TELE-PRACTICE, VIDEO AND PHOTOGRAPHY CONSENT POLICY

Policy number		Version	1
Drafted by	Management Team	Approved by MC on	17/04/2023
Responsible person	Management Team	Review date	April 2026

Policy context: This policy relates to the following:	
Legislation / Standards or other external requirements	▪ National Disability Insurance Scheme Standards, Rules, Policies and Guidelines 2018 ▪ NDIS Code of Conduct National Disability Insurance Scheme Act 2013 ▪ Privacy and Personal Information Protection Act 1998 ▪ Health Records and Information Privacy Act 2002 ▪ Commonwealth Privacy Act 1988. ▪ Information exchange provisions under Chapter 16A of the *Children and Young Persons (Care and Protection) Act 1998* - Freedom Of Information Act 1982
Contractual obligations	▪ Client Service Agreements and Schedule of Supports ▪ NDIS Service Registered Service Provider obligations

POLICY INTRODUCTION

This policy aims to

- ensure that the personal information, privacy and rights of all client families, carers, and significant others of Early Connections – Coffs Coast Inc. (EC-CC) are protected appropriately.
- Inform all client families of the IT systems, programs and procedures used by EC-CC that require consent.
- Inform client families of how EC-CC will protect client family's information, including data, files, video, photographs that is used within the Early Childhood Approach (ECA).
- This policy applies to all clients and client families who receive supports and services from Early Connections – Coffs Coast Inc., and their nominated advocates and carers.

EC-CC will provide Early Childhood Approach (ECA) supports and services via a variety of delivery methods including tele-practice. Tele-practice refers to the use of technology to deliver ECI services and supports remotely via technology. Methods of delivering tele-practice may include, but are not limited to, email, telephone, videoconferencing and/or pre-recorded materials. Using tele-practice, EC-CC Key Workers and Therapists can deliver supports and services that met the family's needs in the child's natural environment, such as the family's home. Using tele-health means that electronic files including videos, photos and client files may be stored and shared with other professionals who are part of each child's team. The use of technology and file sharing within ECA programs is a work strategy that improves collaboration.

Current best practice research shows that there are numerous benefits tele-practice can provide for children and families who are receiving the ECA including –

- Reduced travel and transport stress
- Improved connections for families who live in remote areas
- Less sibling stress and more comfortable families receiving supports and services in their own environments their own environments
- Reduced cancellations as appointments can still proceed if children are unwell
- Consistency of the engagement
- Integrates into the daily life routines of the child and family, allowing work that is family-centred
- Flexible service delivery
- Builds family capacity through coaching which leads to improved outcomes for the child and family
- Allows for professional collaboration with other specialists in the *team around the child,* who do not typically attend home visits, to pop-in to sessions when and where needed, or view video recorded during the session
- Reduced costs incurred by families, which could include travel costs

POLICY

EC-CC is committed to protecting and upholding the rights of our clients to privacy in the way we collect, store and use information about them, their needs and the services we provide to them. Early Connections - Coffs Coast Inc. must comply with the same privacy requirements applicable to the NDIS Commission for Quality and Safeguards, the Privacy Act 1988 and the Privacy Amendment (Enhancing Privacy Protection) Act 2012. EC-CC will follow the guidelines of the Australian Privacy Principles in its information management practices. EC-CC will ensure that:

- Our systems protect client family's information - including data, files, video, photographs
- Our systems ensure we meet our legal and ethical obligations as a service provider in relation to protecting the privacy of clients while using electronic systems and data files.
- Our clients are provided with information about their rights regarding privacy.
- Our clients are provided with privacy when they are being interviewed or discussing matters of a personal or sensitive nature.
- Our staff understand what is required to ensure privacy when using telepractice systems and using or storing electronic data files.

PROCEDURE

Management responsibilities -

1. To ensure EC-CC protects client family electronic data we have the following IT security and safeguards in place –
   - ✓ 2 factor authentication on CRM
   - ✓ IT Enterprise Mobility Security system which ensures -
   - ✓ Secure access to Early Connection Cloud Applications and Data

- ✓ Monitor and control what users can use and access on EC-CC's computer hardware
- ✓ Control who has access to data when not on an EC-CC controlled computer
- ✓ Controlling access to all programs and data from a single checkpoint. Includes non-Microsoft applications including CRM.
- ✓ Policy management for data shared within SharePoint, OneDrive, and Teams.
- ✓ Data encrypted cloud / portal storage

2. Management will regularly assess and review the suitability and effectiveness of privacy and security systems and procedure.
3. Management will work in partnership with the IT provider to ensure systems are maintained, monitored, and managed effectively.
4. Consent for telepractice, video and photography will be discussed with all families during the Service Agreement meeting. A copy of the signed Consent form will be stored in each client family's file.

Team members responsibilities -

1. Team member will always gain consent from client families before recording any video. EC-CC will always gain consent from the family to record telepractice sessions. This ensures that the family is aware that recordings exist and that they can obtain copies of recordings, should they wish.
2. Client family consent will be requested every time a video recording is required.
3. When a telepractice session with client family is recorded it will be stored in Microsoft Teams client file.
4. All video and photographs will be deleted / destroyed after on request of the family or after the client family leaves EC-CC.
5. Team members will only share video with those listed on the Consent Form unless formal permission has been gained by the client family.
6. Only dedicated EC-CC devices / laptops may be used to conduct telepractice sessions. All EC-CC devices have high level web protection programs installed to ensure security firewalls are maintained against hackers.
7. Telepractice sessions will always be conducted in a secure physical environment, where others are prevented from seeing or hearing the session itself.

Client responsibilities -

1. Understand this policy and have an understanding of what it means to give consent within the NDIS.
2. Provide written consent on the consent form provided at enrolment.
3. Ensure that your consent is updated annually or at the renewal of the service agreement
4. Ensure that if consent is not provided this needs to be documented and recorded in the client file.
5. Clients are not permitted to video or audio record the consultation, unless your EC-CC Key Worker gives you permission to do so.

Privacy Breach - Accidental or unauthorised disclosure of personal information

As a Registered Service provider for the NDIS, Early Connections – Coffs Coast Inc. must comply with the same quality privacy standards as the NDIS Commission – Quality and Safeguards. The Organisation will take seriously and deal promptly with any accidental or unauthorised disclosure of personal information of stakeholders, client families, members and employees. Early Connections – Coffs Coast will use the same process for dealing with breaches of privacy as the NDIS Commission by following the OAIC's Data breach notification — A guide to handling personal information security breaches when handling accidental or unauthorised disclosures of personal information. Legislative or administrative sanctions, including criminal sanctions, may apply to unauthorised disclosures of personal information.

DOCUMENTATION

Documents related to this policy	
Related policies	▪ Child Protection Policy and Procedure - Allegations of abuse against an employee 2017 ▪ Child Protection Policy and Procedure ▪ Decision Making and Consent Policy ▪ Complaints Handling Policy and Procedure ▪ Interactions with Children Policy ▪ Delegation Policy and Procedures ▪ Risk Management Policy
Forms, record keeping or other organisational documents	▪ Enrolment Forms ▪ Service Agreement, Schedule of Supports, ▪ Consent Form ▪ Keeping Them Safe Documents ▪ Client and Staff Files

Reviewing and approving this policy		
Frequency	**Person responsible**	**Approval**
3 years	Managers and Management Committee	Management Committee

Policy review and version tracking			
Review	**Date Approved**	**Approved by**	**Next Review Due**
1	17/04/2023	Management Committee	April 2026

Approved by the Management Committee

Signed:

Name: Ian Braine

Date: 18/04/2023