

# Consent Policy and Procedure



## 1.0 Purpose

CareAbility must gain consent from participant or their representative before sharing any information with family, advocates, other providers and government bodies.

Children under the age of eighteen (18) will need consent from their family/advocate/guardian to share information with other providers and government bodies. It's the responsibility of all Staff to inform participants about their rights regarding the provision of consent.

## 2.0 Scope

All efforts should be made to obtain consent. When there are language or communication barriers, Staff will ensure that all reasonable efforts have been made to overcome these, using available communication skills and technology, interpreters, relatives/carers and friends.

Relatives may be consulted about the best ways to communicate or may be requested to assist with establishing the participant's values and preferences, if a participant is unable to express these themselves.

Initial consent will be undertaken during the participant's registration with the service. The prime responsibility for obtaining consent lies with the front-line worker who is to carry out the service. Consent can be sought by another individual if they have enough knowledge to provide the right information and answer the participant's questions correctly. Consent is equally valid whether it is expressed verbally, non-verbally (implied), or is written:

- Implied consent is adequate for most of the support provided by the organisation
- Oral consent is enough for most interventions provided by doctors and other health professionals, e.g. commencing a manual handling process or use of complex medical procedures. Oral consent should be recorded in the support plan with relevant details of the discussion, date and time of the entry, together with the name of the Staff member legibly written. Oral refusal of consent, for any intervention, must also be recorded in the support plan in the same manner
- Written consent should be gained for the use of an advocate, or to share information by the participant and the healthcare professional
- Taking a photograph requires written consent to be obtained from any participant whose photo is being taken

## 3.0 Policy

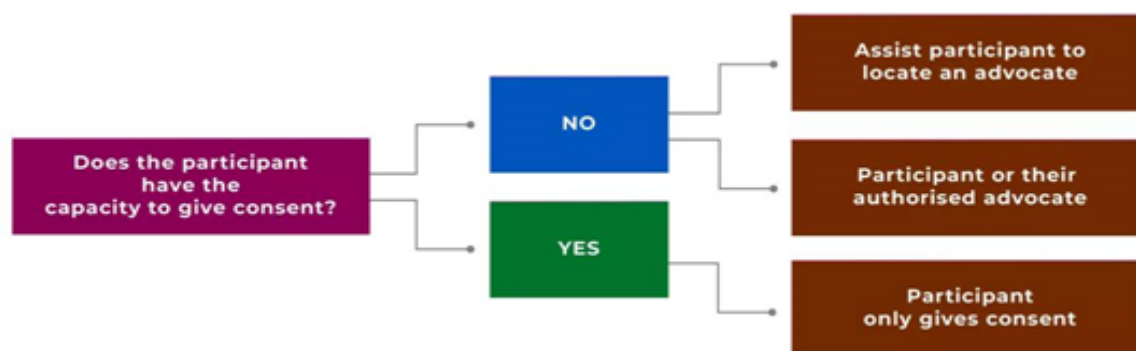
- CareAbility recognises the importance of maintaining the privacy and confidentiality of all participants; however, there are times when it is essential to share information with other parties, such as government bodies and other service providers
- CareAbility will not provide any information to a person or authority without the participant and/or the participant's representative's consent, unless the disclosure is a legal requirement
- CareAbility will inform all participants and/or the participant's representative, upon entry into the service, about their rights to privacy and confidentiality
- CareAbility will notify all participants and/or the participant's representative that they have the right choose if they wish to be involved in the external audit process

## 3.1 Guiding principles

# Consent Policy and Procedure



- Participants have the right to make decisions about things that affect their lives
- It is presumed that participants have the capacity to make their own decisions and provide consent when it is required unless there is evidence otherwise
- Participants and/or the participant's representative are supported to make informed decisions when their consent is required
- Consent is obtained from the participant and/or the participant's representative, or a legally appointed guardian, for life decisions such as accommodation, medical treatment, forensic procedures and behaviour support
- Consent for financial matters is obtained from the participant, or a legally appointed financial manager or the person appointed under a Power of Attorney
- Participants are supported to identify opportunities to make decisions about their own lives and to build confidence in their decision-making skills
- When a participant wants or needs support to make decisions, it is provided in ways preferred by the participant and/or the participant's representative and by a supporter of their choice
- Support with decision-making must respect the person's cultural, religious and other beliefs
- If a participant wants support from family and friends, this is encouraged and facilitated
- Support is provided in ways that uphold the participant's right to self-determination, privacy and freedom from abuse and neglect
- Decision-making and self-determination are not limited by the interests, beliefs or values of those providing the decision-making support
- The amount or type of support required by a participant to make decisions will depend on the specific decision or the situation
- Participants are supported to make decisions that affect their own lives, even if other people don't agree with them or regard the decisions as risky
- Participants are supported to access opportunities for meaningful participation and active inclusion in their community when they want this
- Information is provided in formats that everyone can understand and enables the participant and/or the participant's representative, their supporters and others, such as legally appointed guardians, to communicate effectively with each other



## 4.0 Procedure

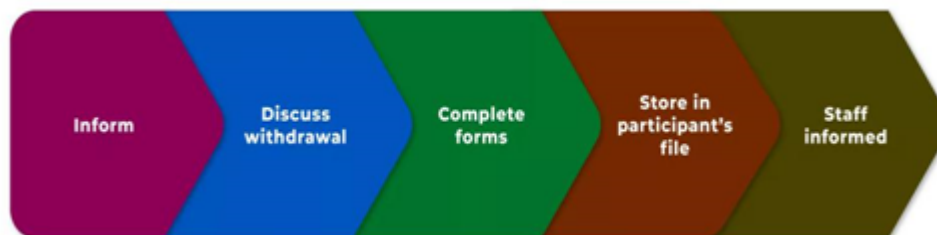
If a participant and/or their representative wishes to provide consent so another person or organisation can access their personal information, then the following procedure is to be undertaken:

1. The participant and/or the participant's representative is informed that written or verbal consent is required prior to sharing any of their personal information

# Consent Policy and Procedure



2. The participant and/or the participant's representative is advised that their consent can be withdrawn at any time
3. Information about the consent is communicated in a method that's relevant to the participant and/or the participant's representative
4. The participant and/or the participant's representative completes the statement within their Service Agreement
5. A signed copy of the Service Agreement is placed in participant's file
6. All relevant Staff are informed about the consent approval



## 5.0 Related documents

- Service Agreement

## 6.0 References

- Disability Services Act 1986 (Commonwealth)
- Disability Discrimination Act 1992 (Commonwealth)
- Privacy Act 1988 (Commonwealth)
- NDIS Practice Standards and Quality Indicators 2021