

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
SOCIAL SERVICES PORTFOLIO
2015-16 Supplementary Estimates Hearings

Outcome Number: 5.1 Disability Mental Health and Carers Programme

Question No: SQ15-000836

Topic: Disability Employment Services Providers

Hansard page: Written

Senator Rachel Siewert asked:

1. Confidentiality documents and Disability Employment Services providers:
 - a. Are clients of a Disability Employment Services provider required to sign a confidentiality waiver from the Department of Employment?
 - b. Can a DES provider refuse to provide services to someone who doesn't complete the waiver?
 - c. Is the requirement for privacy/confidentiality document included in contracts with DES providers?

Answer:

1.a Disability Employment Services (DES) participants are not required to sign a confidentiality waiver from the Department of Employment. Participants who are referred to a DES provider by the Department of Human Services are, however, required to sign a DES Privacy Consent Form. The purpose of the form is to inform participants about the specific government and non-government organisations the DES provider may be required to share their information with, and to gain job seeker's written consent to do so. Participants who directly register with a DES provider must complete and sign the DES Direct Registration Form which contains, the same privacy information set out in the DES Privacy Consent Form.

b. A DES provider cannot refuse to provide services to a participant who has not signed the DES Privacy Consent Form. Where a participant has not signed, a DES provider cannot share information with organisations listed in the DES Privacy Consent Form unless required to under legislation. Where a participant has not signed the DES Privacy Consent Form, providers will need to seek the participant's permission if cases arise where they believe sharing the information with a particular organisation/s will assist the participant prepare for, gain or remain in employment.

c. Yes. Section 3C, Clause 1.3(d) of the Standard Form DES Deed