

1.3

The advocacy agency complies with the Australian Privacy Principles (March 2014) of the Privacy Act 1988 in order to protect and respect the rights of each person with disability.

KEY TERMS

Privacy Act 1988

The 'Privacy Act' regulates information/privacy. This is how personal information is collected e.g. the personal information provided when a form is filled in; how it is used and disclosed, its accuracy, how securely it is kept, and the consumers right to access that information

Personal Information

AIAS handles personal information which may contain details about private issues. This can include privacy issues associated with information about the consumer's location or private & personal information and the consumer's communication with others.

Australian Privacy Principles (APP)

The APPs regulate how Australian and ACT government agencies manage personal information. They cover how and when personal information may be collected, how it should be used and disclosed, and storage and security. They allow consumers to access that information and have it corrected if necessary.

PRINCIPLES

1.3.1

AIAS will ensure that information it collects and holds in regard to consumers is:

- Necessary, factual and relevant to the reasons the consumer has accessed AIAS
- Necessary, factual and relevant for funding reporting purposes
- Explained and available to the consumer
- Treated with respect and safely stored
- Not disclosed to any other person, agency or overseas organisation without the consumer's consent, unless permitted or required by law to do so
- Communicated to authorized parties in a confidential manner
- Relevant, accurate, up to date and not misleading
- Corrected if inaccurate or outdated
- Readily available, if required, for any complaint procedures.

PROCEDURE

1.3.2

AIAS complies with Part 1 Consideration of personal information privacy APPs 1-2

- By ensuring we comply with the Australian Privacy Principles and have practices, procedures and systems in place that support the above principles:
- consumer progress notes contain objective information which is factual and not subjective

- care is taken about the language used in documentation
- consumer files contain the originals of incoming documents and copies of all outgoing documents in either electronic or hard copies
- all documentation is dated
- confidentiality and privacy principles are applicable to all staff, members of the management committee, students & volunteers
- it is a condition of employment at AIAS that staff, students, volunteers and management committee members sign a confidentiality agreement
- AIAS also ensures the policy is freely available and easily accessible by keeping a copy on its website
- It is impracticable for AIAS to provide effective advocacy to consumers who wish to remain anonymous or use a pseudonym
- If a consumer has a complaint about our handling of their personal information AIAS will support them through the complaints process outlined in our complaint policy.

1.3.3

AIAS complies with Part 2 Collection of personal information APP 3-5

- The advocate ensures the consumer knows their personal information is being collected
- The advocate ensures the consumer understands why their personal information is being collected, the process for obtaining their personal information, and their rights pertaining to privacy laws
- The information collected must be necessary for AIAS work, and collected fairly and lawfully
- The information collected must be up-to-date and complete and not collected in an unreasonable or intrusive way.
- The only information collected is stated clearly on the Advocacy Registration forms
- The consumer can nominate if they wish for extra information to be included
- If the consumer lacks capacity to impart personal information, the advocate, with the consumer's consent, will ask a third party to provide relevant information
- AIAS does not seek out or use unsolicited personal information
- If unsolicited information is received and it is decided that the consumer would not have provided that information directly to AIAS or is contained within another Commonwealth record then the information will be discarded.

1.3.4

AIAS complies with Part 3 – Dealing with personal information APP 6-9

- The consumer signs an 'Authority to Gain/ Release Information' form. This protects the consumer from information being released without their permission
- Photo consent authority is required from individuals who attend the AIAS Advocacy Conference. The Photo Consent Authority clearly states that images will only be used in the AIAS newsletter & website
- All personal information is only used for the primary purpose in support of ongoing advocacy activities with the consumer and is not released for any direct marketing activities or to any overseas parties

- AIAS will only release the consumer's information in special circumstances, i.e. duty of care, health and safety or law enforcement reasons
- Personal information collected is coded and de-identified for funding reporting reasons only.

1.3.5

AIAS complies with Part 4 Integrity of personal information APP 10-11

- AIAS keeps accurate, complete and up-to-date personal information about the consumer
- Personal information is stored securely to prevent its loss or misuse.
- AIAS has locked filing cabinets in regard to all personal information.
- AIAS stores archived files in a locked storage shed
- Consumer files on electronic data storage may only be accessed by a secure password.

1.3.6

AIAS complies with Part 5 Access to, and correction of, personal information APPs 12-13

- Consumers can obtain access to their file by completing 'File Copy Request Form'
- Personal information will be supplied as soon as practicable and in a format requested by the consumer if reasonable and practicable
- Personal information will be amended or corrected if necessary.