



POLICY: 7. SERVICE DELIVERY - PRIVACY DIGNITY AND CONFIDENTIALITY

INTENTION

Cindy Dilworth Speech Pathology Services Pty Ltd respects the privacy, dignity and confidentiality of all people including the people who use the Service, employees, volunteers, members, benefactors and business partners and is committed to safeguarding the personal information that is provided. Cindy Dilworth Speech Pathology Services Pty Ltd adheres to the Australian Privacy Principles (APP).

DEFINITION

Privacy is defined as a person's right to keep their personal matters and relationships known to only a select group of people.

Confidentiality is the protection of personal information.

Dignity is a term used in moral, ethical, legal, and political discussions to signify that a person has an innate right to be valued and receive ethical treatment.

Personal Information as defined in the Privacy Act 1988 means information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- (a) whether the information or opinion is true or not; and
- (b) whether the information or opinion is recorded in a material form or not

POLICY STATEMENTS

Cindy Dilworth Speech Pathology Services Pty Ltd will only collect and release information about a Participant with consent from the Participant and/or their Representative/Nominee, except in specified circumstances including emergencies or as required or permitted by law.

Cindy Dilworth Speech Pathology Services Pty Ltd collects information from Participants relevant to service delivery to ensure the highest quality of service provision. Information regarding staff members is collected for employment purposes. Information from volunteers is collected relevant to their role.

Cindy Dilworth Speech Pathology Services Pty Ltd will respect and protect the dignity and right to privacy of all Participants, staff members. and volunteers.

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All Employees, Volunteers and Contractors of Cindy Dilworth Speech Pathology Services Pty Ltd have a responsibility to ensure that personal information is handled in a way that complies with this policy.

PROCEDURES

Collection of Information

- The information that Cindy Dilworth Speech Pathology Services Pty Ltd may request from a person will vary depending on whether the person is receiving a service from Cindy Dilworth Speech Pathology Services Pty Ltd, or is an employee, volunteer or stakeholder.
- Cindy Dilworth Speech Pathology Services Pty Ltd will collect relevant information directly from the person where possible, and as far as reasonably practicable will ensure the person understands and agrees to the collection of this information
- Cindy Dilworth Speech Pathology Services Pty Ltd may collect the information from another person who has legal responsibility for the person or who acts as a recognised Representative/Nominee for the person.
- Cindy Dilworth Speech Pathology Services Pty Ltd only collects information for purposes directly related to the delivery of service.
- The Service will only disclose information relating to a person with their consent, *except in specified circumstances including emergencies or as required or permitted by law.*
- There are some circumstances where Cindy Dilworth Speech Pathology Services Pty Ltd may receive information that was not requested. When this happens, Cindy Dilworth Speech Pathology Services Pty Ltd will use their discretion to determine whether the information should be acted on or followed up.
- Cindy Dilworth Speech Pathology Services Pty Ltd does not sell or give away any information that the Service collects.

Use and Disclosure of Information

- Cindy Dilworth Speech Pathology Services Pty Ltd only holds information for the primary purpose it was given. It is not to be used or disclosed to another party for a secondary purpose unless one of the following applies:
 - the person has agreed
 - the person would expect Cindy Dilworth Speech Pathology Services Pty Ltd to use or disclose the personal information for the secondary purpose as it relates to the primary purpose
 - it is required or authorised by law
 - a permitted general situation exists (as per the Privacy Act 1988)
 - a permitted health situation exists (as per the Privacy Act), in

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which case, steps must be taken to de-identify the information before it is disclosed

- Cindy Dilworth Speech Pathology Services Pty Ltd believes that the use or disclosure of the information is necessary for an enforcement related activity (e.g. Federal Police, Immigration, ATO)
- Cindy Dilworth Speech Pathology Services Pty Ltd takes steps to protect the information it holds against misuse, interference, loss, unauthorised access, modification or disclosure.
- These steps include password protection for electronic files and securing paper files in locked cabinets.
- When information is no longer required it is destroyed, deleted or de-identified in a secure manner, unless Cindy Dilworth Speech Pathology Services Pty Ltd is required by law to keep the information.
- If a person asks for access to their information held by Cindy Dilworth Speech Pathology Services Pty Ltd, the Service will allow access unless there is a reason under the Privacy Act or any other law not to give access to the information. These reasons may include:
 - a serious threat to the life, health or safety of any individual, or to public health/safety
 - it would impact on the privacy of other individuals
 - the request is frivolous or vexatious
 - the information relates to existing or anticipated legal proceedings
 - it would prejudice negotiations with the individual
 - it would be unlawful
 - denying access is authorised by law
- Cindy Dilworth Speech Pathology Services Pty Ltd will respond to the request for access to the personal information within a reasonable time and will give access in the way requested by the person, if it is able to do so.

Dignity

- Staff members are required to treat Participants with dignity and respect and as far as reasonably practicable to protect the privacy and dignity of each Participant.

Confidentiality

- Cindy Dilworth Speech Pathology Services Pty Ltd will endeavour as far as practicably possible to advise each Participant of its confidentiality policy

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using a language, mode of communication and terms that the Participant is most likely to understand.

- Employees, volunteers and contractors who may have access to information in the course of their duties are bound by their commitment to confidentiality.
- Breaches of confidentiality by employees, volunteers and contractors will be dealt with in accordance with Cindy Dilworth Speech Pathology Services Pty Ltd's Code of Conduct.

Privacy Complaints or Concerns

- If there is a complaint or concern in relation to privacy, it should be made in writing and directed to the Director
- Any complaint or concern will be investigated by the Director in consultation with the Management Team of Cindy Dilworth Speech Pathology Services Pty Ltd

DELEGATIONS

All Staff

- Must adhere to Cindy Dilworth Speech Pathology Services Pty Ltd policy on Privacy, Dignity and Confidentiality and abide by all relevant legislation.

Director

- Ensure as far as practicable that all staff receive training relating to Privacy, Dignity and Confidentiality and relevant legislation.
- Ensure as far as practicable that Participants and Representatives/Nominees are aware of the practices of the Service for collection, storage and disposal of personal information.

REFERENCES

Privacy Act 1988
Australian Privacy
Principles Disability
Service Act
National Disability Insurance Scheme Act
NDIS Terms of Business for Registered
Providers
NDIS Practice Standards
Human Services Quality Standards

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AMENDMENTS/REVIEWS

Reviewed 29/8/24

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