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Privacy & Dignity Policy and Procedure

Policy Purpose

This policy is intended to ensure that the supports made available to participants by Kaleidoscope Psychological Services promote, uphold, and respect their legal and human rights. This includes the participant's right to access supports that respect and protect their privacy and dignity.

Policy Statement

Kaleidoscope Psychological Services will facilitate, to the greatest extent possible, the capacity of all participants who access our supports to determine their own best interests and make decisions about their own lives, including with respect 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 to support (where reasonable and possible).

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.

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Privacy Procedure

Our Privacy and Dignity Policy is to be implemented in accordance with the procedures outlined in this document. We are dedicated to protecting the privacy and dignity of those who utilise our services. This procedure should be read in conjunction with our Policy and Procedure for Information Management.

Upon joining Kaleidoscope Psychological Services, and annually during the review of Support Plans and Service Agreements, we will inform participants of privacy and confidentiality requirements.

This includes:

- Informing participants of the confidentiality of their personal information, as well as • the personal information we will collect from them, its intended use, how it will be stored, and who will have access to it.
- Providing the participant with the option to withhold personal information, while informing them that this may limit our ability to offer them support services.
- Collect only the personal information necessary to deliver the participant's requested ٠ services. This may include information regarding gender, culture, ethnicity, preferred modes of communication, health concerns, relationships, and obstacles to achieving goals.
- Informing participants that they may access their personal information at any time in ٠ the presence of a staff member and a supporter of their choosing.
- Soliciting the participant's written consent before disclosing any information about them to a third party. For instance, permission to speak with other support providers, community members, and chosen supporters who can help maximise the participant's social and community engagement.
- Informing participants that we will seek their written consent before filming or recording their image or voice for internal training, public display, marketing, or other related purposes.
- Collaborate with nominees in limited situations where participants are unable to consent to a service agreement. In such situations, parents and guardians must reflect the participant's needs and goals and make decisions regarding privacy and dignity in order to maximise the participant's well-being in all aspects of his or her life. Kaleidoscope Psychological Services will collaborate with the nominee to achieve this objective.
- Our Privacy and Dignity Policy is made available to participants in the mode, format, ٠ and/or language of their choosing.

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 To assist in the provision of connected supports that maximise opportunities for the participant to maintain and practise their individual values and beliefs, we may ask participants if they consent to sharing their support plan information with other members of their family and community chosen by them, with other providers of supports, and with 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 <u>Office of the Australian Information Commissioner</u> 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

Kaleidoscope Psychological Services 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 *Complaints Management and Resolution Policy and Procedure.*

Note: This policy is not designed to stand alone and should be considered in conjunction with all other Kaleidoscope Psychological Services Policies and Procedures.

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

- Service Agreement
- Support Plan

Applicable legislation related to our Privacy & Dignity Policy and Procedure

- o National Disability Insurance Scheme (NDIS) Act 2013 (Cwth)
- o Australian Privacy Act (1988) (Cth)
- o <u>Corporations Act 2001</u>
- Associations Incorporated Act 1985
- o Disability Discrimination Act 1992 (Cth)
- United Nations Convention on The Rights of Persons with Disabilities
- o <u>National Disability Insurance Scheme (Practice Standards—Worker Screening) Rules 2018</u>
- o Disability Inclusion (NDIS Worker Check) Regulations 2020

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