ethics Principles, with a focus on human wellbeing, fairness, transparency and accountability.

Tools and software will be selected with strong security standards to ensure compliance with information management and privacy requirements. Participant identifying information will not be entered into any AI system, including note taking or transcription tools. Any data input into AI tools and any related outputs (such as transcripts or summaries), will be handled in accordance with the [Privacy Act](#). Information will be

de-identified before being entered into AI systems (e.g. using initials instead of full names), AI will mostly be used to refine emails or sentences used in reporting. AI will not be used to seek any information or clarification relating to a Participant's care or supports.

Authorisation from the Director, or their delegate, is required before any information is input into AI.

4 STORAGE AND DESTRUCTION OF INFORMATION

4.1 STORAGE AND SECURITY

Beyond Barriers Australia is committed to upholding the privacy and confidentiality of all personal information in line with legal, ethical, and NDIS requirements. Information is securely stored using digital systems, and where necessary, limited physical storage. Digital records are held in secure, access-controlled platforms, and physical documents are stored temporarily in locked cabinets with restricted access.

To protect individual privacy, participant files are labelled using initials wherever appropriate. Detailed procedures regarding our filing systems, digital platforms (including Splose and Google Drive), document handling, security measures, and retention obligations are outlined in the [Storage of Information Policy](#).

4.2 DESTRUCTION

Private and confidential information is securely destroyed when no longer required or after service cessation. Physical documents are shredded, and digital records are archived or permanently deleted after the legally mandated retention period (typically 7 years).

All destruction processes align with Beyond Barriers Australia's commitment to maintaining privacy and confidentiality and are carried out in accordance with the [Storage of Information Policy](#).

4.3 STAFF TRAINING

All staff receive training during induction on Beyond Barriers Australia's procedures for the secure storage, handling, and destruction of personal information. This includes instruction on how to maintain privacy and confidentiality in line with organisational policy, legal obligations, and best practices.

Ongoing training and supervision ensure that staff understand their responsibilities and uphold Beyond Barriers Australia's standards of information security.

5 PARTICIPANT RIGHTS

5.1 RIGHTS TO PRIVACY AND CONFIDENTIALITY

Beyond Barriers Australia acknowledges Participants' rights to privacy and confidentiality as paramount in all work. Participants reserved the right to withdraw or change consent, request a copy of Beyond Barriers Australia's Privacy and Confidentiality policy and make complaints to Beyond Barriers Australia in regards to suspected breaches of confidentiality or privacy.

Participants have the right to raise a complaint or provide feedback to Beyond Barriers Australia. If the Participant requests to make a complaint or provide feedback; Beyond Barriers Australia will provide the Participant with the [Feedback and Complaints Form](#) as outlined in the [Feedback and Complaints Policy](#). If the Participant or their authorised representative would like to escalate their complaint to the NDIS Quality and Safeguards Commission or relevant professional bodies; Beyond Barriers Australia will support and respect the right of the Participant to do so. Information on how Participants can lodge a complaint with the NDIS Quality and Safeguards Commission is provided to the Participant upon engagement of services, and can be re-issued at their request at any time during the provision of services.

5.2 PARTICIPANT ENTITLEMENTS

Participants must be advised of the relevant confidentiality and privacy policies and procedures in the language, mode of communication and terms that the participant is most likely to understand.

Participants are provided with easy-to-read information regarding privacy and confidentiality in the [Participant Welcome Pack](#). Participants will be informed about the type of personal information collected, why that information is collected and stored, the methods for collection, use and disclosure, and who will have access to the information.

5.3 CHANGING OR WITHDRAWING CONSENT

A Participant may request to make changes or withdraw consent given to Beyond Barriers Australia at any time by providing verbal or written notice to Beyond Barriers Australia.

5.4 REQUEST TO ACCESS INFORMATION

Participants maintain the right to request records of work completed resulting in a charge to the plan. Beyond Barriers Australia maintains the right to withhold information that may cause harm/is detrimental to the Participant, relates to another person or Participant, or would intervene with legal obligations and/or proceedings.

Participants can request information in writing to Beyond Barriers Australia. Where it is appropriate to provide records, Beyond Barriers Australia will do so within 30 days from the date of request acknowledgement.

6 ENTITY RESPONSIBILITIES

6.1 RESPONSIBILITIES OF BEYOND BARRIERS AUSTRALIA

- a) Beyond Barriers Australia is committed to ensuring that Participants understand their rights, including how their personal information is collected, stored, and shared, as outlined in this Privacy and Confidentiality Policy.
- b) Beyond Barriers Australia is responsible for providing information about Participant rights and procedures in relation to information collection, storage and sharing at the engagement of services and if requested at a later time.
- c) Beyond Barriers Australia is responsible for ensuring that all employees comply with the procedures set out in this policy.

6.2 SUMMARY OF COMMITMENTS

- a) Beyond Barriers Australia will ensure that every Participant understands and agrees to the type of personal information collected, the general content of that information, and the reasons for its collection, storage, and use.
- b) Personal information will only be collected and stored if it is necessary for the operation of the organisation and its services, and it must be provided voluntarily by the Participant or their authorised representative.
- c) If there are reasonable grounds to believe that a participant does not fully understand their rights related to privacy and confidentiality, Beyond Barriers Australia will encourage and support the Participant to have an advocate or support person present during initial meetings to help them understand these rights.
- d) Beyond Barriers Australia will ensure that any personal information collected or disclosed is accurate, complete, and up to date. Participants have the right to access their personal information, in both hardcopy and digital formats, and to request corrections if any information is inaccurate.
- e) Only employees of Beyond Barriers Australia will have access to personal information and are responsible for ensuring it is managed appropriately. This includes any personal information included in Beyond Barriers Australia's communications and publications.

Beyond Barriers Australia must ensure the following:

- a) Appropriate consent is obtained from the Participant and/or their authorised representative before recording any personal information about an individual.
- b) All information collected from or shared with external agencies and stakeholders complies with Beyond Barriers Australia's privacy and confidentiality policy.
- c) Participants, their authorised representatives, and other key stakeholders are provided with clear information about their rights in relation to privacy and confidentiality.
- d) Any queries or complaints regarding privacy concerns or breaches are managed promptly and appropriately.

7 APPENDIX

RELATED DOCUMENTS

[Consent to Share Information Form](#)

[Service Agreement](#)

[Non-Consensual Sharing Information Form](#)

[Participant Welcome Pack](#)

[Feedback and Complaints Form](#)

[Participant Support Plan](#)

[Privacy Act](#)

[Feedback and Complaint Policy](#)

[Entry and Exit Policy](#)

[Human Resources Policy](#)

VERSION AND UPDATE HISTORY

Version	Date Approved	Nature of Changes	Approved By	Date of Review
V2	09/09/2025	Updated in accordance with practice standards.	Tiffany Kelly	09/09/2026