



## **PRIVACY AND CONFIDENTIALITY POLICY**

### **1. PURPOSE**

The purpose of this policy is to establish standards of privacy, dignity and confidentiality in the dealings with prospective, current and past users of Lift Up Voices' services. The policy has been framed around the individuals' rights as they are specified in the Privacy Act (1988), Freedom of Information Act (1982), Disability Services Act (1993) and NDIS Practice Standards *Provider Governance and Operational Management* Core Module (Information Management).

This policy also contains information pertaining to the SA Information Sharing Guideline requirements and the Ombudsman 'ISG Decision Making Steps' and the 'ISG Practice Guide' appendices.

### **2. SCOPE**

This policy applies to all Lift Up Voices Directors, staff members, volunteers and individuals who are engaged in Lift Up Voices programs and activities.

### **3. POLICY STATEMENT**

Lift Up Voices respects every individual's legal right to privacy. This policy sets out Lift Up Voices' practices relating to the collection, holding, use and disclosure by Lift Up Voices of personal and sensitive information relating to an individual.

Lift Up Voices also recognises its responsibilities under the NDIS Code of Conduct and the NDIS Practice Standards to ensure that personal information is collected and handled in a way that upholds the rights, dignity and autonomy of people with disability.

### **4. DEFINITIONS**

In this policy:

**Consent** is a voluntary and informed agreement by an individual to something Lift Up Voices does. Where Lift Up Voices considers that a person is unable to give this consent to the use of his or her personal information for a particular purpose, Lift Up Voices will ask that person's parent or guardian to provide the consent.

**Health records** are part of personal information and sensitive information, and include information or an opinion about a person's health or disability. In the case of Lift Up Voices, most health records that are subject to the Law are collected for the purpose of assessing client's health to ensure support needs are met.

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**Personal information** is information, or an opinion, about an individual who is reasonably identifiable, whether or not that information or opinion is recorded in some way, and whether or not the information or opinion is true. Personal information collected by Lift Up Voices includes contact details, educational qualifications, personal history and personal financial information.

**Sensitive information** is part of personal information and includes information Lift Up Voices may collect such as racial or ethnic origin, religious beliefs, membership of a professional or trade association, criminal record, or health information.

## **5. OPEN AND TRANSPARENT MANAGEMENT OF INFORMATION**

5.1 Lift Up Voices will make this policy publicly available on its website at [www.liftupvoices.com.au](http://www.liftupvoices.com.au) and will take reasonable steps to provide a copy of this policy, to anyone who asks for it. A person may request a copy of the policy by contacting Lift Up Voices at [team@liftupvoices.com.au](mailto:team@liftupvoices.com.au).

5.2 When asked to do so by an individual, Lift Up Voices will take reasonable steps (subject to the Law) to let the person know, generally, what sort of personal information Lift Up Voices holds about that person, for what purposes, and how it collects, holds, uses and discloses that information.

5.3 Lift Up Voices has in place procedures, including this policy, to ensure that it complies with the Australian Privacy Principles, and that individuals may approach Lift Up Voices with any questions or complaints about Lift Up Voices' compliance with the Law.

## **6. PROCEDURES**

Based on the Ombudsman SA Information Sharing Guidelines, the following procedures are to be implemented to ensure that Lift Up Voices meets its policy objective of respecting every individual's right to privacy.

Additionally, 'ISG Decision Making Steps' and 'ISG Practice Guide' appendices will be followed to ensure Lift Up Voices will:

- 6.1 Only collect information about the participant that can be shown to be directly relevant to effective service delivery and Lift Up Voices' duty of care responsibilities.
- 6.2 Seek the written consent of the participant or family prior to obtaining information from any other source.
- 6.3 Seek the written consent of the participant or family prior to releasing information to any other source.
- 6.4 Ensure that personal information is stored securely and is not left on view to unauthorised personnel or general public.

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- 6.5 Ensure that only those Lift Up Voices staff members who need access to the above information will be granted access.
- 6.6 Advise the participant and family of the nature of the personal information that is held by Lift Up Voices about the participant.
- 6.7 Advise the participant and the family of their right to view the information that the agency keeps in respect of the participant.
- 6.8 Ensure that personal information about the participant is only held by Lift Up Voices as long as it remains relevant to the delivery of effective services and Lift Up Voices' duty of care obligations.
- 6.9 Promptly investigate, remedy and document any consumer grievance regarding privacy, dignity or confidentiality.

## 7. PERFORMANCE STANDARDS

- 7.1 All participants and their families can access Lift Up Voices' *Privacy and Confidentiality Policy* on Lift Up Voices' website [www.liftupvoices.com.au](http://www.liftupvoices.com.au).
- 7.2 All staff members and volunteers have been provided with a copy of Lift Up Voices' *Privacy and Confidentiality Policy* and a staff copy is kept in each service outlet.
- 7.3 Participants and families have been informed why the information sought is required by Lift Up Voices.
- 7.4 *Client Consent Forms* have been completed by the participant and/or their family prior to information being obtained and stored.
- 7.5 Photographic, video or other identifying images are not displayed or aired publicly without the written prior permission of the participant or family and signing of *Talent Release Forms*.
- 7.6 Any grievances have been addressed in accordance with the privacy, dignity, and confidentiality principles outlined in this policy and the Compliments, Complaints and Feedback Policy.

## 8. DATA QUALITY

Lift Up Voices will take all reasonable steps to ensure that the personal information it collects is accurate, complete and up-to-date and relevant, having regard to the purposes of the use or disclosure of the personal information that is collected.

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## 9. DATA SECURITY AND HANDLING

9.1 Lift Up Voices will take all reasonable steps to protect the personal information it holds from misuse, interference (which may include measures to protect against computer attacks), loss and unauthorised access, modification or disclosure.

9.2 Lift Up Voices data handling practices are regularly reviewed. All sensitive information is separately stored and shared among staff members on a need to know basis only.

9.3 Client management records (including personal, sensitive and health records) are stored securely on Splose, the organisation's client database. These are only accessible by personnel who require the information to undertake their roles, such as mentors and directors.

9.4 All Lift Up Voices personnel have been provided with guidance to support this privacy policy.

9.5 Lift Up Voices will take all reasonable steps to destroy or permanently de-identify personal information about an individual that it holds, if the information is no longer needed for any purpose for which it is able to be used or disclosed, and where there is no law or Court/tribunal or Government contract that requires Lift Up Voices to keep the information.

## 10. REVIEW

This Privacy Policy will be reviewed on a two yearly basis. However, if at any time the legislative, policy or funding environment is so altered that the policy is no longer appropriate in its current form, the policy will be reviewed immediately and amended accordingly.

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## **APPENDICIES**

OmbudsmanSA 'ISG Decision Making Steps'

OmbudsmanSA 'ISG Practice Guide'

## **RELATED POLICIES**

Compliments, Complaints and Feedback Policy

Code of Conduct Policy

Media Consent Policy

Participant Money and Property Policy

Mealtime Management Policy

## **SUPPORTING DOCUMENTS**

NDIS Service Agreement & Support Plan

Client Consent and Media Consent (built into SA)

Complaint Register

Artist Profiles

## **RELEVANT LEGISLATION OR STANDARDS**

SA Information Sharing Guidelines

Disability Services Act (1993)

Freedom of Information Act (1982)

NDIS Practice Standards and Quality Indicators (2021)

Privacy Act (1988)

NDIS Code of Conduct

NDIS Amendment (Getting the NDIS Back on Track No.1) Act 2024

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