



Butter Fish Services®

Authentic. Accessible. Support.

Privacy Policy

Effective date: 21 October 2026 | Version 1.0

1. About this policy

Butter Fish Services Pty Ltd (ABN 43 614 082 898) (**Butter Fish Services, we, us or our**) is a registered NDIS provider delivering positive behaviour support and therapy services to people with disability, their families and their support networks.

Providing these services means we handle personal and health information that is private and sensitive. We take that responsibility seriously. This Privacy Policy explains what information we collect, why we collect it, how we use, share and protect it, and how you can access it or make a complaint.

We handle personal information in accordance with:

- the *Privacy Act 1988* (Cth) and the Australian Privacy Principles (**APPs**);
- state and territory health records laws where they apply to our services, including the *Health Records and Information Privacy Act 2002* (NSW) and the *Health Records Act 2001* (Vic); and
- the *National Disability Insurance Scheme Act 2013* (Cth) and its rules, including the NDIS Practice Standards, the NDIS Code of Conduct and the *NDIS (Restrictive Practices and Behaviour Support) Rules 2018*.

2. Who this policy applies to

This policy applies to the personal information of everyone we deal with, including:

- **participants**: people who are referred to us, or who receive our services;
- **referrers**: people who refer a participant to us, such as support coordinators, plan managers, health professionals, schools, family members and carers;
- **family members, carers, guardians and nominees** who support or make decisions on behalf of a participant;
- other members of a participant's support team; and
- people who contact us or visit our website at butterfish.com.au.

3. What personal information we collect

The information we collect depends on how you deal with us. It may include the following.

About referrers: your name, organisation, role, relationship to the participant, phone number and email address, and the reason for the referral.

About participants:

- identity and contact details, such as name, date of birth, gender, address, phone number and email address;
- details of parents, guardians, nominees, carers and emergency contacts;
- cultural, language and communication needs, and support preferences;
- **health and disability information**, including diagnoses, medical history, medications, behaviours of concern, risk information, and assessments and reports from other health professionals;
- information about the use of restrictive practices, where relevant;
- **NDIS and funding information**, including NDIS number, plan details, plan dates, funding management type, budgets, plan manager details and other funding sources;
- **insurance information**, such as insurer name, policy or claim numbers and approval details, where an insurer or compensation scheme is funding services; and
- records of the services we provide, such as case notes, assessments, behaviour support plans, progress reports, incident records and correspondence.

About website visitors: the details you enter into our contact or referral forms, and limited technical information described in section 11.

Health information, and information about a person's disability, is **sensitive information** under the Privacy Act. It receives a higher level of protection, and we only collect it with consent or where the law permits.

4. How we collect personal information

Wherever reasonably practicable, we collect personal information directly from the person it is about, or from their parent, guardian or nominee. We collect it when you submit a referral or enquiry, speak with us by phone, attend an intake meeting, assessment or session, or complete our forms.

We may also collect information from third parties, with consent or where the law permits, including:

- the referrer;
- the participant's support coordinator, plan manager, other NDIS providers and support workers;
- doctors, psychologists, allied health professionals and hospitals;
- schools, early childhood services and employers; and
- the National Disability Insurance Agency (**NDIA**), the NDIS Quality and Safeguards Commission (**NDIS Commission**) and insurers or funding bodies.

Referrals. If you refer someone to us, you must have their consent, or the consent of their parent, guardian or nominee, before giving us their information. When we receive a referral, we will contact the participant or their representative to confirm that they want our services and to explain how we will handle their information.

5. Consent and decision-making

We ask for consent before collecting, using or sharing health information, except where the law permits otherwise. We explain what we are asking for in a way that suits the person's communication needs, and we support participants to make their own decisions wherever possible.

Where a participant is a child, or is not able to give consent, we seek consent from their parent, guardian or other authorised representative. Young people may exercise their own privacy rights as their maturity and understanding allow.

You may withdraw or change your consent at any time by contacting us. If you do, we may be limited in the services we can provide, and we will explain what that means.

6. Why we collect, use and hold your information

We collect, use and hold personal information to:

- assess referrals and determine whether our services are suitable;
- plan and deliver positive behaviour support and therapy services, including assessments and behaviour support plans;
- communicate and coordinate with the participant's family, carers and support team;
- claim payment from the NDIA, plan managers, insurers or other funders, and issue invoices;
- meet our obligations as a registered NDIS provider, including lodging behaviour support plans with the NDIS Commission, reporting incidents and participating in audits;
- manage risk and keep participants, workers and others safe;
- supervise and train our practitioners, and improve the quality of our services; and
- respond to feedback and complaints, and meet our other legal obligations.

We only use or disclose information for the purpose it was collected for, or a directly related purpose you would reasonably expect, unless you consent or the law requires or permits it.

7. Who we share your information with

We do not sell personal information. We only share it where needed for the purposes above, with consent or where the law requires or permits. This may include:

- the NDIA and the NDIS Commission, including through the NDIS Commission Portal;
- plan managers, support coordinators and other funders or insurers;
- other providers and support workers who help implement a behaviour support plan;
- the participant's doctors, health professionals, school or early childhood service;
- parents, guardians, nominees and other authorised representatives;
- NDIS approved quality auditors;
- service providers who support our operations, such as practice management, cloud storage, IT and communication providers, under confidentiality obligations; and
- professional advisers, insurers and government authorities where required or authorised by law.

We may share information without consent where the law requires or permits it, for example to lessen or prevent a serious threat to someone's life, health or safety, to meet mandatory child protection reporting obligations, or in response to a court order or subpoena.

8. Overseas disclosure

We aim to use service providers that store information in Australia. Some providers, such as email or cloud software providers, may store or access data outside Australia. Where this happens, we take reasonable steps to ensure the recipient protects the information in a way that is consistent with the APPs.

9. Anonymity

You can make a general enquiry without identifying yourself. However, we cannot provide NDIS-funded or individual therapy services anonymously, because we need to identify participants to deliver safe support and to claim funding.

10. What happens if you don't provide information

If you choose not to provide information we ask for, we may not be able to accept a referral, provide services safely or in full, or claim funding on your behalf. We will explain the likely effect to you.

11. Our website

When you use the forms on our website at butterfish.com.au, we collect the details you enter. Our website may also use cookies and analytics tools, such as Google Analytics, to understand how visitors use the site. This information is collected in aggregate and is not used to identify you. You can disable cookies in your browser settings.

Please do not include detailed health information in a general website enquiry. We will collect what we need securely once we are in contact with you.

12. Marketing

We never use health information for marketing. We may send general updates about our services, workshops or programs only where you have agreed to receive them. Every marketing message will include a way to opt out, in line with the *Spam Act 2003* (Cth).

13. How we protect your information

We take reasonable steps to protect personal information from misuse, interference, loss, and unauthorised access, modification or disclosure. These include:

- secure, password-protected practice management and cloud systems, with multi-factor authentication where available;
- access restricted to workers who need the information for their role;
- NDIS worker screening, confidentiality obligations and privacy training for workers;
- secure storage of any paper records and secure handling of devices used in the community; and
- secure destruction or de-identification of information when it is no longer needed.

14. How long we keep your information

We keep records for as long as the law requires. In general, this means at least:

- seven years from the date a record is made, for records we must keep as a registered NDIS provider; and
- for health records, seven years after the last service for adults, or until a person turns 25 where services were provided when they were under 18.

Where more than one requirement applies, we keep the record for the longer period. After that, we securely destroy or de-identify it.

15. Data breaches

If a data breach is likely to result in serious harm, we will act in line with the Notifiable Data Breaches scheme under the Privacy Act. This includes containing and assessing the breach, notifying affected people and the Office of the Australian Information Commissioner (**OAIC**), and notifying the NDIS Commission where required.

16. Accessing and correcting your information

Participants, and their authorised representatives, may ask to access the personal information we hold, or ask us to correct it if it is inaccurate, out of date, incomplete, irrelevant or misleading. Contact us using the details in section 19.

We will need to confirm your identity, and your authority if you are acting for someone else. We aim to respond within 30 days. There is no fee to make a request, although we may charge a reasonable fee to cover the cost of providing copies of extensive records.

In limited circumstances the law allows us to refuse access, for example where it would pose a serious threat to someone's life, health or safety, or unreasonably affect another person's privacy. If we refuse, we will tell you why and how to complain.

17. Automated decision-making

We do not use computer programs to make decisions about you that significantly affect your rights or interests. Decisions about referrals, services and behaviour support are made by our practitioners.

18. Complaints

If you are concerned about how we have handled your personal information, please contact us. You can make a complaint verbally and with support from a family member, carer, advocate or interpreter. We will acknowledge your complaint promptly, investigate it fairly and aim to respond within 30 days. Making a complaint will not affect the services you receive.

If you are not satisfied with our response, you can contact:

- **Office of the Australian Information Commissioner:** www.oaic.gov.au, 1300 363 992
- **NDIS Quality and Safeguards Commission:** www.ndiscommission.gov.au, 1800 035 544
- **Information and Privacy Commission NSW** (health privacy in NSW): www.ipc.nsw.gov.au, 1800 472 679
- **Health Complaints Commissioner Victoria** (health privacy in Victoria): hcc.vic.gov.au, 1300 582 113

In other states and territories, you can contact the relevant health complaints body.

19. Contact us

For any questions about this policy, to request access to or correction of your information, or to make a complaint, please contact our Privacy Officer.

Privacy Officer, Butter Fish Services

Phone: 1300 020 271

Email: admin@butterfish.com.au

Website: butterfish.com.au

Interpreter: TIS National on 131 450 | National Relay Service: 133 677

20. Changes to this policy

We may update this policy from time to time to reflect changes in the law or in how we work. The current version will be available on our website, and the effective date at the top shows when it was last updated. Please contact us if you need this policy explained or provided in another format.