

Online Data Collection (ODC) Terms and Conditions

Disability Services National Minimum Data Set DS NMDS

The Department of Communities, Disability Services and Seniors Online Data Collection (ODC) tool relates to the Internet tool provided and maintained by the Department of Communities, Disability Services and Seniors, free of charge to National Disability Agreement (NDA) funded agencies and Your Life Your Choice (YLYC) Direct Payment Participants for the purpose of collecting and lodging (with the Department of Communities, Disability Services and Seniors) DS NMDS quarterly data for inclusion in the state and national NMDS collections.

The Department of Communities, Disability Services and Seniors offers to make this service available to an NDA funded agency (Agency) and YLYC Direct Payment Recipients on these terms and conditions.

These terms and conditions apply to any Agency registering to use ODC and any individual (including any employee, volunteer or agent of the agency or individual) who has access to ODC.

Limitation of Liability

1. The Department of Communities, Disability Services and Seniors makes no warranty that ODC is free of infection by computer virus or other contamination and it is the responsibility of the Agency and individuals to ensure ODC is compatible with their computer and operating system.
2. The Department of Communities, Disability Services and Seniors is not liable, subject to rights implied at law which cannot be excluded, for any loss or damage caused directly or indirectly to the Agency or an individual by:
 - a) any interruption in the service due to circumstances beyond the Department of Communities, Disability Services and Seniors control;
 - b) any corruption of data and any breakdown, interruption or errors caused to the Agency's or individual's computer or computing equipment as a result of using ODC or as a result of software being downloaded to an Agency's or individual's computer for the purpose of using ODC; and
 - c) the failure of ODC to perform in whole or in part any function which the Department of Communities, Disability Services and Seniors has specified it will perform.

ODC Access

3. The Department of Communities, Disability Services and Seniors retains the right to refuse, deny or terminate an Agency's access to ODC at any time.
4. The Department of Communities, Disability Services and Seniors retains the right to refuse, deny or terminate an individual's access to ODC at any time.
5. The Agency will (unless otherwise advised by the Department of Communities, Disability Services and Seniors) nominate to the Department of Communities, Disability Services and Seniors an Agency-level ODC Administrator who will maintain agency access by individuals to ODC.

6. The Agency will ensure that with respect to agency-level individual users of ODC, they:
- a) choose a new password whenever the user is required to do so by the Department of Communities, Disability Services and Seniors;
 - b) that the user password chosen to access ODC will not be the same as, or similar to, any other individual's personal identification number or password; and
 - c) except when creating another individual ODC user, a password is not disclosed to any other person.

Notifications by the Agency

7. The Agency must notify the Department of Communities, Disability Services and Seniors immediately if:
- a) other than when a password is used to create another ODC user, an individual user's password becomes known to any other individual person or the individual user's security has been compromised; or
 - b) an individual's computer which the individual uses to access and use ODC is lost, stolen or fraudulently accessed; or
 - c) the Agency becomes aware of any unauthorised access to the service.

ODC Functionalities

8. The Department of Communities, Disability Services and Seniors may at any time add, remove, change or impose restrictions on the functionalities of ODC in any respect including, though without limitation:
- a) generally; or
 - b) in relation to the Agency or a class of agencies (which includes or excludes the Agency); or
 - c) in relation to an individual or class of individuals.