



**NDIS Quality
and Safeguards
Commission**

Surveillance technology

**Rules about technology that checks what
participants do**

Easy Read version



How to use this guide



NDIS Quality
and Safeguards
Commission

The NDIS Quality and Safeguards Commission (NDIS Commission) wrote this guide.

When you read the word 'we', it means the NDIS Commission.



Easy Read®

We wrote this guide in an easy to read way.

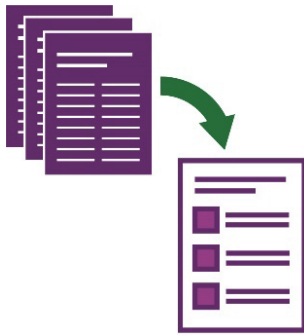
We use pictures to explain some ideas.

Bold
Not bold

We wrote some important words in **bold**.

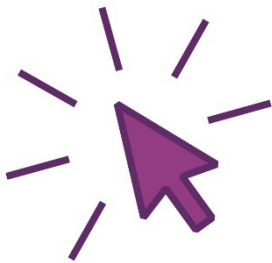
This means the letters are thicker and darker.

We explain what these words mean.



This is an Easy Read summary of another guide.

This means it only includes the most important ideas.



You can find the other guide on our website.

www.ndiscommission.gov.au/providers/understanding-behaviour-support-and-restrictive-practices-providers#paragraph-id-5316



You can ask for help to read this guide.

A friend, family member or support person might be able to help you.

What's in this guide?

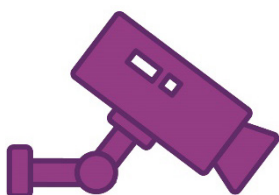
What is this guide about?	5
What do NDIS providers use this technology for?	8
What are the limits of this technology?	10
How is this technology a restrictive practice?	12
How does surveillance technology affect privacy?	17
What must NDIS providers do when they use this technology?	20
Contact us	23

What is this guide about?



This guide is about **surveillance technology**.

Surveillance technology includes devices that:



- record what you do
- track where you go
- know when you move.

For example, devices like:



- a camera that records what you say and do



- a watch that tracks where you go



- a sensor that can tell when you move.



Some **NDIS providers** use this technology.

NDIS providers support people with disability by delivering a service.



Sometimes this technology can make supports better.

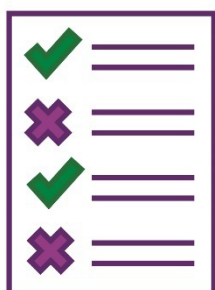


But sometimes it can stop people from doing what they want.

In this guide we explain:



- when NDIS providers might use this technology



- what the rules are



- how to make sure **participants** are safe.



Participants are people with disability who take part in the NDIS.

What do NDIS providers use this technology for?



NDIS providers say they use surveillance technology to keep:

- participants safe
- the people around them safe.

They might also use it to:



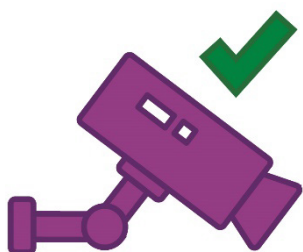
- check on a participant's health



- learn about a participant's behaviour



- support participants to do more things on their own.

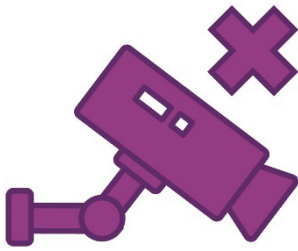


Some people think this technology can do all of these things.



But there is not enough proof that it can.

What are the limits of this technology?

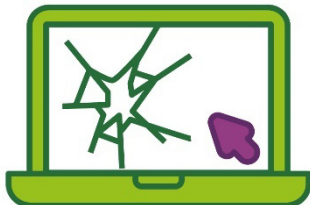


Sometimes surveillance technology might not work as it should.

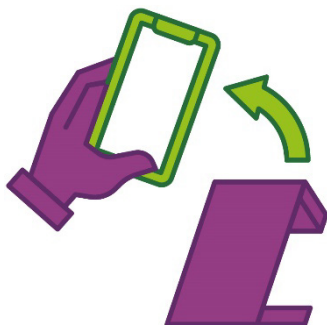
For example, when:



- the battery runs out



- the device breaks



- someone moves the device.



When this technology does not work well, NDIS providers might choose to ignore it.



For example, an NDIS provider might ignore an alarm if it goes off when it should not.

This means they might not know if the participant needs support.



There are other risks with using this technology.



Sometimes people will break the law to get a person's information.



This means technology cannot always keep information safe.

Can this technology be a restrictive practice?



Restrictive practices are actions that stop people from:

- moving freely
- doing what they want.



Restrictive practices can take away a participant's **rights**.



Rights are rules about how people should treat others:

- fairly
- equally.

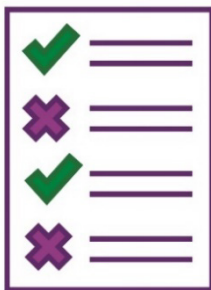


Surveillance technology is a restrictive practice when it stops a participant from doing what they want.



We **regulate** some restrictive practices.

We call these ‘regulated restrictive practices’.



This means there are laws and rules about their use.



We also look at how they are used.

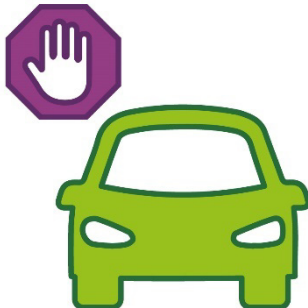
For example, it is a regulated restrictive practice when an NDIS provider uses alarms to stop a participant:



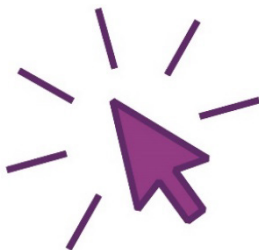
- leaving their room



- taking food from a fridge



- going somewhere.



You can find out more about how we regulate restrictive practices on our website.

www.ndiscommission.gov.au/rules-and-standards/behaviour-support-and-restrictive-practices#paragraph-id-9139

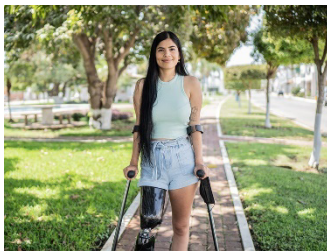
When is this technology not a regulated restrictive practice?

We do not regulate surveillance technology when it:

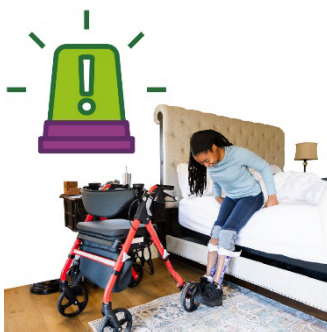


- helps NDIS providers support a participant

and

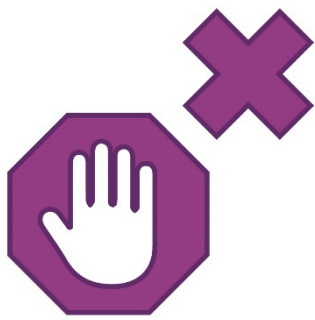


- does not stop a participant from doing what they want.

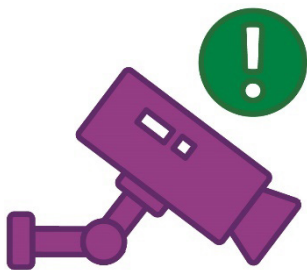


For example, an NDIS provider might use an alarm for a participant who is at risk of falling.

The alarm tells them when the participant gets out of bed and might need support.



The alarm does not stop the participant from doing what they want.



It is important to know why surveillance technology is being used.



This helps people to know when technology is or is not a restrictive practice we regulate.

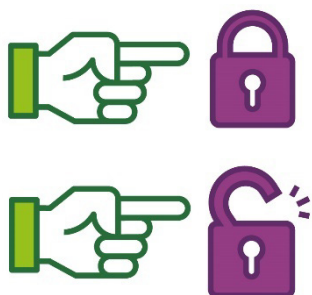
How does surveillance technology affect privacy?



NDIS providers must think about how surveillance technology affects participants.



For example, it can take away a participant's **privacy**.



When you have privacy, you can choose:

- what you want to keep to yourself
- what other people can know about you.



Technology can be unsafe when people use it the wrong way.

For example, using a camera to record someone in their bedroom.



This is not okay for NDIS providers to do.

It takes away a participant's right to privacy.

NDIS providers should not use cameras
in a participant's:



- bedroom



- bathroom.



When NDIS providers use surveillance technology
they must keep:

- participants safe
- their information safe.

What rules and laws must NDIS providers follow?



Each state and territory have rules and laws that protect people's privacy.



NDIS providers must follow these laws when they use surveillance technology.



NDIS providers must also follow the **NDIS Code of Conduct**.

The NDIS Code of Conduct is a list of rules about how NDIS providers should behave.

It explains how NDIS providers must:



- keep participants safe



- protect their rights and privacy.

What must NDIS providers do when they use this technology?

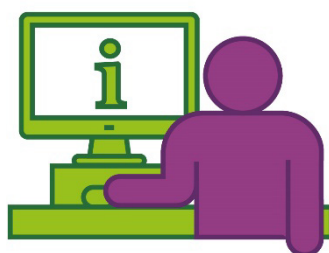
NDIS providers must tell participants:



- what technology they will use



- how they will use a participant's information



- who will see a participant's information.



They should also ask participants what they think about the surveillance technology.

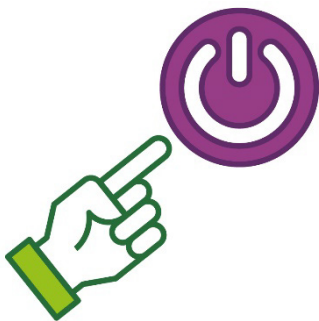
NDIS providers must:



- keep a participant's information safe



- protect a participant's privacy and rights.



They should think about using technology that participants can turn off when they want privacy.



They should make sure people can only watch the recordings if they need to.

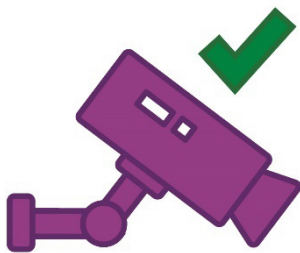


Workers must also have training on how to use the device.



This includes:

- the laws they must follow
- how to support the participant.



NDIS providers should often check that:

- the device is working
- a participant stills needs the device.

What should NDIS providers not do?



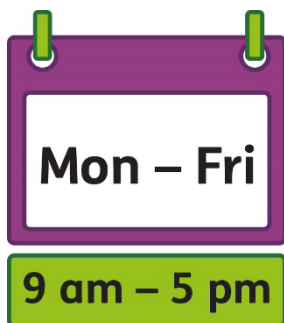
NDIS providers must not use surveillance technology to replace their:

- workers
- services and supports.



It's important for participants to get supports that meet their needs.

Contact us



You can call us:

- Monday to Friday
- 9 am to 5 pm (Sydney time).



You can call us.

1800 035 544



You can send us an email.

BehaviourSupport@ndiscommission.gov.au



You can write to us.

NDIS Quality and Safeguards Commission
PO Box 210
Penrith
NSW 2750



You can go to our website.

www.ndiscommission.gov.au/rules-and-standards/behaviour-support-and-restrictive-practices



TTY

133 677



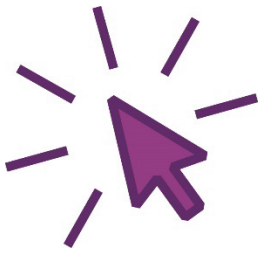
The National Relay Service

Speak and Listen

1300 555 727

SMS relay number

0423 677 767



Internet relay calls

internet-relay.nrscall.gov.au



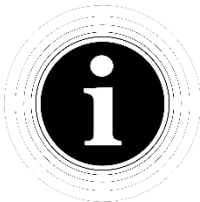
You can follow us on LinkedIn.

au.linkedin.com/company/ndiscommission



You can follow us on Facebook.

www.facebook.com/NDISCommission



The Information Access Group created this Easy Read document using stock photography and custom images.

The images may not be reused without permission.

For any enquiries about the images, please visit

www.informationaccessgroup.com.

Quote job number 5154.