



Privacy and Dignity

Policy Purpose

This policy is to ensure that supports accessed by participants through AHH Lifeskills promotes, upholds, and respects the legal and human rights of participants. This includes the rights of participants to access supports that respect and protect their dignity and right to privacy.

Policy Statement

AHH Lifeskills will facilitate, as far as possible, the capacity of all participants who access our supports to determine their own best interests and to make decisions about their own lives, including in relation to directing supports that respect their culture, diversity, values, and beliefs.

Where supported decision-making or nominee decision-making is in place, we will work with participants and their chosen supporters (where reasonable and possible) to support

Our **Privacy and Dignity** policy is based upon:

- Our recognition of the legal and human rights of each participant.
- Our requirement to comply with the [Australian Privacy Act \(1988\) \(Cth\)](#) and the Australian Privacy Principles.
- The rights of each participant to access supports from us that respect and protect their dignity, and personal privacy.
- The rights of participants to understand what information we collect about them, why, how it is held, and who has access to it. This information is provided to participants in the mode, format, language requested or best understood by the participant. This includes providing information in audio or visual format if required.
- Our understanding that any personal information we hold about a participant belongs to them, and not to us. Therefore, as caretakers of this information, we have a moral and legal responsibility to maintain, update, and protect it appropriately.
- The commitment of our organisation to the upholding of the dignity of participants that access our supports, and all people with disability.
- Our belief that supports delivered by us should be provided in a way that enhances and promotes the dignity of the participant, in the way it is best understood by them.
- Our commitment to the [NDIS Code of Conduct](#).

Privacy Procedure

These procedures have been developed to provide guidance to all staff in implementing our *Privacy and Dignity policy*. We are committed to protecting the privacy and dignity of participants who access our supports. This procedure should be read in conjunction with our *Information Management Policy and Procedure*.

We will advise participants about privacy and confidentiality requirements upon entry into AHH Lifeskills and annually during review of Support Plans and Service Agreements. This includes:

- Advising participants of the confidentiality of their personal information and what personal information we will collect from them, what it will be used for, how it will be stored, and who has access to it.

- Offering the participant, the right to refuse provision of personal information, while advising them that this may limit our ability to provide supports to them.
- Only collect personal information that assists in the delivery of supports as directed by the participant. This may include information about gender, culture, ethnicity, preferred modes of communication, health issues, relationships, and barriers to accessing goals.
- Advising participants that they may access their personal information at any time, with a staff member present, and a chosen supporter should they wish.
- Seeking written consent from the participant to release any information about them to an external party. For example, consent to speak with other support providers, community members, and chosen supporters who may assist in maximising the participant's social and community engagement.
- Advising participants, we will seek written consent from them before proposing to film or record their image or voice, or using that recording for internal training, public display, or marketing or associated purposes.
- Work with nominees in circumstances where, in limited circumstances, participants are unable to give consent to a service agreement. In these cases, parents and guardians must reflect the needs and goals as identified by the person with disability and make decisions regarding privacy and dignity to best maximise the participant's wellbeing in all aspects of his/her/their life. AHH Lifeskills will work with the nominee as required to achieve this end.
- Our *Privacy and Dignity Policy* is provided to participants in the mode, format, and/or language identified by the participant as preferred.
- To assist in the provision of connected supports that assist the participant to maximise opportunities to maintain and practice their individual values and beliefs, we may ask participants if they agree to sharing their support plan information with other members of their family and community selected by them, with other providers of supports, and other government agencies on a, 'need to know' basis.

Security of Information

We will take necessary steps to protect the personal information we hold against any misuse or unauthorised access. This includes using password protection for IT servers, locked filing cabinets and physical access restrictions with only authorised personnel permitted access. We will notify the [Office of the Australian Information Commissioner](#) about any possible data breaches as part of requirements in the Notifiable Data Breaches scheme. In the case of data breaches, we will also adhere to our Incident Management and reporting policy and procedure.

Privacy and Complaints

AHH Lifeskills will:

- Advise participants as to how they may make a complaint about Privacy and Dignity processes should they not be satisfied.
- Take feedback and complaints from participants in relation to our support provision, and act on suggestions raised by participants and their chosen supporters to improve our organisation in relation to ensuring consistent processes and practices are in place to protect the personal privacy and dignity of each participant.

- Treat all complaints in a confidential manner – see our *Feedback and Complaints* Policy and Procedures for further information.

Applicable forms and registers related to Privacy & Dignity Policy and Procedure

The following forms are used to gather participant information and obtain consent:

- Support Plan
- Participant Consent Form
- AHHL Participant Welcome Pack
- Service Agreement