

**Consent**

**Policy Statement**

At Burke and Beyond, we are committed to upholding the principles of autonomy, dignity, and respect for all participants. Central to this is ensuring informed consent is obtained for the provision of services and the collection, use, and disclosure of personal information or images.

**Objective**

This policy outlines our approach to obtaining, managing, and respecting consent and serves as a guide for our staff in maintaining the ethical and respectful practice in all aspects of service delivery.

**Scope**

This policy applies to all staff, volunteers, participants and their families who may be required to seek or provide consent.

**Definitions**

<b>Consent</b>	The voluntary agreement by a participant, or their legally authorised representative, to a specific action, such as receiving services or the collection or sharing of information. Consent must be informed, freely given, and may be withdrawn at any time.
<b>Informed Consent</b>	Consent given with full understanding of the information relevant to the decision, including the nature, purpose, risks, and consequences of agreeing to or declining the proposed action.
<b>Authorised Representative</b>	An individual legally designated to make decisions on behalf of a participant, as per relevant legislation.
<b>Capacity</b>	The ability of a participant to understand the information necessary to make an informed decision regarding their care and support.

**Principles**

We recognise and respect the right of each participant to make decisions about their own lives, including the supports and services they receive.

We are committed to ensuring that participants have access to the information they need to make informed decisions about their participation in our programs.

Participation in our programs is voluntary, and participants have the right to refuse or withdraw consent at any time without fear of reprisal.

We recognise that participants may have varying levels of capacity to provide consent, and we will take steps to ensure that consent is obtained in a manner that respects their individual abilities and preferences.

We will respect the privacy and confidentiality of participants' personal information, which is requested and handled on behalf of the participants. Any personal information provided by participants to the organisation will be securely stored and held in confidence, as outlined in relevant legislation, including the *Guardianship and Administration Act 2000*, *Power of Attorney Act 1998*, *Enhancing Privacy Protection Act 2012*, *Privacy Act 2000*, *Health Records Act 2001*, and other relevant legislation.



## **Obtaining Consent**

Before providing any supports or services, we will obtain informed consent from participants and their legally authorised representatives. This will include providing participants with clear and understandable information about the supports or services being offered, as well as any potential risks or benefits.

Participants have the right to refuse or withdraw consent at any time, and we will respect their decisions without prejudice.

Where there are concerns about a participant's capacity to provide informed consent, we will take steps to assess their capacity and ensure that consent is obtained in a manner that respects their abilities and preferences.

Under the *Guardianship and Administration Act 2000* and the *Power of Attorney Act 1998*, a person may be authorised to make health care decisions for a person with impaired decision-making capacity. If a participant is unable or does not have the capacity to make informed consent, the consent will be sought from their Statutory Health guardian or attorney.

All instances of consent will be documented in the participant's records, including the date, nature of the consent, and any relevant details.

## **Consent for Collection, Use, and Disclosure of Personal Information**

Participants will be informed of the type of personal information collected, why it is collected, and how it will be used and stored.

Personal information will only be disclosed to third parties with the participant's informed consent or if required by law (e.g., in cases of mandatory reporting or legal compliance).

Participants will be informed of any situations where their information may be disclosed without their consent, as required by law.

## **Consent for use of images and stories**

Burke and Beyond will obtain written consent from participants or their legally authorised representatives for the use of photos, videos or stories involving the participant. This consent will specify the intended purposes for which the photos or videos will be used and shared.

Burke and Beyond will ensure that the privacy and dignity of participants is respected when using and sharing photos or videos.

## **Managing Consent**

Participants have the right to revoke their consent at any time, and we will promptly action any changes required resulting from revoked consent.

Consent will be reviewed and renewed periodically to ensure that participants' preferences and needs continue to be respected.

## **Training and Compliance**



All staff members will receive training on the importance of obtaining and managing consent in accordance with this policy and relevant legislation.

Compliance with this policy and relevant legislation will be monitored regularly, and any breaches will be addressed promptly and appropriately.

### Implementation and Review

Improvements to this document can be made by completing a Suggestions and Improvements form and forwarding to a supervisor and/or the Manager Quality and Risk. This policy will be available on SupportAbility and publicly available on the website. The information in this policy is accessible to participants on the website, in the client handbook and via weekly meetings. This document will be reviewed every three years, when legislation or guidelines change or during the continual improvement process.

### Administration:

Practice Standards:	Information Management Privacy and Dignity Service Agreements with Participants
Internal documents related to this:	Model of Support policy Access, Planning, Provision & Review procedures Privacy and Confidentiality Policy Consent to share information WI Consent to Share Information Easy English Form
Legislation	<i>Guardianship and Administration Act 2000, Power of Attorney Act 1998, Enhancing Privacy Protection Act 2012, Privacy Act 2000, Health Records Act 2001, and other relevant legislation.</i>
Position Approving Document:	Chief Executive Officer
Position Responsible for Document	Chief Executive Officer

### Indexing:

Policy review and version tracking			
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