

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* – full or part time, contract, casual or volunteers, consultants, people working on our premises and homes.

2.0 DEFINITIONS

<i>aspiring futures SA</i>	the trading name of Embry Care Services Pty Ltd ABN: 79 646 526 310
Disclosure	In general terms, information is disclosed when <i>aspiring futures SA</i> releases information to others. Disclosure does not include giving information to an individual/advocate about the individual – that is Access
Access	This involves <i>aspiring futures SA</i> giving an individual/advocate information about the individual. This may include inspecting personal information held by <i>aspiring futures SA</i> or providing a copy of the information.
Collection	<i>aspiring futures SA</i> collects personal information if it gathers, acquires or obtains personal information from any source or by any means. This includes information not requested, or information obtained by accident.

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 (**Refer to Attachment 1**).

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
- *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.
- 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 or room.

4.3 Responsibilities for Managing Privacy in Public Forums

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

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 they can opt-out of any NDIS information sharing during audits.

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)
SA Government Information Sharing Guidelines (ISG) Policy
The NDIS Code of Conduct; Guidance for Service Providers 2024

8.0 RESPONSIBILITIES

The Director is responsible for:

- ensuring that this policy is made available for all employees to access and is reviewed every 2 years.
- the content appearing in aspiring futures SA publications, communications, and on our website
- Handling any queries for complaints about a privacy issue

Leadership Team are responsible for:

- Ensure that there are facilities available for the safe storage of records.
- Communicate the Policy to office employees and ensure it is followed.
- Respond quickly to any requests to access their information.
- Respond quickly, seriously and effectively to any complaints.
- Ensuring that all staff members are familiar with the Privacy Policy and administrative procedures for handling personal information

Service Coordinators are responsible for:

- Communicate the Policy to support workers and ensure it is followed.
- Ensure that this Policy is communicated to clients and their nominees/guardians.
- Respond quickly to any requests to access their information.
- Respond quickly, seriously and effectively to any complaints.
- Providing participants and other relevant individuals with information about their rights regarding privacy and dignity

Employees are responsible for:

- awareness of this policy and for following it.
- If any staff member notices a breach of this policy, they must immediately report it to the group admin or management for

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
V2.1	Comprehensive review and added Responsibilities Section	Nov 2024	Director	Nov 2026

Attachment 1: Australian Privacy Principles

Australian Privacy Principles

In 2014, the Australian Privacy Principles (APP), replaced the previous National Privacy Principles, to regulate the handling of personal information by Australian and Norfolk Island Government agencies and some private sector organisations covered by the Privacy Act 1988.

The APPs are legally binding principles which are the cornerstone of the privacy protection framework in the Privacy Act. The APPs set out standards, rights and obligations in relation to handling, holding, accessing and correcting personal information.

They apply to most Australian Government (and Norfolk Island Government) agencies and some private sector organisations — collectively referred to as APP entities and include *aspiring futures SA*

APP 1 — Open and transparent management of personal information

Ensures that APP entities manage personal information in an open and transparent way. This includes having a clearly expressed and up to date APP privacy policy.

APP 2 — Anonymity and pseudonymity

Requires APP entities to give individuals the option of not identifying themselves, or of using a pseudonym. Limited exceptions apply.

APP 3 — Collection of solicited personal information

Outlines when an APP entity can collect personal information that is solicited. It applies higher standards to the collection of 'sensitive' information.

APP 4 — Dealing with unsolicited personal information

Outlines how APP entities must deal with unsolicited personal information.

APP 5 — Notification of the collection of personal information

Outlines when and in what circumstances an APP entity that collects personal information must notify an individual of certain matters.

APP 6 — Use or disclosure of personal information

Outlines the circumstances in which an APP entity may use or disclose personal information that it holds.

APP 7 — Direct marketing

An organisation may only use or disclose personal information for direct marketing purposes if certain conditions are met.

APP 8 — Cross-border disclosure of personal information

Outlines the steps an APP entity must take to protect personal information before it is disclosed overseas.

APP 9 — Adoption, use or disclosure of government related identifiers

Outlines the limited circumstances when an organisation may adopt a government related identifier of an individual as its own identifier, or use or disclose a government related identifier of an individual.

APP 10 — Quality of personal information

An APP entity must take reasonable steps to ensure the personal information it collects is accurate, up to date and complete. An entity must also take reasonable steps to ensure the personal information it uses or discloses is accurate, up to date, complete and relevant, having regard to the purpose of the use or disclosure.

APP 11 — Security of personal information

An APP entity must take reasonable steps to protect personal information it holds from misuse, interference and loss, and from unauthorised access, modification or disclosure. An entity has obligations to destroy or de-identify personal information in certain circumstances.

APP 12 — Access to personal information

Outlines an APP entity's obligations when an individual requests to be given access to personal information held about them by the entity. This includes a requirement to provide access unless a specific exception applies.

APP 13 — Correction of personal information

Outlines an APP entity's obligations in relation to correcting the personal information it holds about individuals.