



# ALPHA CARERS AUSTRALIA

Version	Documented Change	Originator	Approved By	Date
0	PRIVACY, DIGNITY AND CONFIDENTIALITY POLICY	Joan Gregory	Joan Gregory	September 2016
1	PRIVACY, DIGNITY AND CONFIDENTIALITY POLICY	Abel Bhebhe	Joan Gregory	September 2017

### 1. Purpose

The purpose of this Policy is to define principles and approach to ensuring the privacy, dignity and confidentiality in its dealings with its clients, its employees and with the general public.

### 2. Scope

This Policy applies to all ACA employees, directors, volunteers, contractors and members who are engaged in ACA's activities.

### 3. Definitions

**Privacy:** respect for freedom from intrusion and public attention.

**Dignity:** treating someone with honour and respect that reflect/s their culture and community and that positively influences their self-esteem.

**Confidentiality:** the assurance that all information is protected from access and use by unauthorised persons. This includes written, electronic and spoken information.

### 4. Policy Statement

ACA recognises that all people with a disability have the right to be treated courteously, with dignity and respect, including in respect of the privacy of their personal information. Facilitation of this commitment in relation to Privacy, Dignity and Confidentiality is supported by the following:

- Ensuring all levels of management and staff understand, comply with, and apply the intent of this policy
- Having written policies and procedures protecting the privacy, dignity and confidentiality of each person and making these available in appropriate formats to those who use the service
- Adherence to the following principles which apply to all information about an individual verbally communicated in the course of duty and documented or kept on file. All information either hardcopy or electronic must be:
  - Collected, stored and used only if directly relevant to the purpose of providing ethical high-quality services
  - Accurate (up to date, complete, not misleading) and kept to a minimum (only recording the data that is essential to providing a service) Stored in a secure place with restricted access
  - Disclosed only if determined necessary to the provision of quality services and or 'required or authorised by/ or under law'.
  - Informing every person of the type and purpose of personal information collected and held by ACA and the steps they should take if they wish to access their records

- Ensuring each person has the right to view any information in their personal records and have any statement provided by them seeking an amendment (i.e. correction/deletion or addition) attached to the relevant record and changed if appropriate
- Where non-identifiable (e.g. statistical) information/data is sought by a legally enforceable entity that includes references to any service user(s) and where gaining consent is not reasonable and/or practical, all identifiable references to the service user(s) shall be removed
- Obtaining consent from every person receiving support before any information about them is sought or released by ACA and informing them of the purpose for which the information will be used unless:
  - The 'use of the information for that other purpose is required or authorised by/or under law'
  - ACA believes on reasonable grounds that 'use of the information (disclosure) is necessary to prevent or lessen serious and imminent threat to the life or health of the individual concerned or another person'
- Ensuring that all ACA staff and management foster the rights of dignity and respect for all people with a disability. This includes communication/interactions with the person supported, their extended network (where involved), the community and relevant stakeholders (e.g. customers, parties who have a relationship with ACA)
- Paying particular attention to the development of skills in ACA staff so as to ensure that the right to dignity and privacy is recognised, respected and protected in relation to 'personal activities'
- Informally monitoring and formally auditing the application of this policy to ensure the company (all ACA stakeholders) and all its activities/service delivery afford each person supported dignity and respect, and maintains their privacy and confidentiality
- Where breaches occur, develop specific and strategic actions to reduce the likelihood of further breaches with input from those affected, and/or others who use the service and guidance from relevant parties/specialist services as required where appropriate/beneficial
- Ensuring the concept of dignity and respect is culturally appropriate. Where unintentional breaches occur, develop specific and strategic actions to reduce the likelihood of further breaches, including input from and/or consultation with those affected and/or others who use the service and guidance from relevant specialist services, including but not limited to working in partnership with local Aboriginal and Torres Strait Islander and culturally and linguistically diverse communities/agencies/services to benefit the application of this policy
- The review of processes and systems as part of scheduled and as needed policy and procedure reviews, including where possible input from those who use the service
- Ensuring adherence to policies and procedures in place through the quality assurance audit process to maximise the design, delivery and implementation of a quality service.

### 5. Performance Standards

This policy will be made available to clients prior to the provision of service to them and the creation of their client record file. This policy will be reviewed on a two-yearly basis, with consultation of representatives of parties involved. All ACA staff will be informed of and be familiar with the Privacy, Dignity and Confidentiality Policy, and staff will undertake training on the policy within ACA. All staff and volunteers are responsible for their own individual actions in complying with the Privacy policy and maintaining confidentiality of client personal and health information.

### 6. Related Documents

Complaints Policy  
Privacy Policy

### 7. Legal and Regulatory Standards

This Policy was developed in accordance with:

National Standards for Disability Services – Standard 9 – Protection of Human Rights and Freedom from Abuse and Neglect

National Standards for Disability Services – Standard 4 – Privacy, Dignity and Confidentiality

National Standards for Disability Services – Standard 3 – Decision Making and Choice

National Standards for Disability Services – Standard 2 – Individual Needs

Human Rights and Equal Opportunity Commission Act 1986 Schedule 4 & 5

The Community Care Common Standards – Standard 3: Service User Rights and Responsibilities

Disability Services Act 1993

Health and Disability Services (Complaints) Act 1995, Section 71

Privacy Amendment (Enhancing Privacy Protection) Act 2012.