



# Privacy and Confidentiality Policy

*For Soaring Sparrows Pty Ltd*

## 1. Document Control

- **Policy Title:** Privacy and Confidentiality
  - **Date Policy Developed:** 13 October 2025
  - **Review Date:** 15 October 2026
  - **Version:** 2.0
  - **Policy Owner:** Director, Soaring Sparrows Pty Ltd
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## 2. Purpose

This policy explains how Soaring Sparrows Pty Ltd protects the privacy and confidentiality of all participants, staff, and stakeholder information. It ensures that personal and sensitive information is collected, stored, used, and shared in line with legal, ethical, and professional standards.

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## 3. Scope

This policy applies to all employees, contractors, and representatives of Soaring Sparrows Pty Ltd involved in the collection, storage, use, or sharing of participant information.

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## 4. What Information is Collected

We collect and store personal and sensitive information relevant to the delivery of services, including but not limited to:

- Personal details (e.g., full name, date of birth, NDIS number, contact details)
- Health and medical information
- Support needs, goals, and plans
- Case notes, reports, and communication records

- Consent forms and service agreements
  - Photographs, videos, or images (only with consent – see Section 6)
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## **5. Why Information is Collected and Shared**

Information is collected and shared:

- To identify you
  - To deliver safe, effective, person-centred supports
  - To meet NDIS compliance and legal record-keeping obligations
  - To coordinate services and advocate for participant needs
  - To respond to incidents, risks, or emergencies
  - To comply with lawful requests (e.g., subpoenas, safeguarding requirements)
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## **6. How Information is Collected, Stored, and Shared**

**Collection:**

- Direct communications with participants and their representatives
- Written documents, forms, and assessments
- Communication with providers or services (with consent)

**Storage:**

- Secure, password-protected cloud-based systems
- Encrypted electronic records with restricted access
- Paper-based records (if used) in locked storage or secure transit cases

**Sharing:**

- Verbally, in writing, or electronically (email, phone, shared systems)
  - Only with consent or as required by law or duty of care
  - Only with authorised individuals or agencies
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## **7. Use of Images and Media**

### **1. Images for Advertising or Marketing**

- Participant images or videos will never be used in advertising, promotional, or social media materials without informed, written consent.
- Consent must specify how and where the image will be used.
- Participants may withdraw consent at any time without it affecting their supports.

## 2. Images for Service Delivery (e.g., Assistive Technology or Assessments)

- Photos or videos may be used to support assessments or funding applications.
- These will only be taken and shared with written consent from the participant (or their decision-maker).
- Images are only shared with the relevant provider and not used for any other purpose.

## 3. Images Not Containing Participants

- Images that do not include participants (e.g., wheelchair repairs, home modifications, broken equipment) may be shared with providers without participant consent.
- These images are still treated as confidential and only used for service delivery.

All media files are stored securely in participant records and never kept on personal devices.

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## 8. Use of Digital Dictation Tools (e.g. Microsoft Teams)

Soaring Sparrows practitioners may use secure digital tools such as Microsoft Teams dictation to help create accurate case notes after meetings or support sessions.

These tools convert spoken words into written text but **do not record or store any audio**. The text is used only to prepare or finalise case notes relating to supports provided.

Before using dictation during a conversation, practitioners will:

- Explain that the tool listens to both voices to generate written notes.
- Confirm that **no audio is recorded or saved**.
- Ask for the participant's **verbal consent** before using the tool.

Participants have the right to **say no** to the use of dictation at any time. If consent is not given, the practitioner will take manual written notes instead.

All written case notes created through dictation are handled in line with Soaring Sparrows' **Privacy and Record Management procedures**, ensuring confidentiality, accuracy, and secure storage.

See Appendix for more information

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## **9. Participant Consent**

Participants (or their appointed decision-maker) will:

- Be informed about what information is collected and why
- Provide written consent before their information or images are shared externally
- Have the right to withdraw or limit consent at any time (unless sharing is legally required)

Consent is documented through:

- Signed Service Agreements
  - Consent to Share Information Forms
  - Case notes recording verbal consent (if appropriate)
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## **10. Limits to Confidentiality**

Information may be shared without consent if:

- Required by law (e.g., court order, subpoena)
- Necessary to prevent or respond to a serious threat to life, health, or safety
- Required under child protection or safeguarding laws
- Permitted under South Australia's Information Sharing Guidelines (ISG)

Where appropriate and safe, participants will be informed if information is shared without consent.

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## **11. Responsibilities**

### **All Staff**

- Protect participant information and maintain confidentiality
- Seek and document consent before sharing information or images
- Report suspected or actual breaches of privacy immediately

#### **Team Leaders**

- Ensure staff comply with this policy
- Provide guidance and training on privacy and confidentiality

#### **Director**

- Ensure compliance with privacy laws and NDIS requirements
- Oversee responses to breaches of privacy or confidentiality

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### **12. Review**

This policy will be reviewed annually or sooner if required by changes to legislation, NDIS requirements, or organisational practice.

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### **13. Related Legislation**

- Privacy Act 1988 (Cth)
- Australian Privacy Principles (APPs)
- NDIS Act 2013
- NDIS Practice Standards (Core Module – Rights & Responsibilities, Governance & Operational Management)
- South Australia Information Sharing Guidelines (ISG)

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### **14. Other Relevant Documents**

- Information Sharing and Storage Policy
- Complaints and Feedback Policy
- Incident Management Policy
- Code of Conduct
- Consent Form

## 15. NDIS Practice Standards Covered

This policy supports compliance with the following **NDIS Practice Standards**:

### Core Module – Rights and Responsibilities

- **1.1:** The organisation supports participants to exercise choice and control.
- **1.2:** Participants are informed of their rights, including privacy and confidentiality.
- **1.3:** Participants are informed about how their personal information is collected, used, and shared.
- **1.5:** Organisations take all reasonable steps to protect participant information.

### Core Module – Governance and Operational Management

- **2.1:** Information management systems are secure and support accurate record-keeping.
- **2.3:** Policies and procedures reflect legal, ethical, and professional standards, including privacy requirements.
- **2.5:** Staff are trained and supported to follow privacy and confidentiality policies.

### Additional Relevant Standards

- **Participant Records and Documentation:** Case notes, reports, and digital records are managed to ensure accuracy, confidentiality, and accessibility.
- **Use of Technology in Service Delivery:** Digital tools such as Teams dictation are used in a way that maintains privacy, confidentiality, and participant consent.

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## 16. Approval

Approved By: Kathryn Soar

Position: Managing Director, Soaring Sparrows Pty Ltd

Date: 13/10/2025

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## Appendix: Use of Digital Dictation Tools (e.g. Microsoft Teams) Procedure

### Purpose

To ensure practitioners use Microsoft Teams dictation and similar tools responsibly and in line with privacy, confidentiality, and NDIS Practice Standards when creating case notes.

### Scope

This procedure applies to all Soaring Sparrows staff and contractors who use Microsoft Teams or similar tools to assist with case note creation or documentation.

### Responsibilities

- **Practitioners** are responsible for obtaining verbal consent before using Teams dictation and for ensuring no audio recordings are stored.
- **Supervisors** are responsible for monitoring compliance with this procedure and providing training as needed.
- **The Director** ensures policies and systems support secure information handling and participant privacy.

### Procedure

#### 1. Before Using Dictation

1. Explain to the participant that you would like to use Microsoft Teams dictation to help write accurate case notes.
2. Clarify that Teams dictation:
  - Processes spoken words into written notes.
  - Does **not** record or store any audio or video.
3. Ask for verbal consent by saying:

"Is it okay if I use Microsoft Teams dictation to help me write notes? It listens to what we say but does not record or save any audio."

4. If the participant agrees, proceed.
5. If the participant declines, take written notes manually.

## **2. During the Conversation**

- Use Teams dictation responsibly and only for relevant case note content.
- Avoid discussing unrelated personal information while dictation is active.
- Stop dictation if the participant withdraws consent.

## **3. After the Session**

- Review and edit the generated notes to ensure accuracy and professionalism.
- Store the final case note securely in the participant's record management system.
- Delete any temporary text files created during dictation (if applicable).
- Do **not** save or share dictation outputs outside approved systems.

## **4. Recording Consent in Case Notes**

Document the consent in your case note, for example:

“Participant gave verbal consent to use Microsoft Teams dictation (no audio recording) to support accurate note-taking.”

If consent was not given:

“Participant declined Teams dictation; notes completed manually.”

## **5. Confidentiality and Data Security**

- Treat all dictated notes as confidential information.
- Follow Soaring Sparrows' Privacy and Record Management Procedures.
- Report any privacy breaches or technical concerns to the Director immediately.