



1.3.1 SERVICE DELIVERY - PRIVACY DIGNITY AND CONFIDENTIALITY

1. INTENTION

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

2. 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

3. POLICY STATEMENTS

Janeway Pty Ltd will only collect and release information about a Participating Organisation and their participants with consent from the Participant and/or their Representative Organisation/Nominee, except in specified circumstances including emergencies or as required or permitted by law.

Janeway Pty Ltd collects information from Participants/Participant Organisations 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.

Janeway Pty Ltd will respect and protect the dignity and right to privacy of all Participants, Participant Organisations and their staff, staff members. and volunteers.

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

Date Adopted:	22/02/2023	Next Review Date	22/02/2024	Version:	1.0
File Notes:	1.3.1 SERVICE DELIVERY - PRIVACY DIGNITY AND CONFIDENTIALITY			CONFIDENTIAL	PAGE 1



4. PROCEDURES

Collection of Information

- The information that Janeway Pty Ltd may request from a person will vary depending on whether the person is receiving a service from Janeway Pty Ltd, or is an employee, volunteer or stakeholder.
- Janeway 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
- Janeway 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.
- Janeway 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 Janeway Pty Ltd may receive information that was not requested. When this happens, Janeway Pty Ltd will use their discretion to determine whether the information should be acted on or followed up.
- Janeway Pty Ltd does not sell or give away any information that the Service collects.

Use and Disclosure of Information

- Janeway 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 Janeway 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 which case, steps must be taken to de-identify the information before it is disclosed
 - ✓ Janeway Pty Ltd believes that the use or disclosure of the information is necessary for an enforcement related activity (e.g. Federal Police, Immigration, ATO)
- Janeway 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 Janeway Pty Ltd is required by law to keep the information.

Date Adopted:	22/02/2023	Next Review Date	22/02/2024	Version:	1.0
File Notes:	1.3.1 SERVICE DELIVERY - PRIVACY DIGNITY AND CONFIDENTIALITY			CONFIDENTIAL	PAGE 2



- If a person asks for access to their information held by Janeway 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
- Janeway 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 and Participant Organisation staff with dignity and respect and as far as reasonably practicable to protect the privacy and dignity of each Participant and Participant Organisation staff member.

Confidentiality

- Janeway Pty Ltd will endeavour as far as practicably possible to advise each Participant and Participant Organisation of its confidentiality policy using a language, mode of communication and terms that the Participant/ Participant Organisation 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 Janeway 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 Manager Linda Jane
 - ✓ Janeway Pty Ltd. 12 Stewart Street, Boronia, Vic 3155.
- Any complaint or concern will be investigated by the Manager in consultation with the Management Team of Janeway Pty Ltd.

Date Adopted:	22/02/2023	Next Review Date	22/02/2024	Version:	1.0
File Notes:	1.3.1 SERVICE DELIVERY - PRIVACY DIGNITY AND CONFIDENTIALITY			CONFIDENTIAL	PAGE 3



5. DELEGATIONS

Management Team

Must adhere to Janeway Pty Ltd policy on Privacy, Dignity and Confidentiality and abide by all relevant legislation.

Service Manager

- Must adhere to Janeway Pty Ltd policy on Privacy, Dignity and Confidentiality and abide by all relevant legislation.
- 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 Representative Organisations/ Nominees are aware of the practices of the Service for collection, storage and disposal of personal information.

Trainers and other staff

- Must adhere to Janeway Pty Ltd policy on Privacy, Dignity and Confidentiality and abide by all relevant legislation.
- 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.

6. 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

7. AMENDMENTS/REVIEWS

Nichola Thompson, March 23rd, 2023.

Date Adopted:	22/02/2023	Next Review Date	22/02/2024	Version:	1.0
File Notes:	1.3.1 SERVICE DELIVERY - PRIVACY DIGNITY AND CONFIDENTIALITY			CONFIDENTIAL	PAGE 4