

POLICY AND PROCEDURES

FEB 2020

This policy is to ensure that supports accessed by participants through Custodia Plan Management promote, uphold and respect the participants legal and human rights. Including the rights of participants to access supports that respect and protect their dignity and right to privacy.

Objectives: The Privacy and Dignity policy aims to provide direction to our organisation in facilitating access to supports that respect the privacy and dignity of participants. We will:

- Respect the rights of participants to privacy and dignity in their interactions with us, and in delivering the supports they receive.
- Seek agreement to the collection of personal information from participants.
- Collect personal information only to the extent that it will assist us in delivering person centred supports to participants.
- Comply with the Australian Privacy Principles in collecting, storing, and sharing personal information of participants.
- Ensure participants understand what information we collect about them, and for what purpose.
- Ensure participants understand how we manage personal information collected by our organisation to assist us in the provision of their supports.
- Understand that personal information we collect regarding a participant, belongs to a participant.

Accordingly, we will not release information to any other party without consent of the participant, unless required by law. This includes the National Disability Insurance Scheme Act in so far as liaison with the NDIS Commissioner and the National Disability Insurance Agency is required.

- Some participants may, in limited circumstances, have a nominee/parent/child representative or legal guardian to make decisions for them, including the sharing of personal information. Such authorised persons must consider the dignity of the participant and make decisions to share information based upon opportunities that maximise the participant's wellbeing in all aspects of their life.

Custodia Plan Management will work with an authorised person as required to achieve this end.

OUR COMMITMENT TO PARTICIPANTS

Participants are at the centre of every stage of support provision.

Custodia Plan Management will undertake the following steps related to privacy and dignity:

- Custodia Plan Management will only collect personal information consistent with undertaking the role and responsibilities of a Plan Manager.
- The personal information we collect will only be used by Custodia Plan Management and will only be used for these purposes.

- The personal information will be stored electronically and securely protected.
- All participants have the right to refuse to provide personal information to Custodia Plan Management. If a participant refuses to provide Custodia Plan Management with the information requested, we will advise how this may impact upon the delivery of services and whether it will be possible to provide services without the required information.
- Custodia Plan Management will seek written consent from the participant to release any information about them to an external party. For example, consent to speak with support providers, community members, and chosen supporters who may assist in maximising the participant's social and community engagement.
- To assist in the provision of connected supports that assist the participant to maximise opportunities to maintain and practice their individual values and beliefs, we may ask participants if they agree to share their support plan information with others on a 'need to know,' basis.
- All participants have the right to withhold consent. Custodia Plan Management will advise participants of any impacts this may have on service delivery and the ability of Custodia Plan Management to provide services.
- Custodia Plan Management shall seek written consent from participants before proposing to record their voice or image, or using that recording for internal training, public display, or marketing or associated purposes.
- Custodia Plan Management shall advise participants if a senior staff member is to monitor a telephone call for the purpose of training or supporting Custodia Plan Management staff.
- Custodia Plan Management shall work with nominees/guardians in circumstances where participants are unable to give informed consent (e.g. to a service agreement). In these cases, nominees and guardians must reflect the needs and goals as identified by the person with disability and make decisions regarding privacy and dignity to best maximise the participant's wellbeing in all aspects of his/her/their life. Custodia Plan Management will work with the nominee as required to achieve this end.
- Participants may access their personal information at any time, with a staff member present, and a chosen supporter should they wish. If a participant disagrees with any personal information the participant has the right to ask for the information to be changed. Ordinarily this will result in a change being made.
- If it is not possible to make the change, a note shall be added to the relevant file to advise the participant disagrees with the information and sets out how the participant wishes to see the information presented.
- Custodia Plan Management may store some information in secure cloud-based environments. In such circumstances Custodia Plan Management shall take all reasonable steps to ensure the security of information.

PRIVACY AND COMPLAINTS

- Participants may make a complaint about Privacy matters. In doing so participants should access the Custodia Plan Management Complaints Policy.
- Custodia Plan Management shall treat all complaints in a confidential manner.
- Nothing in this Policy prevents a complaint about Privacy from being made to the Office of the Australian Information Commissioner (Tel 1300 363 992) at any time during the complaints process.