

Enquiries and Support

For all enquiries and / or support with any of our products and services you can contact us between 9am and 5pm (South Australian time): **A:** 11B MAB Eastern Promenade, Tonsley SA, 5042 **P:** (08) 7120 6002 **F:** (08) 8312 6024 **E:** office@linkassistive.com. Information on our products and services is also available at www.linkassistive.com.

Privacy and Confidentiality

We protect and handle personal information in accordance with the NDIS and relevant privacy legislation. We acknowledge an individual's right to privacy while recognising that personal information is required to be collected, maintained and administered in order to provide a safe working environment and a high standard of quality. The information we collect is used to provide services to customers/participants in a safe and healthy environment with individual requirements, to meet duty of care obligations, to initiate appropriate referrals, and to conduct business activities to support those services.

Applicability

- applies to all personal information and sensitive personal information including the personal information of employees and customers/participants
- applies to all company confidential information - that is any information not publicly available
- applies to all representatives including key management personnel, directors, full time workers, part time workers, casual workers, contractors and volunteers.

Definitions

- **data breach:** A data breach is type of security incident where personal, sensitive or confidential information normally protected, is deliberately or mistakenly copied, sent, viewed, stolen or used by an unauthorised person or parties. A data breach where people are at risk of serious harm as a result, is reportable to the Office of the Australian Information Commissioner - www.oaic.gov.au/
- **personal information:** Personal information includes (regardless of its accuracy):
 - name
 - address
 - phone number
 - email address
 - date of birth
 - recorded opinions or notes about someone
 - any other information that can be used to identify someone
- **sensitive personal information:** Sensitive personal information can include personal information that is normally private such as:
 - health information
 - ethnicity
 - political opinions
 - membership of a political association, professional or trade association or trade union
 - religious beliefs or affiliations
 - philosophical beliefs
 - sexuality
 - criminal record
 - biometric information (such as finger prints).

Privacy and confidentiality guidelines

- we are committed to complying with the privacy requirements of the Privacy Act, the Australian Privacy Principles and for Privacy Amendment (Notifiable Data Breaches) as required by organisations providing disability services
- we are fully committed to complying with the consent requirements of the NDIS Quality and Safeguarding Framework and relevant state or territory requirements

- we provide all individuals with access to information about the privacy of their personal information
- each individual has the right to opt out of consenting to and providing their personal details if they wish
- individuals have the right to request access to their personal records by requesting this with their contact person
- where we are required to report to government funding bodies, information provided is non-identifiable and related to services and support hours provided, age, disability, language, and nationality
- personal information will only be used by us and will not be shared outside the organisation without your permission unless required by law (e.g. reporting assault, abuse, neglect, or where a court order is issued)
- images or video footage of customers/participants will not be used without their consent
- customers/participants have the option of being involved in external NDIS audits if they wish.

Security of information

- we take reasonable steps to protect the personal information we hold against misuse, interference, loss, unauthorised access, modification and disclosure.
- personal information is accessible to the customer/participant and is able for use by relevant workers
- security for personal information includes password protection for IT systems, locked filing cabinets and physical access restrictions with only authorised personnel permitted access
- personal information no longer required is securely destroyed or de-identified.

Data breaches

- we will take reasonable steps to reduce the likelihood of a data breach occurring including storing personal information securely and accessible only by relevant workers
- if we know or suspect your personal information has been accessed by unauthorised parties, and we think this could cause you harm, we will take reasonable steps to reduce the chance of harm and advise you of the breach, and if necessary the Office of the Australian Information Commissioner.

Breach of privacy and confidentiality

- a breach of privacy and confidentiality is an incident—we will follow the 'Manage incident process' to resolve
- a breach of privacy and confidentiality may require an investigation
- an intentional breach of privacy and confidentiality will result in disciplinary action up to and including termination of employment.

Related Documents:

- NDIS (Provider Registration and Practice Standards) Rules 2018
- NDIS (Quality Indicators) Guidelines 2018

Customer/ Participant Rights

All services and supports are provided in a safe, flexible and respectful environment for workers and customers/participants free from all forms of bullying, harassment and discrimination. All representatives are required to treat others, including other workers and customers/participants, with dignity, courtesy and respect. We aim to support and promote an inclusive environment that recognises, respects and values the individual differences of all people engaged with our services including customers/participants and workers. These individual differences can include:

- gender
- age
- language
- ethnicity
- cultural background
- disability
- sexual orientation
- religious beliefs

- family responsibilities.

When supporting customers/participants, being culturally responsive is an important part of providing person-centred supports. Person centredness means the supports are “person focused” rather than “service focused” and culturally responsive means we are able to interpret, define and respond to the individual cultural needs of each customer/participant.

Applicability

- applies to all areas of the business at all times.
- applies to all representatives including key management personnel, directors, full time workers, part time workers, casual workers, contractors and volunteers.
- applies at all times including when we provide services to customers/participants and when we interact with members of the public
- applies on-site, off-site or after-hours work; during work-related social functions and conferences—wherever and whenever workers may be as a result of their duties.

Definitions

- **CALD:** Culturally and linguistically diverse—people from CALD backgrounds speak a language other than English, they may practice cultural activities and have specific spiritual needs.
- **interpreting service:** While registered NDIS providers can use any interpreting service, interpreting services through TIS National can be billed to the NDIA.

Promoting Diversity and Inclusion

We promote diversity and inclusion by:

- fostering an inclusive environment respectful of all cultural backgrounds and beliefs
- consulting customers/participants, carers, family members, community groups, and other organisations on the needs of individual customers/participants
- supporting and encouraging each customer/participant to be part of the community
- ensuring customers/participants have access to the same facilities and services as the rest of the community
- supporting customers/participants with opportunities to socialise and build enduring relationships within their local communities
- providing supports and services in a way that is culturally responsive.

Supporting Customers/Participants from CALD Backgrounds

When providing services to customers/participants from CALD backgrounds, we will:

- where possible, recruit/match workers with the same background as the customer/participant
- ensure all workers supporting the customer/participant are trained in or are aware of how to provide services in a culturally sensitive way

Discrimination

- discrimination is treating, or proposing to treat, someone unfavourably because of a personal characteristic protected by the law, such as sex, age, race or disability
- discrimination can occur:
 - o directly: When a person or group is treated less favourably than another person or group in a similar situation because of a personal characteristic protected by law (see list below).
 - o Indirectly: When an unreasonable requirement, condition or practice is imposed that has, or is likely to have, the effect of disadvantaging people with a personal characteristic protected by law (see list below).
- protected personal characteristics under Commonwealth discrimination law include:
 - o a disability, disease or injury, including work-related injury
 - o parental status or status as a carer, for example, because they are responsible for caring for children or other family members

- o race, colour, descent, national origin, or ethnic background
- o age, whether young or old, or because of age in general
- o gender
- o industrial activity, including being a member of an industrial organisation like a trade union or taking part in industrial activity, or deciding not to join a union
- o religion
- o pregnancy and breastfeeding
- o sexual orientation, intersex status or gender identity, including heterosexual, gay, lesbian, bisexual, transsexual, transgender, queer or questioning
- o marital status, whether married, divorced, unmarried or in a de facto relationship or same sex relationship
- o political opinion
- o social origin
- o medical record
- o an association with someone who has, or is assumed to have, one of these characteristics, such as being the parent of a child with a disability

Preventing bullying harassment and discrimination

- ensuring customers/participants have the right to raise issues or make an enquiry or complaint in a reasonable and respectful manner without being victimised
- treating everyone with dignity, courtesy and respect
- referring formal complaints to key personnel for investigation

Unacceptable conduct

Discrimination, bullying and sexual harassment are unacceptable and unlawful under the following legislation:

- Sex Discrimination Act 1984 (Cth)
- Racial Discrimination Act 1975 (Cth)
- Disability Discrimination Act 1992 (Cth)
- Age Discrimination Act 2004 (Cth)
- Australian Human Rights Commission Act 1986 (Cth)

Related Documents:

- Link Assistive Diversity and Inclusion Policy
- Link Assistive Bullying harassment and discrimination policy
- NDIS (Quality Indicators) Guidelines 2018
- Racial Discrimination Act 1975
- Age Discrimination Act 2004
- Australian Human Rights Commission Act 1986
- Disability Discrimination Act 1992
- Sex Discrimination Act 1984

Feedback and Complaints

Introduction

This policy is about complaints made to a provider, not complaints about the NDIS. All complaints are taken seriously, all people treated fairly, and all corrective actions completed in a timely manner.

Definitions

A *complaint* is an expression of dissatisfaction with the provision of a service, including how a previous complaint was handled, for which a response or resolution is expected.

Applicability

- applies when customers/participants want to submit feedback or make a complaint
- applies to all feedback and complaints received regardless of the source.
- applies to all representatives including key management personnel, directors, full time workers, part time workers, casual workers, contractors and volunteers.

Our commitment

We are committed to complaint handling. We will:

- implement and maintain a complaint management system
- make sure people can easily make a complaint
- deal with all complaints fairly and quickly
- have information available on how to:

- submit a complaint
- submit a complaint to the Commissioner
- keep records on all complaints received.

Who can make a complaint?

Anyone can make a complaint including:

- a customer/participant
- a customer/participant's family or guardian
- a customer/participant's financial manager
- an advocate
- an employee
- a community visitor
- a professional
- a member of the public.

Complaints can be made:

- in person
- by email: sunny@linkassistive.com
- in writing: send letter attention to Sunny Prosser. 11B MAB Eastern Promenade, Tonsley SA 5042
- by phone: 08 7120 6002

To make a complaint to the NDIS Commissioner:

- Go to: www.ndiscommission.gov.au/about/complaints

Complaints help us:

- identify problems
- improve services
- provide better outcomes to customers/participants.

Complaints can be made about any part of the quality or delivery of our services such as if there is dissatisfaction:

- with the way services are provided
- with decisions we have made
- about the conduct of our employees
- about personal information not kept private.

Complaints can be made anonymously. Complaints can be made to us or directly to the Commissioner.

Complaint monitoring

- all complaints will be monitored using a complaint register
- the complaint register will include up-to-date progress of each complaint and whether it is currently open or closed (resolved)

- if there is any doubt about the end resolution of a complaint, we will seek feedback from the person who made the complaint
- regular reports from the complaint register will be provided to key management personnel for review.

Complaint records and review

Accurate information of complaints received including decisions made, actions taken and eventual outcomes will be recorded and kept for 7 years from the date of the complaint which allows us to:

- enable reviews of any complaints received
- assist in identifying any systemic issues raised
- allow a response to the Commissioner, if required
- be stored securely and accessible only by the people handling complaints.

Complaint referrals

Complaints to the Commissioner may be referred to other agencies or bodies if needed including:

- non-compliance with the NDIS code of conduct
- inappropriate or unauthorised use of restrictive practice
- employee screening issues e.g. if an employee of the provider was found to have a criminal history
- incidents relevant to other bodies (police, consumer affairs agencies or other regulatory bodies).

Our complaints system

Our complaints system is documented and information on how to make a complaint is available to customers/participants, their families, guardians or advocates in a way that is culturally appropriate.

We work to ensure customers/participants:

- are aware of their right to make a complaint
- feel empowered to make a complaint
- are supported to make a complaint
- are involved in the resolution process after making a complaint
- know they won't be adversely affected as a result of making a complaint.

Related Documents:

National Disability Insurance Scheme Act 2013
NDIS (Complaints Management and Resolution) Rules 2018
NDIS Terms of Business