
1.0 POLICY PURPOSE AND SCOPE

aspiring futures SA provides our participants with access to services and supports that respect and protect their dignity and right to privacy.

This policy applies to all participants and staff of *aspiring futures SA* and other service agency representatives.

2.0 DEFINITIONS

aspiring futures SA – the trading name of Embry Care Services Pty Ltd ABN: 79 646 526 310

3.0 POLICY

aspiring futures SA is committed to protecting and upholding all stakeholders' rights to privacy and dignity, including participants, staff, management and representatives of other service agencies.

aspiring futures SA is committed to protecting and upholding the participants' rights to privacy and dignity as we collect, store and handle information about them, their needs and the services provided to them.

aspiring futures SA requires staff and management to be considerate and consistent when writing documents regarding a participant and when deciding who has access to this information.

aspiring futures SA is subject to NDIS Quality and Safeguards Commission rules and regulations. *aspiring futures SA* will follow the guidelines of the Australian Privacy Principles in its information management practices.

aspiring futures SA will ensure that each participant understands and agrees to the type of personal information collected and the reasons for collection. If the material is to be recorded in an audio or visual format, the participant must agree to their involvement in writing before any material can be collected. The participant must also be informed when the material is being recorded in an audio or visual format.

aspiring futures SA will advise each participant of our Privacy Policy using the language, mode of communication and terms that the participant is most likely to understand (Easy Read documents are made available to all participants).

aspiring futures SA will ensure that:

- It meets its legal and ethical obligations as an employer and service provider concerning protecting the privacy of participants, and organisational personnel
- Participants are provided with information about their rights regarding privacy and confidentiality
- Participants and organisational personnel are provided with privacy, and confidentiality is assured when they are being interviewed or discussing matters of a personal or sensitive nature

- All staff, management and volunteers understand the requirements to meet their obligations
- Participants are informed of *aspiring futures SA*'s confidentiality policies using the language, mode of communications and terms they are most likely to understand
- *aspiring futures SA* will attempt to locate interpreters and use Easy Read materials

This policy conforms to the Federal Privacy Act (1988) and the Australian Privacy Principles, which govern personal information collection, use and storage.

This policy will apply to all records, whether hard copy or electronic, containing personal information about individuals and interviews or discussions of a sensitive personal nature.

4.0 PROCEDURE

4.1 Dealing with Personal Information

In dealing with personal information, *aspiring futures SA* staff will:

- Ensure privacy for the participants, staff, or management when they are being interviewed or discussing matters of a personal or sensitive nature
- Collect and store personal information that is only necessary for the functioning of the organisation and its activities
- Use fair and lawful ways to collect personal information
- Collect personal information only with consent from the individual
- Ensure that people know of the type of personal information collected, the purpose of keeping the information, the method used when information is collected, used or disclosed, who will have access to information
- Ensure that personal information collected or disclosed is accurate, complete, and up-to-date and provide access to the individual to review information or correct wrong information about themselves
- Take reasonable steps to protect all personal information from misuse, loss and unauthorised access, modification or disclosure
- Destroy or permanently de-identify personal information no longer needed or after legal requirements for retaining documents that have expired
- Ensure that participants understand and agree with the type of personal information being collected and the reason(s) for the collection
- Ensure participants are advised of any recordings in either audio or visual format. The participant's involvement in any recording format has been agreed to in writing before collecting material

4.2 Participant Records

Participant records will be kept confidential and only handled by staff directly engaged in delivering service to the participant. Information about a participant may only be made available to other parties with the consent of the participant, or their advocate, guardian or legal representative. A written agreement providing permission to keep a recording must be stored in the participant's file.

All hard copy files of participant records will be kept securely in a locked filing cabinet.

4.3 Responsibilities for Managing Privacy

All staff members are responsible for the management of personal information to which they have access. The Director or their delegate is responsible for the content appearing in *aspiring futures SA* publications, communications, and on our website, and must ensure:

- Appropriate consent is sought and obtained for the inclusion of any personal information about any individual, including *aspiring futures SA* personnel (see Consent Policy and Procedure)
- Information provided by other agencies or external individuals conforms to our privacy principles
- Our website contains a Privacy Statement that clearly outlines the conditions regarding any collection of personal information from the public captured via their visit to the website

The Director or their delegate is responsible for safeguarding personal information relating to *aspiring futures SA's* staff, management and contractors. The Director or their delegate will be responsible for:

- Ensuring that all staff members are familiar with the Privacy Policy and administrative procedures for handling personal information
- Providing participants and other relevant individuals with information about their rights regarding privacy and dignity
- Handling any queries for complaints about a privacy issue

4.4 Privacy Information for Participants

During the first interview, participants are notified of:

- The information being collected about them
- How their privacy will be protected, and
- Their rights concerning this data

Information sharing is part of our legislative requirements. participants must provide consent to any information sharing between our organisation and government bodies. The participant is informed by can opt-out of any NDIS information sharing during audits.

4.5 Privacy for Interviews and Personal Discussions

To ensure privacy for participants or staff when discussing sensitive or personal matters, *aspiring futures SA* will only collect personal information which is necessary for the provision of supports and services and which:

- Is given voluntarily
- Will be stored securely on the *aspiring futures SA* database

When in possession, or control, of a record containing personal information, *aspiring futures SA* will ensure that the record shall be protected against loss, unauthorised access, modification or disclosure, by such steps as is reasonable in the circumstances. In cases when a record must be provided to a person in connection with the provision of a service to *aspiring futures SA*, everything reasonable will be done to prevent unauthorised use or disclosure of that record.

aspiring futures SA will not disclose any personal information to a third party without an individual's consent unless that disclosure is required or authorised by, or under, law.

5.0 POLICY REVIEW AND FEEDBACK

This policy and procedure will be reviewed at least every two (2) years by the Director (or their delegate) or in response to legislative triggers. Reviews will incorporate staff, participants, and other stakeholder feedback where relevant.

6.0 RELATED DOCUMENTS

Code of Conduct
Easy Read Privacy Document
Privacy and Confidentiality Agreement
Consent Policy and Procedure

7.0 REFERENCES

NDIS Practice Standards and Quality Indicators 2021
Privacy Act 1988 (Commonwealth)
Australian Privacy Principles (Commonwealth)

Version Control				
Version No.	Summary of Changes	Date Approved	Approved By	Review Date
V0.1	Draft	Mar 2022		
V1.0	Initial Release	Apr 2022	Director	Apr 2024
V2.0	Changes based on ProviderPlus release V2.12, logo and format update	Dec 2022	Director	Dec 2024