

## Consent Policy

Policy area	Information Management and Privacy
Document type	Policy
Applicable to	Compass Care Group Pty Ltd
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Related policies	Information Management Policy Privacy Policy Duty of Care Policy Client Health and Wellbeing Policy Safeguarding Against Violence, Abuse, Neglect, Exploitation and Discrimination Policy Client Advocacy Policy Support Planning Policy Service Access and Exit Policy Service Delivery Policy Transition of Care Between Different Environments Policy Client Living Alone and Receiving Personal Care from a Sole Worker Policy Incident Management Policy Risk Management Policy Medication Management Mealtime Management
Authority	NDIS Act 2013 NDIS Practice Standards and Quality Indicators NDIS Code of Conduct Aged Care Act 1997 Aged Care Quality and Safety Standards Aged Care Code of Conduct

### PURPOSE

The purpose of this policy is to explain our organisation’s commitment and approach to discussing, obtaining and documenting consents.

### SCOPE

This policy applies to all our workers (employees, contractors and volunteers).

### DEFINITIONS

Term	Definition
<b>Consent</b>	When someone gives permission, freely and voluntarily and with all required information, for an activity or intervention to take place which affects them.
<b>Dignity of Risk</b>	The right of a person to make their own informed choices, and live the way they want to live, even if there are risks involved.

## **CONTEXT**

Our organisation recognises that all individuals have the right to make decisions about things that affect their lives. We will:

- encourage and support the client to make informed and independent decisions where consent is required;
- discuss consent with the client in a way that is culturally safe and in a language, mode and method the client is most likely to understand;
- encourage and support the client to access opportunities for meaningful participation and active inclusion in their community;
- recognise the client's right to dignity of risk in informed decision-making;
- encourage client choice, control, self-determination and capacity-building in decision-making and consent, where possible; and
- implement processes to protect personal information and safeguard against violence, abuse, neglect and exploitation.

## **POLICY STATEMENT**

### **1. Discuss Consent**

- We will discuss with the client, seek their input and give them time to ask questions and review information to ensure they understand what consent means and what they are being asked to consent to.
- We will ensure the client understands they have a right to withdraw or change consent at any time.
- We will ensure the client is aware of the 'opt out' option if their information is requested for external audit purposes (e.g. NDIS Commission or Aged Care Quality and Safety Commission).
- We will not withdraw or deny support of client decision-making based on our own opinion about the decision or action the client is choosing (dignity of risk).

### **2. Obtain Consent**

- We will assume the client has capacity to make informed and independent decisions, unless there is reasonable evidence that this is not the case.
- We will not perform an activity or intervention that affects the client, or share their information with third parties, if we do not have the required consent from them to do so.
- We will obtain the client's informed consent where required for a personal care treatment, procedure or other intervention.

- We will obtain consent before using or publishing any media images (photo, video) of a client or worker.
- We will obtain written consent from the family/alternate decision-maker/advocate of a child who is under the age of 18 years old before performing an activity or intervention that affects the child, or sharing information to third parties.
- We will not disclose or share client or worker information to third parties without their written consent.
- We will support the client to engage an advocate of their choice, to speak on their behalf, if requested.
- If the client does not have intellectual or cognitive capacity to provide consent, we will identify and engage an appropriate advocate, who can provide consent on their behalf.

### **3. Information and Record-keeping**

- We will ensure information and records are accurate and up to date.
- We will ensure the client has provided us with all required written consents. If consent has not been obtained, we will record this clearly in the client file and ensure all workers are aware of this.
- We will store the information securely to ensure privacy, dignity and confidentiality and make sure it is accessible to the client and only other stakeholders authorised to access it.

### **4. Worker Training and Supervision**

- We will maintain a skilled and trained workforce which is aware of their responsibility to discuss with the client and obtain and document client written consents.
- We will maintain processes to adequately monitor and supervise workers.

## **SUPPORTING DOCUMENTS**

Related procedures and forms include:

- Privacy and Confidentiality Agreement
- Participant Information Consent Form
- Third Party Information Release Consent Form
- Privacy Statement
- Privacy Statement — Easy Read
- Data Breach Process Form
- Client Advocacy Procedure
- Risk Management Procedure
- Incident Management Procedure

- Reportable Incident Management Procedure
- Management of Data Breach Procedure
- Safeguarding Against Violence, Abuse, Neglect, Exploitation and Discrimination Procedure

## **RESPONSIBILITIES**

Community Services Manager is responsible for:

- maintaining this policy, its related procedures and associated documents;
- ensuring the policy is effectively implemented across the service;
- monitoring workers compliance with the requirements of this policy; and
- ensuring training and information is provided to workers to carry out this policy.

All workers are responsible for complying with the requirements of this policy.

## **COMPLIANCE**

Deliberate breaches of this policy will be dealt with under our misconduct provisions, as stated in the Code of Conduct Agreement.