



## Service User Policy: Privacy, Confidentiality & Dignity

### Introduction

STAR has a number of service user policies that help us do our job in a way which is fair. This policy is about privacy, confidentiality of personal information, and dignity.

This policy explains how STAR collects, uses, maintains and discloses personal identification collected from people, whether that information is collected in person, on the phone, in hard copy, by email or via the web site.

### How STAR manages Privacy and Confidentiality

STAR is required to meet the requirements of laws that apply in Victoria, including the *Privacy and Data Protection Act (2014)* and the *Health Records Act (2001)*. These laws govern the way that information is collected, used and stored. It covers the rights of service users, members, volunteers and workers.

We will collect personal information from people only if they voluntarily submit such information to us through completion of forms, providing a phone contact or by providing an email or street address.

STAR will only receive, collect, hold and keep personal information we need to know to provide an advocacy service and to maintain a membership data base. We will make sure you know the purpose for having the information and why we need it.

We will make sure the information we collect about you is up to date and correct. We will collect the personal information legally. The information will only be used for the purpose for which it was originally provided and will be stored and disposed of in a way to maintain privacy of the information. We will not share this information without your consent.

Only advocacy workers at STAR have a right to look at or hear about the personal advocacy information we keep at STAR. Committee of Management members and volunteers who are not advocacy workers cannot look at or hear your private information.

If the things that STAR is working on are discussed with the STAR Committee or at other meetings, no identifying information will be used unless we have your permission to do so.

Statistical information may be collected to meet relevant funding body requirements and for research and analysis purposes which is allowed under the

law. This information will be kept in a manner which ensures that it cannot be identified with you or your file.

To provide advocacy support, STAR may need to share personal information with another worker or group. We will ask your permission to do this and get your consent. 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 may also ask you to sign a consent form to allow another service or person to tell us the information they have about you. STAR must keep a copy of information we give to anyone and the signed consent form.

Sometimes people have a guardian or administrator or an authorised person who is responsible for decisions about their health, services or finances. Information can be disclosed to this person where the person we are being asked to support is incapable of consent.

STAR keeps files containing personal information for the purpose of providing advocacy and information. These files contain information such as the name, address and contact details of service users, as well as support people, like family members, service providers and government agencies. The information may also include gender, age, disability type, support needs and professional and medical reports, court documents, cultural and linguistic background, sexuality, presenting problem or issue, agreed advocacy actions and plans, consent forms, progress and follow up notes and relevant correspondence.

STAR must take reasonable steps to protect the personal information it holds. Personal information will be kept securely by STAR. All paper and online files that contain personal information is only accessible to those with the necessary secure access. All our files are supported by regular backup to protect against loss.

STAR 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 STAR's services were ever to be transferred or closed down, we will give notice of the transfer or closure to our service users.

You can request to see your file and take notes or have a copy of the information in your file. If you don't understand the information in your file it will be explained to you.

We reserve the right given to us under the law to restrict your access to information in your file when that access may:

- Unreasonably affect the privacy of other individuals
- Pose a serious threat to the life or health of any person

- Expose information given in confidence by a third party
- Be unlawful because other legislation requires our agency to withhold information
- Prejudice a law enforcement function by a law enforcement agency

Non-personal identification information may be collected about users of STAR's services such as data for government reports, or traffic on our website. This generic information will provide data such as the number of times the site is accessed, the length of time it is accessed and the number of features visited on the site.

## **How STAR manages Dignity**

All people with a disability who have contact with STAR in any way will be valued and their dignity will be respected. STAR will promote the rights, value and dignity of people with a disability in the community.

Everyone should be respected when speaking at meetings or in the STAR office. Everyone has a right to have their own opinion and to have a say and be listened to.

Everyone at STAR 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 STAR, this must be kept confidential. Where necessary arrangements can be made to meet out of the STAR office.

Everyone at STAR has a right to have private information respected in the STAR office. If you come into the office while a private discussion or phone call is happening you may be asked to come back later. If you do happen to hear someone else's private talk you must keep this to yourself.

## **Complaints**

If you are not happy with the way privacy, confidentiality and dignity is managed, you can make a complaint. We will give you information about how to make a complaint and also let you know about other groups or organisations that can help you make a complaint.

## **Related documents**

- Your Rights & Responsibilities policy
- Individual Needs policy
- Vulnerable People policy
- Who can use STAR policy
- Complaints policy
- Compliments, Complaints & Feedback form

Last reviewed: 2019 (updated 2022)