

## 2.3. Participant Privacy, Dignity and Confidentiality

### Purpose:

Access inc. is committed to participant rights to be afforded individual privacy, dignity and confidentiality.

Privacy, Dignity and Confidentiality includes respect for the person's physical body, personal space, belongings, manner of engagement and personal information. Access inc. collects and stores information in order to provide a safe working environment, high quality programs and to meet its legal requirements. Access inc. manages information in accordance with the *Privacy Act 1988* (Cth) and other relevant State privacy laws, which govern the collection, use and storage of personal information. Confidentiality is the right of a person to have personal information kept private.

This policy explains how Access inc. upholds the dignity of the person and preserves 'personal information security' in order to uphold participants' right to privacy and dignity in the collection, use and disclosure of information concerning them, their individual needs and the programs provided to them.

### Scope:

This policy applies to all participant engagement and interaction, physical privacy and privacy relating to information and records, whether hard copy or electronic, that contain personal information, and to discussions with participants that are sensitive in nature.

It applies to all employees of Access inc.

## Definitions:

**Personal information:** Information or an opinion about an identified individual, or an individual who is reasonably identifiable.

Examples of personal information include:

- Name, address, phone and email contact details
- Information about a participant's family, friends or supports
- Gender, date of birth, marital status, race, cultural preferences
- Information about disability and support needs
- Health and medical information
- Bank account details and financial information, including information around the services participants are funded to receive under the NDIS or otherwise
- Records of discussions or interactions with participants
- Information regarding any complaints or feedback made by a participant, their family members and/or their support networks
- Information regarding program delivery requirements and/or reasonable adjustments of participants
- Any other information that might reasonably be expected to be of a personal nature.

**Personal information security:** Involves all measures used to protect any information generated by an entity or individual, that is not intended to be made publicly available, from compromise, loss of integrity or unavailability.

**Informed Consent:** Voluntary agreement and/or action where the person making the decision has the appropriate information, understands the consequences of the decision and has the capacity to make the decision.

## Policy Statement:

Access inc. is committed to having processes and practices put in place that respect and protect the personal privacy, dignity and confidentiality of each participant. This includes an obligation to comply with Commonwealth and State privacy laws along with the intention of human rights frameworks.

## Procedures:

### Respecting dignity and physical privacy

Dignity is the right of a person to be valued and respected for their own sake, and to be treated ethically. Upholding the dignity of individuals means our approach to the way we support someone promotes, and does not undermine a participant's self-respect regardless of any difference.

Employees are to support a participant's dignity and physical privacy:

- be polite and respectful, ensuring body language, tone and terminology is respectful and professional.
- actively engaging participants, promoting choices and involvement
- keep participants informed
- support individual needs
- ensuring participants physical privacy and modesty
- support the understanding of personal space and appropriate spaces, providing practical assistance that is proportionate to the individual's needs, such as providing a verbal prompt to close a bathroom door or redirecting a personal or sensitive conversation to an area where the person's privacy can be maintained.
- Supporting volunteers, contractors, participants and visitors to comply with this policy.

## Information privacy: Handling personal or sensitive information

Access inc. is committed to:

- Ensuring that personal information is collected with consent
- Ensuring that each participant understands what personal information is collected and why, including recorded material in alternative formats (eg; visual)
- Collecting and storing information only to the extent that is reasonably necessary for service provision and/or to meet compliance requirements
- Protecting personal information from misuse, loss, unauthorised access, modification or disclosure
- Taking reasonable steps to ensure that the information collected is complete, up-to-date and accurate
- Keeping objective, detailed, accurate and up-to-date participant records, and ensure that information is maintained to meet legal, contractual and mandatory reporting requirements
- Enabling the participant to review personal information or to correct wrong information about themselves
- Storing confidential, hard-copy information in a secure location (cabinet or locked room).

Employees of Access inc. must:

- Supporting volunteers, contractors, participants and visitors to comply with this policy.
- Keep Access inc. email passwords secret and do not provide them to any other person
- Make any Access inc. passwords difficult to guess, and/or change them regularly
- Not open any unsolicited emails or click of any links contained within them, as unsolicited emails can contain viruses that threaten the security of information stored on a user's computer

- Not download any software from the Internet that could contain viruses that might threaten the security of information stored on a computer
- Ensure that any office space used is left clear of personal information whenever unattended (this includes leaving information unattended at the printer/photocopier)
- Ensure conversations that contain personal information with the participant or with colleagues are conducted away from public areas.
- Obtain informed consent from a participant to use personal information for direct marketing
- Consider the possible adverse consequences for the participants concerned if the information is not secured
- Retain records in line with related record keeping legislation, and destroy information, as soon as reasonably practicable, that is no longer needed by Access inc. and/or after legal requirements for retaining documents has expired.
- Minimise taking hard-copy information away from the premises of Access inc.
- Keep up-to-date with and understand the Privacy, Confidentiality and Data Protection policy and Risk Management policy of Access inc.
- Attend any Access inc. privacy training.

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Referenced Documents:

- *Privacy Act 1988 (Cth)*
- *Privacy and Data Protection Act 2014 (Vic)*
- Privacy, Confidentiality and Data Protection policy
- Risk Management policy

Date of Endorsement: 30/08/2023

Next Review Date: 30/08/2028

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