

Privacy & Dignity Policy & Procedure

The logo for BelleJoy Support, featuring the text "BelleJoy" in a serif font above "Support" in a sans-serif font, with a horizontal line of dots between them. The logo is centered within a white circle, which is itself set against a large, light teal abstract shape in the bottom left corner of the page.

BelleJoy
Support

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Policy Statement

BelleJoy Support is committed to ensuring that supports accessed by participants through BelleJoy Support promote, uphold, and respect the legal and human rights of participants. This includes the rights of participants to access supports that respect and promote their dignity and right to privacy.

Delegations

Roles	Responsibilities
Management	<ul style="list-style-type: none"> • Comply with BelleJoy’s Privacy and Dignity Policy and Procedures • Ensure workers are trained in the correct practices of privacy and dignity • Comply with the Australian privacy principles in collecting, storing, and sharing the personal information of participants. • Understand that personal information we collect about a participant belongs to a participant. Accordingly, we will not release this information to any other party without the consent of the participant, unless the law requires us to. 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. • Auditing of participant files for consents
Worker, volunteers, contractors and students	<ul style="list-style-type: none"> • Comply with BelleJoy’s Privacy and Dignity Policy and Procedures • Actively identify and report any potential breaches of privacy and dignity within areas of work

Principles

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. This means we will:

- Respect the rights of participants to privacy and dignity in their interactions with us, and in the delivery of 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 delivery of person-centered supports to participants.
- Comply with the Australian privacy principles in collecting, storing, and sharing the personal information of participants.
- Ensure participants understand what personal information we collect about them, and for what purpose.
- Understand that personal information we collect about a participant belongs to a participant. Accordingly, we will not release this information to any other party without the consent of the participant, unless the law requires us to. 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 some limited circumstances, have a nominee/parent/child representative or legal guardian to make decisions for them, including in relation to the sharing of their personal information. Such authorised persons must consider the dignity of the participant and make decisions to share information based upon opportunities to best maximise the participant's wellbeing in all aspects of their life. BelleJoy Support will work with the authorised person as required to achieve this end.
- Support and acknowledge our participants need and right to intimacy and sexual expression. Our team will support and assist our participants choice to safely seek intimacy and sexual expression, including for those that need or want to, to safely engage, and use sex work services to do so.

Procedures

Participants are at the center of every stage of support provision. BelleJoy Support will undertake the following steps related to privacy and dignity:

- BelleJoy Support will only collect personal information consistent with undertaking the role and responsibilities of the services requested.
- Personal information will be stored electronically and securely protected.
- All participants have the right to refuse to provide personal information to BelleJoy Support. If a participant refuses to provide information requested, BelleJoy Support will advise how this may impact upon the delivery of services and whether it will be possible to provide services without the required information.
- We will seek consent from the participant to release any information about them to an external party. For example, consent to speak with other 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 sharing their support plan information with others on a 'need to know,' basis.
- We shall seek written consent from participants before proposing to record their voice or image, or using that recording for internal training, public display, marketing, or associated purposes.
- We 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. We will work with the nominee as required to achieve this end.
- Participants may access their personal information at any time, with a worker 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.

- We may store some information in secure cloud-based environments. BelleJoy Support shall take all reasonable steps to ensure the security of information.
- All worker members and volunteers agree to uphold BelleJoy Code of Conduct and recognise that all personal information is confidential.
- Worker members assisting with a person's care, including intimacy, sexual expression and personal hygiene to ensure that the support offered always reflects the rights of that person to be treated with dignity and maintain their privacy. This includes:
 - Providing training to the person to increase their level of independence.
 - Providing information about the assistance to be offered.
 - Ensuring privacy by the closing doors, curtains and by knocking on doors.
 - Provide support so that participants are able to safely access and engage in intimacy and sexual expression
 - Observing the universal standards of infection control.
- Worker respect privacy of people we support in the handling of personal mail, in private meetings with family or friends and in managing telephone conversations.
- The people we support are provided with appropriate support and assistance to conduct personal relationships that promote their right to privacy and dignity.
- The decision of a person not to have family advised on information is respected.
- BelleJoy worker members only disclose information against the wishes of the person we support, their advocate or guardian when:
 - Legislation requires such information
 - Information is subpoenaed in a court proceeding
 - There is an overriding public interest e.g., sexual assault of another person we support.

Record of Review

Review Date	Lead by	People consulted
08/01/2024	Claire Yeatman (General Manager)	Katie Newell (Project Manager)

Reference Documents

- NDIS Practice Standards and Quality indicators Nov 2021
- The NDIS Code of Conduct March 2019
- Privacy Act 1988 (Cth)
- The NDIS Act 2013

Linked Documents

- Consent to exchange information form
- Consent to share plan with providers NDIS
- Consent to exchange and collect information NDIS
- BelleJoy welcome booklet
- Diversity & inclusion policy & procedure