

# AMIDA

Action for More Independence and  
Dignity in Accommodation

## PRIVACY CONFIDENTIALITY & DIGNITY POLICY



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Approved 20.05.2024.....

**This policy is regularly reviewed and  
people using the service can have a say in  
improving the policy.**

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## WHAT DOES IT ALL MEAN?

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### Privacy



In this policy, Privacy is about protection of personal information handled and stored by AMIDA.

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### Confidentiality



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

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### Dignity



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

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

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



## WHO IS COVERED BY THIS POLICY?



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This policy outlines the way AMIDA respects privacy. It covers the rights of clients, 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 Privacy and Data Protection Act 2014 the Commonwealth Privacy Act 1988.

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### Clients



A client is a disabled person who uses AMIDA's services.

We may support a person with information, individual advocacy, family advocacy or self advocacy support. Information and advice is also provided to people supporting or working with disabled people.

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### 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.

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### Volunteers



A volunteer is a person AMIDA has accepted as a helper but they are not a paid worker.

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### Workers



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

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

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1

AMIDA will only collect and keep personal information we need to know about to provide a service. AMIDA 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.

All Confidential Information to which AMIDA workers have access, or which is disclosed or made available to the worker for any purpose, must be treated as confidential and only be used for the purposes of carrying out the assigned work.

Confidential Information means all information, data, know-how or experience

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relating to AMIDA, AMIDA's clients and personnel files in all forms including documents, databases, records and oral disclosures.

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2

Only workers at AMIDA have a right to look at or hear about the personal information we keep at AMIDA. 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 unless you have provided us with written consent for us to do this.



To provide advocacy, AMIDA may need to share personal information with another worker or group outside AMIDA. 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

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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.

AMIDA has a funding agreement with the Department of Social Services, and 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. We will ask for your consent to do this. The Department has its' own privacy policy, which says they will only reveal personal details in an emergency.

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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 secure way in digital files. Progressively, hard copies of relevant information will be scanned and saved to digital files and hard copies destroyed. Files still containing hard copies of your information are kept in locked filing cabinets.

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

Mobile devices staff use will be locked or password protected.

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# 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 disabled people. These files contain such information as; name, address, email and phone numbers of clients and relevant support people, family and service delivery and government agencies and staff.

The information on service users also may include where relevant to providing advocacy and information to disabled people; visa status, income, place of work, National Disability Insurance Scheme number, Centrelink, Victorian Housing Register status, 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 can give individuals information, referral and advice anonymously, wherever this is lawful and practicable, e.g. by providing information over the phone.

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# 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.

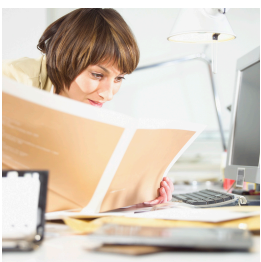


If AMIDA's services were ever to be transferred or closed down we must give notice of the transfer or closure to our clients.

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# 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).



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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.

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

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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.

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# 9

Everyone at AMIDA we work with has a right to have private information respected by AMIDA.



Wherever AMIDA meets with you we will be mindful not to have sensitive conversations where they can be overheard. This may require us making appointments with you for an appropriate space and time.

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# 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](http://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

email [amida@amida.org.au](mailto:amida@amida.org.au) or write to us at

AMIDA 1<sup>st</sup> Floor Ross House  
247 Flinders Lane Melbourne 3000

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