

AMIDA

Action for More Independence and
Dignity in Accommodation

PRIVACY CONFIDENTIALITY & DIGNITY POLICY



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WHAT DOES IT ALL MEAN?



Privacy



Privacy means respecting a person's right to spend time on their own without being watched by others.

It also means people keeping their own thoughts, actions, information and conversations free from public knowledge or attention.

Privacy is also about protection of personal information handled and stored by organisations.

Confidentiality



Confidentiality is where you give someone information that they agree they will not tell other people.

Dignity



Dignity means having self respect and being treated respectfully by other people.

It means your choices and involvement in decision making is valued.

Everyone has rights to **privacy, confidentiality** and **dignity**.



WHO IS COVERED BY THIS POLICY?



This policy outlines the way AMIDA respects privacy. It covers the rights of consumers, members, volunteers and workers.

AMIDA has developed this policy to make sure we are following the privacy principles of the Victorian Health Records Act 2001, the Victorian Information Privacy Act 2000 and the Commonwealth Privacy Act 1988.

Service Users



A service user is a person with a disability who uses AMIDA's services.

We may support a person with information, individual advocacy, family advocacy or self advocacy support.

Members



A member is someone who has filled in a membership form and who has been accepted by the Committee as a member of the organisation.

Volunteers



A volunteer is a person who does work for AMIDA but who does not get paid.

Workers



A worker is a person who does work for AMIDA and who gets paid for doing this work.

? How does AMIDA deal with Privacy, Confidentiality and Dignity? ?

1

AMIDA will only collect and keep personal information we need to know about to provide an advocacy service. Workers will only collect the information they need to help them do a good job.



We will collect the personal information legally.

We will make sure you know the purpose for having the information about you and why we need it to carry out advocacy for you.



We will make sure the information we collect about you is up to date and correct and complete.

We will not find out more of your private information than we need to.

2

Only advocacy workers at AMIDA have a right to look at or hear about the personal information we keep at AMIDA. Committee members cannot look at or hear your private information. If issues AMIDA is working on are discussed with the committee or in our reporting internally or externally, private information, such as names, will not be used.

To provide advocacy AMIDA may need to share personal information with another worker or group. We will ask if this is OK and get signed consent. This means we can't share your private information unless you say "Yes". You have the right to say "No". We will make sure that the service we share your information with also protects personal information in a similar way.



We will also ask you to sign a consent form to allow another service or person to tell us the information they have about you.

AMIDA must keep a copy of information we give to anyone and the signed consent form.

Sometimes people have a guardian or administrator or an automatically authorised person with regard to health. Information can be disclosed to this person for compassionate reasons where the individual is incapable of consent. AMIDA must first assume people can make decisions and support people to do this, see our Decision Making and Choice Policy.



Under the funding agreement AMIDA has with the Department of Social Services, we can be asked to provide any information including personal files to the Department or their agents for the purpose of making sure we are doing a good job. The Department has its' own privacy policy, which says they will only reveal personal details in an emergency.

3



In accordance with Privacy Laws AMIDA must take reasonable steps to protect the personal information it holds. Personal information will be kept in a file in a locked filing cabinet in the AMIDA office. This office is usually kept locked even while workers are in the office. It is open while people enter and exit.

All computer files that contain your private information will be password protected. We will keep backup copies of computer files to protect against loss.

4



The Commonwealth Privacy Act 1988 also asks that we record the types of personal information we keep.

AMIDA keeps files containing people's personal information for the purpose of providing advocacy and information to people with a disability. These files contain such information as; name, address and phone numbers of service users and relevant support people, family and service delivery and government agencies and staff.

The information on service users also may include where relevant; gender, age, disability type, support needs and professional and medical reports related to this, cultural and linguistic background, sexuality, presenting problem or issue, agreed advocacy actions and plans, consent forms, progress and follow up notes and relevant correspondence.

We will not use public sector identifiers to file information, e.g. Medicare numbers and we will only record these types of identifiers where it is directly relevant to advocacy.

We will give individuals the option of receiving our services anonymously, wherever this is lawful and practicable, e.g. by providing information over the phone.

5

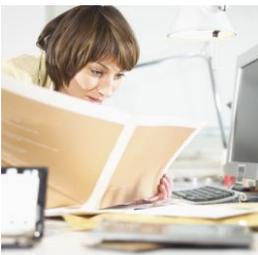
AMIDA will keep personal information for 7 years from the date that the advocacy case closes. Then when we no longer need to keep personal information for the advocacy purpose for which it was collected, we will take reasonable steps to destroy it or permanently de-identify it.



If AMIDA's services were ever to be transferred or closed down we must give notice of the transfer or closure to our service users.

6

You can see your file and take notes or have a copy of the information in your file. Ask an AMIDA advocacy worker or write a letter to AMIDA asking to see your file. If you don't understand the information in your file we will explain it to you.



On very rare occasions we may not be able to show someone their file. Section 26 of the Vic Health Records Act says we must not give you access to your file if AMIDA "believes on reasonable grounds that granting access would pose a serious threat

to the life or health of the person making the request or any other person”; or
“the information has been provided in confidence by a person other than you or another health service provider (such as a relative or friend) on the understanding that the information would not be revealed to you” (section 27 Health Records Act).

AMIDA may refuse access where:
access would have an unreasonable impact on the privacy of others (section 22 Health Records Act);
information relates to existing legal proceedings and the information would not be discoverable or is subject to legal professional privilege;
denying access is required or authorised by law; or granting access would prejudice law enforcement by a law enforcement agency.

7

Everyone should be respected when speaking at meetings or in the office. Everyone has a right to have their own opinion and to have a say and be listened to.



Everyone at AMIDA has a right to privacy and respect in the office and in their private life. If a worker or volunteer needs to talk about private things in a confidential way with a representative of AMIDA, this must be kept confidential.

Anyone using the AMIDA office should try not to be too noisy. This shows that everyone respects the rights of other people in the office.

8

All people with a disability who have contact with AMIDA in any way will be valued and their dignity will be respected. AMIDA will promote the rights, value and dignity of people with a disability in the community.

9



Everyone at AMIDA has a right to have private information respected in the AMIDA office. If you come into the office while a private discussion or phone call is happening we may ask if you can come back later. If you do happen to hear someone else's private talk you should keep this to yourself. Don't tell anyone else what you heard.

10

If anyone at AMIDA thinks there is a problem with the way privacy is handled, they can make a complaint. You can find out how to do this in the AMIDA Complaints Procedure policy which we can give you or you can get it from our web site.

www.amida.org.au



If you need support to make a complaint we can help or you can use your own support.

If you have any ideas to make this policy better please let us know.

You can phone 9650 2722 Fax 9654 8575 email amida@amida.org.au or write to us at

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