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CHAPTER: 3	Information, Disclosure and Privacy		
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GUIDING PRINCIPLE: Purpose of the **Standard 3: Information, Disclosure and Privacy** is to define the Rights of prospective and existing residents and define the data protection policy, so that all prospective and existing residents are aware of their Rights.

MEASURABLE OUTCOMES: All Care Homes need to have an Information policy document on the Right to Information.

RECOMMENDED GUIDELINES:

1) Right to Information

The Senior Citizen Care Home management shall give the prospective residents a document regarding resident rights, home rules, policies, standards and responsibilities of using the service at the time of application as well as during their stay. No resident shall be denied their legal rights. The Home management shall explain the content of policies and rules to residents verbally and makes it available to the residents in a format that is accessible to them. The information in guide document should include, but is not limited to the following:

- 1.1) Admission and Termination policies.
- 1.2) Discharge and Transfer policies.
- 1.3) Incident reporting policies and procedures including procedures for reporting suspected abuse or neglect.
- 1.4) Organisational structure of the Home.
- 1.5) Details of Services, Facilities, Charges and Physical Infrastructure.
- 1.6) The right to advance information if the facility, or part of the facility, is closing or going to close because of an emergency or otherwise.
- 1.7) Policies and procedures for the management of resident personal accounts.
- 1.8) Residents Rights, policies and procedures.

- 1.9) Rules and Policies regarding residents' access to the premises, activities, staff and management including wanderer policy.
- 1.10) Fire safety standards and guidelines.
- 1.11) Regulations and actions of unacceptable behaviour by the residents.
- 1.12) Smoking, Alcohol & Substance Abuse policies for residents.
- 1.13) Pet policy.
- 1.14) Policy and procedures regarding visitors, mail and correspondence.
- 1.15) Policy and procedures regarding emergency treatment.
- 1.16) Residents' responsibilities towards other residents and home staff.
- 1.17) Policy and procedures for relocation of residents in cases of emergencies.

2) Data Protection, Privacy & Confidentiality

Information Privacy and Confidentiality are critical elements of Data Protection in a Senior Citizen Care Home. Resident's personal information needs to be protected and respected, and any personal information should be treated as confidential and held in accordance with National Regulations and Laws.

- 2.1) Residents should be duly informed by the Home Management on the recording of and intended use of all personal information.
- 2.2) Residents should have access to their personal information and no information should be hidden from them regarding their personal well-being.
- 2.3) Residents' personal information should only shared with others, including families, with the expressed consent of the resident.
- 2.4) The Home Management should ensure that the data collection, analysis, use and sharing of all data collected in the service is in compliance with the National Guidelines.
- 2.5) Records required for the effective and efficient running of the residential service are up to date, of high quality and accurate at all times, as specified in the regulations that includes records relating to their medications, health and social care.
- 2.6) The Home should have an internal policy for the access, retention and destruction of resident records in compliance with National Guidelines.
- 2.7) Use of electronic records or signatures should comply with the National Guidelines.

- 2.8) Electronic signatures should be deemed to constitute a valid signature in line with Indian Information & Technology rules.
- 2.9) The home should ensure that each electronic signature should clearly identify the individual signing and that the document cannot be altered after the signature has been affixed including any thumb or limb impressions.
- 2.10) The Home Management should have a policy for access, use and destruction of the electronic password, signature, thumb impressions or other personal information of the residents.
- 2.11) **Further Reading:**
 - A) The Digital Personal Data Protection Act, 2023

3) National Welfare Schemes

- 3.1) The Home Management should educate, share and facilitate that the elderly residents are aware of their constitutional Rights including eligibility for National Welfare Schemes like Pension, Insurance, Medical etc. The Home Management should encourage the residents to get registered under such schemes.
- 3.2) The Home Management should work as a good Samaritan and not directly benefit from the welfare schemes meant for the elders.
- 3.3) No personnel of the Home shall use the residents photo identity, banking details, residential identity for his or her advantage or benefit. Misuse of such documents would call for legal punishment along with closure of the Senior Citizen Home.
- 3.4) **Annexures:**
 - A) Annexure 1: Financial Schemes for Older Persons
 - B) Annexure 2: Health & Insurance Schemes for Older Persons
 - C) Annexure 3: Atal Vayo Abhyuday Yojana (AVYAY)
 - D) Annexure 4: Livelihood Schemes for Older Persons
 - E) Annexure 5: Advocacy & Awards
 - F) Annexure 6: National Schemes
 - G) Annexure 7: Legislative Acts, Policies & Laws
- 3.5) **Further Reading:**
 - A) Atal Vayo Abhyudaya Yojana (AVYAY)

- B) The Maintenance and Welfare of Parents and Senior Citizens (MWPSA) Act
- C) Mental Healthcare Act

4) Roles & Responsibility

Care Home Management / Promoters, Governing Board, Home Manager

- 5) Concerned Ministries, Departments:** Ministry of Social Justice and Empowerment (MSJE),
State Social Welfare Departments

ANNEXURE: 1 - 7	Schemes for Older Persons		
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Annexure: 1 – Financial Schemes for Older Persons

- Senior Citizens Savings Scheme (SCSS):** A government-backed retirement savings program in India designed to provide financial security for senior citizens. It offers attractive interest rates and tax benefits and is available to individuals aged 60 and above.
- Pradhan Mantri Vaya Vandana Yojana (PMVVY):** A government-backed pension scheme in India, primarily designed for senior citizens aged 60 and above. This scheme is offered by the Life Insurance Corporation of India (LIC) and provides regular pension income to beneficiaries. It offers a guaranteed pension payment for ten years, with the option to receive payments monthly, quarterly, semi-annually, or annually. PMVVY is aimed at providing financial security and support to senior citizens during their retirement years.
- Varishtha Pension Bima Yojana:** A lumpsum deposit scheme which gives a monthly pension at a guaranteed rate per annum.
- Indira Gandhi National Old Age Pension Scheme (IGNOAPS):** A part of the National Social Assistance Programme (NSAP) in India, it grants monthly pensions to citizens aged 60 and above who belong to the Below Poverty Line (BPL) category.
- Atal Pension Yojana (APY):** Any Indian citizen between the ages of 18 and 40 years can enroll and the contributions need to be made by the enrolled member at least for 20 years. The pension returns are given after the subscriber turns 60.
- Senior Citizens' Welfare Fund:** The Fund has been created to be utilized for the promotion of the welfare of senior citizens. The fund is administered by an Inter-Ministerial Committee, comprising of Department of Financial Services, the Ministry of Health and Family Welfare, the Ministry of Rural Development, the Ministry of Housing & Urban Affairs, and the Ministry of Labour and Employment, with the

Ministry of Social Justice and Empowerment as the Nodal Ministry for the administration of the Fund.

7. **Reverse Mortgage:** Scheme for senior citizens to assist them to mortgage their property and earn out of the same subject to a limit of 60% of the value of the residential property and in a time limit.
8. **Artisans Scheme:** Scheme under The Ministry of Textile which provides financial assistance per month handicrafts awardee artisans above 60 years of age.
9. **Scheme for Financial Assistance to Veteran Artists:** Scheme under The Ministry of Culture which provides financial assistance per month to artistes aged 60 years and above.

Annexure: 2 – Health & Insurance Schemes for Older Persons

1. **Rashtriya Vayoshri Yojana (RVY):** A government scheme in India aimed at providing assisted-living devices and physical aids to senior citizens belonging to the Below Poverty Line (BPL) category.
2. **Varishta Medclaim Policy:** Meant for senior citizens between 60 and 80 years of age. They can buy National Insurance Company's Varishta Medclaim Policy online until they are 80 years of age, while they can continue to renew the Varishta Medclaim Policy until 90 years.
3. **National Programme for Health Care of the Elderly (NPHCE):** Indian initiative providing dedicated healthcare services to senior citizens aged 60 and above at different healthcare levels (primary, secondary, and tertiary) to address their unique health challenges.
4. **Senior Citizen Health Insurance Scheme (SCHIS):** Health Insurance coverage to senior citizens as a top-up over the existing Pradhan Mantri Jan Arogya Yojana (PM-JAY) which incorporates the earlier Rashtriya Swasthya Bima Yojana (RSBY).
5. **Vayo Mitra- Ayush Geriatric Healthcare Services:** Under the National Ayush Mission, Vayo Mitra, is to provide specialized and comprehensive Ayush Geriatric Health Care Services to create awareness within the community on different aspects of ageing.

6. **Pradhan Mantri Suraksha Bima Yojana (PMSBY):** PMSBY is available to people in the age group of 18-70 years with a bank or post office account and give consent to join/enable auto-debit. The risk coverage under the Scheme is 2 lakhs in case of accidental death or total permanent disability and 1 lakh for partial permanent disability.

Annexure: 3 - Atal Vayo Abhyuday Yojana (AVYAY)

1. **Atal Vayo Abhyudaya Yojana (AVYAY):** A central sector scheme, which was previously known as National Action Plan for Senior Citizens, with the vision of enabling senior citizens to live healthy, happy and empowered lives within society.
2. **Integrated Programme for Senior Citizens (IPsRC):** A program designed to enhance the quality of life for senior citizens, especially indigent senior citizens, by providing basic amenities such as housing, food, medical care, and opportunities for recreation and entertainment.
3. **Maintenance of Senior Citizen Homes (SrCH):** Scheme under the Atal Vayo Abhyudaya Yojana is meant to offer financial assistance to organisations for running and maintenance of Senior Citizen Homes.
4. **Regional Resource and Training Centres (RRTCs):** RRTCs are the nodal agency on aged care under the supervision of Department of Social Justice and Empowerment, to provide technical support and inputs on senior citizens programs.
5. **State Action Plan for Senior Citizens (SAPsRC):** Scheme to support State Governments through Grant-in-aid for State-specific activities for the welfare of senior citizens.
6. **Mobile Medical Units (MMUs):** Scheme is meant to support MMUs supported by the Ministry of Social Justice and Empowerment under the Integrated Programme for Senior Citizens (IPsRC).
7. **Physiotherapy Clinics:** Scheme is meant to support Physiotherapy Centres supported by the Ministry of Social Justice and Empowerment under the Integrated Programme for Senior Citizens (IPsRC).

8. **Cataract Surgeries:** A supported activity to assist the National Program for Control of Blindness in addressing blindness through Cataract Surgeries.
9. **Training to Geriatric Caregivers & Health Care:** A support scheme through Grant- in-aid for providing training for the creation of a pool of trained Caregivers for older people.
10. **National Helpline for Senior Citizens:** An all-India support helpline for all senior citizens of the country. Some of the support given by the helpline is providing free information, guidance, emotional support, abuse prevention, control and intervention.

Annexure: 4 – Livelihood Schemes for Older Persons

1. **Senior Able Citizens for Re-Employment in Dignity (SACRED):** An initiative aimed at facilitating employment opportunities for senior citizens, by bringing Senior Citizen employment seekers and the employment providers together through an IT platform.
2. **Action Groups Aimed at Social Reconstruction (AGRASR):** Scheme designed by the Ministry of Social Justice and Empowerment to promote Elderly Self-Help Groups under the National Action Plan for Senior Citizens (NAPSrC). It aims to streamline elderly empowerment in the development debate, enhance the overall quality of life for senior citizens, and ensure their active participation in society.
3. **Seniorcare Ageing Growth Engine (SAGE):** An initiative that aims to create a centralized portal in India for start-ups to offer products and services catering to the elderly population. This platform facilitates the delivery of various products and services designed to enhance the quality of life for senior citizens.

Annexure: 5 – Advocacy & Awards

1. **Accessible India Campaign (Sugamya Bharat Abhiyan):** A nation-wide campaign for achieving universal accessibility for Persons with Disabilities (PwDs), implemented by the Department of Empowerment of Persons with Disabilities under the Ministry of Social Justice & Empowerment. It focuses on making public spaces, infrastructure,

transportation, and technology more accessible, enabling PwDs to participate fully in society and enjoy equal opportunities.

2. **Scheme of National Award for Senior Citizens (Vayoshreshtha Sammans):** An initiative in India that recognizes and honours outstanding senior citizens and institutions/organizations that have made significant contributions to the welfare and well-being of elderly individuals, especially indigent senior citizens.

Annexure: 6 - National Schemes

1. **Pradhan Mantri Awas Yojana - Urban (PMAY-U):** Flagship programme being implemented by Government of India under Ministry of Housing and Urban Affairs (MoHUA) to provide all weather pucca houses to all eligible beneficiaries in the urban areas of the country through States/UTs/Central Nodal Agencies.
2. **Deendayal Antyodaya Yojana-National Urban Livelihoods Mission (DAY-NULM):** A government program in India designed to uplift the urban poor by offering skill training, self-employment opportunities, access to credit, and social security measures, with the goal of enhancing their livelihoods and reducing poverty in urban areas. It aims to empower marginalized urban communities for sustainable economic development.
3. **PM Vishwakarma Scheme:** An initiative to help enhance the skills of workers and facilitate their access to loans for improved earnings.
4. **National Social Assistance Programme (NSAP):** A centrally sponsored scheme by the Government of India that offers financial assistance, in the form of social pensions, to individuals living below the poverty line (BPL), including the elderly, widows, and persons with disabilities.
5. **Pradhan Mantri Jan Arogya Yojana (PM-JAY):** PM-JAY, popularly known as Ayushman Bharat, is the world's largest health insurance / assurance scheme fully funded by the government. PM-JAY was earlier known as the National Health Protection Scheme (NHPS) and incorporates the earlier Rashtriya Swasthya Bima Yojana (RSBY).

6. **Pradhan Mantri Gramin Awas Yojana (PMGAY):** Previously known as Indira Awas Yojana, is a public housing scheme in India. It focuses on constructing or upgrading dwelling units for various disadvantaged groups, including Scheduled Castes, Scheduled Tribes, freed bonded labourers, and Below Poverty Line (BPL) households, by providing financial assistance for housing needs.
7. **Affordable Rental Housing Complexes (ARHC):** Housing complexes developed under the Pradhan Mantri Awas Yojana - Urban (PMAY-U) scheme, designed to provide affordable rental housing options to eligible beneficiaries, including seniors and economically disadvantaged individuals.
8. **National Programme for Control of Blindness:** An Indian program committed to reducing avoidable blindness through optimal resource utilization and improved access to quality eye care services.
9. **Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA):** A government initiative in India that legally guarantees certain number days of wage employment in a financial year to adult members of rural households who request employment and are willing to perform unskilled manual labour.
10. **Antyodaya Anna Yojana (AAY):** A scheme aimed at achieving food security and eliminating hunger in India, targeting the most impoverished individuals by providing essential food and commodities at subsidized rates to meet their daily needs.
11. **Indira Gandhi National Disability Pension Scheme:** A government initiative, part of the National Social Assistance Programme (NSAP), providing monthly pension support to disabled individuals aged 18 or older with 80% or more disability who are part of the Below Poverty Line (BPL) category. This scheme is administered by the Ministry of Rural Development under the Central Government to support disabled individuals in India.

Annexure: 7 - Legislative Acts, Policies & Laws

1. **The Maintenance and Welfare of Parents and Senior Citizens (MWPSA) Act:** An Indian legislation aimed at safeguarding the rights of senior citizens, including parents, who are unable to support themselves financially. It imposes a legal obligation on children

and grandchildren to provide financial support and maintenance to their elderly parents or grandparents if they are in need.

2. **National Policy on Older Persons (NPOP):** A policy framework in India aimed at providing state support to ensure the financial and food security, healthcare, shelter, protection against abuse and exploitation, and improved quality of life for older citizens, promoting their well-being and inclusivity in society.
3. **Article 21 of Indian Constitution:** Safeguards our right to life and personal liberty, ensuring that these rights can only be restricted through lawful procedures. It is a fundamental right and a core element of personal freedom in India.
4. **Article 32 of Indian Constitution:** It is a vital constitutional provision that grants individuals the right to approach the Supreme Court of India to seek justice when they believe their fundamental rights have been violated, empowering citizens to protect their rights through the highest court.
5. **Article 41 of Indian Constitution:** The well-being of senior citizens is mandated in the Constitution of India under Article 41. “The state shall within the limits of its economic capacity and development, make effective provision for securing the right to public assistance in cases of old age”. The Right to Equality is guaranteed by the Constitution as a fundamental right. Social security is the concurrent responsibility of the Central and State Governments.
6. **Article 47 of Indian Constitution:** It directs the state governments to prioritize and enhance public health and nutrition, highlighting the government's responsibility in this regard.
7. **Clinical Establishment Act:** Enacted by the Central Government in India, this legislation aims to register and regulate all clinical establishments in the country, with a view to prescribe minimum standards for facilities and services provided by these establishments to ensure quality healthcare delivery to patients.
8. **Mental Healthcare Act:** An Act aimed at providing mental healthcare and services for individuals with mental illness while protecting and promoting their rights during the delivery of mental healthcare and services. This act outlines provisions for the care and treatment of individuals with mental health conditions.

9. **National Food Security Act (NFSA):** An Indian law that legally entitles approximately 75% of the rural population and 50% of the urban population to receive subsidized foodgrains under Targeted Public Distribution System (TPDS). This act aims to provide food security to those in need by granting access to essential food commodities.
10. **National Health Policy:** A policy framework in India that aims to achieve the highest possible level of health and well-being for all citizens of all ages. It emphasizes preventive and promotive healthcare across various developmental policies and seeks to provide universal access to high-quality healthcare services without causing financial hardship to individuals.
11. **Rights of Persons with Disabilities (RPwD) Act:** An Indian legislation that aims to protect and enhance the rights and interests of persons with disabilities. It promotes their inclusion and equal participation in society by prohibiting discrimination and ensuring accessibility, education, employment, and social security, among other provisions.