



Access to Care – Privacy and Dignity Policy

1 Statement of Purpose

The following policy and procedures have been developed and will be implemented to meet the requirements of:

- National Disability Insurance Scheme Act 2013
- National Disability Insurance Scheme (Code of Conduct) Rules 2018
- National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018
- National Disability Insurance Scheme (Incident Management and Reportable Incidents) Rules 2018
- National Disability Insurance Scheme (Complaints Management and Resolution) Rules 2018
- National Disability Insurance Scheme (Practice Standards-Worker Screening) Rules 2018
- National Disability Insurance Scheme (Procedural Fairness) Guidelines 2018
- National Disability Insurance Scheme (Quality Indicators) Guidelines 2018
- The NSW Privacy Act 1998;
- Australian Human Rights Commission Act 1986
- Disability Discrimination Act 1992;
- The Guardianship Act (1987) and Guardianship Regulations (2005)
- The National Disability Insurance Scheme Terms of Business;
- Other legislative or related provisions.

In particular, the policy and procedures seek to ensure that:

- Each participant receives a service that promotes and respects their legal and human rights and enables them to exercise choice like everyone else in the community.
- Each participant is aware of their rights and can expect to have them respected.
- Each participant will receive a service that reflects their right to privacy and have their personal records and details about their lives dealt with in an ethical and confidential manner in line with relevant legislation
- The organisation upholds and promotes the legal and human rights of each participant.

2 Privacy and Dignity Policy

Access to Care will ensure that staff members will at all times respect and uphold the participant's right to privacy and dignity. This applies to all assistance in a manner that actively encourages the positive portrayal of participants and provides effective quality services in the least intrusive way possible.

Access to Care should gather information from the participant, their family and significant people or service providers about the cultural and linguistic background of the participant on an ongoing basis.

Each participant will receive information of Access to Care Privacy and Dignity policy and procedure as part of participant induction and will be provided in the participant info pack. Information and support to access an advocate will also be provided to each participant as a part of Participant Info Pack.

Access to Care – Privacy and Dignity Policy

3 Guidelines for Ensuring Dignity and Respect

- 3.1 Participants have the right to a safe and pleasant standard of service that enhances the quality of individual life choices.
- 3.2 Participants have the right to be supported at all times and in all situations to maintain appropriate personal presentation, including dress and personal hygiene.
- 3.3 Participants have the right to be treated with respect and be valued as an individual.
- 3.4 Participants have the right to experience and learn from life situations, including where this involves an element of risk.
- 3.5 Participants have the right to a service which places people rather than the physical facility first.
- 3.6 Participants have the right to always be portrayed in a positive way in all public forums such as publicity, advertising.
- 3.7 Participants have the right to maximise and develop their level of independence and skills, and to receive appropriate support only as needed.
- 3.8 Participants have the right to the relationships that they choose. This includes the right to express their sexuality.
- 3.9 Participants have the right to expect that they shall be communicated with respectfully and in an age-appropriate manner.
- 3.10 Participants' hopes and ambitions for the future shall be respected and participants shall be supported to form realistic goals.
- 3.11 Participants shall be helped in a sensitive manner to avoid and cope with any potentially embarrassing situation.
- 3.12 Participants shall be treated as responsible people and empowered to handle responsibility.
- 3.13 Within available resources participants shall be supported to develop relevant skills to become more independent and realise their personal potential in accordance with their goals and aspirations.
- 3.14 Participants shall be encouraged to participate as active members of their community.
- 3.15 Anything written or spoken about participants shall be accurate and maintain a positive perception of their human dignity.

Access to Care – Privacy and Dignity Policy

4 Personal Privacy Principles

- 4.1 Participants shall be provided with maximum possible privacy, dignity and confidentiality in their personal care, medical / dental and behavioural needs.
- 4.2 At all times any personal care shall be carried out with discretion, dignity and respect.
- 4.3 The participant's right to a private social life and to forming friendships of the participant's own choosing shall be respected.
- 4.4 Participants shall be provided with support, as required, to maintain privacy of space and possessions and to respect that of others.
- 4.5 Participants shall have personal access to and control over their own money and bank accounts with support as necessary.
- 4.6 Each participant has the right to own and use personal possessions and the right to expect that all care is taken to protect those possessions. Each participant shall have a documented inventory of valuable or personally significant items that are left in the care of the service provider.

5 Privacy and Dignity Procedures

A range of specific issues need to be managed by staff in the delivery of services and supports.

5.1 Personal Care Assistance

- 5.1.1 Staff members are to actively encourage and support participants to be as independent as possible in tasks involving personal hygiene and bathing. This assistance is to be provided in the least intrusive manner possible.
- 5.1.2 Where a participant requires support and assistance to complete personal hygiene tasks the staff member is to attend to that task. Interactions with other staff members or other participants must not occur at this time.
- 5.1.3 For matters related to a participant's personal hygiene the following arrangements are to be put in place:
 - Facilities for personal hygiene are to be private and not shared.
 - Where doors are closed, staff members are to knock to gain permission to enter and respect the participant's privacy if permission to enter is refused, subject to the potential safety of the participant.
 - Staff members are to have minimum physical contact with the participant and only that contact that is consented to.
 - Staff members are to be sensitive to culturally based differences in attitudes and expectations of participants in relation to privacy.

Access to Care – Privacy and Dignity Policy

5.2 Sexuality and Human Relationships

- 5.2.1** Staff members are to support a participant's lifestyle choices and ensure that the privacy of such details is respected.
- 5.2.2** The participant's rights to develop and express their sexuality and maintain human relationships are to be respected by staff members.
- 5.2.3** For matters related to a participant's expression of their sexuality and personal relationships the following arrangements are to be considered:
- affording the participant personal space/ privacy/own room;
 - In a supported accommodation environment, if the bedroom/bathroom door is closed, others are to knock to seek permission to enter and respect the participant's privacy if permission is refused, subject to the potential safety of the individual;
 - actively encouraging and supporting the participant to make choices regarding partners and to express their lifestyle choices appropriately; and,
 - provision of information, referral to appropriate advice and/or support agencies.

6 Guidelines for Privacy in Communications

- 6.1** Participants have the right to receive all personal mail or email unopened. If participants require support to open, read or write mail or email, assistance shall be provided in a manner which respects the privacy of the participants concerned.
- 6.2** Participants are entitled to privacy when using the telephone and suitable facilities shall be provided by either a private space or cordless phone.
- 6.3** Participants are entitled to meet and communicate with others in private.
- 6.4** Topics or discussions that have the potential to be embarrassing or private to a participant must be carried out in private.
- 6.5** Access to Care respects the confidentiality of relationships between participants, their families, guardians, advocates and friends and only shares private information when permission to share that information has been granted.

- END -