HANDS UP MALLEE

Ethics, privacy and safety framework

Title	Hands Up Mallee - Ethics, privacy and safety framework
Description	A framework to assist Hands Up Mallee backbone and associated groups to engage and work ethically and safely whilst maintaining privacy.
Created By	Hands Up Mallee backbone
Date Created	2 May 2023
Maintained By	Rachel Drummond, Systems Improvement Coordinator, Hands Up Mallee – rdrummond@schs.com.au

Version	Endorsed by	Comments	Date
HUM-EthicsFramework-DraftFramework-V6-230502	Community Governance Group	Endorsed at meeting	4 July 2023
HUM-EthicsFramework-DraftFramework-V6-230502	Voice Yarning Group	Presented to group, to be finalised at next meeting, October 2023	14 August 2023
HUM-EthicsFramework-DraftFramework-V6-230502	Voice Yarning Group	Endorsed at meeting with addition of 'prior consent'	16 October 2023

Version	Modified By	Modifications Made	Date Modified
HUM-EthicsFramework-DraftFramework-V6-230502	Rachel Drummond	Appendices – legislation, policies and frameworks - updated Definitions table – updated Table of Contents - updated	27 July 2023
HUM-EthicsFramework-DraftFramework-FINAL-231017	Rachel Drummond	Added 'prior consent' to definition table. Added 'prior consent' dot point under the Responsibility heading	17 October 2023

Hands Up Mallee
93 Pine Avenue
Mildura Vic 3500

Po Box 10184
Mildura Vic 3501

www.handsupmallee.com
hello@handsupmallee.com

Contents

About Hands Up Mallee

Established in 2015, Hands Up Mallee (HUM) is a place-based collective impact initiative in the Mildura LGA in the far northwest of Victoria. A group of local leaders began the HUM initiative when they recognised that we needed to work together differently to address social, health and well-being equity issues in our community.

HUM works in partnership with the community, local service providers, agencies and all levels of government. The initiative takes a place-based approach to solutions for local issues centring on community voice and combining this with locally relevant data and current research to develop collective action for a better community for children, young people and their families. HUM is committed to continuous learning and improvement concerning its work to achieve positive social outcomes for the Mildura community.

Ethics, privacy and safety

Introduction

The Ethics, privacy and safety framework guides how HUM and all its functions have agreed to work. HUM firmly believes it is integral to the trust and transparency needed to work with the community. This framework is also intended to facilitate increased agency and relationships for, and with, the community by provision and experience of ethical and safe interactions.

HUM's ethical, privacy and safety framework is supported by the following:

- Ethical, privacy and safety practice guide – *currently being developed*

- Cultural safety framework – *to be developed*

- Data sovereignty framework – *to be developed*

About this framework

Why HUM needs this framework

Place-based work relies heavily on working with the community, services and government in many different ways. This framework helps guide these activities to meet HUM's ethical standards and privacy obligations and to protect the safety of all participating people.

HUM's framework provides additional support and guidance for HUM's activities, including:

- Governance
- Collection, use and storage of data, images and voice
- Engagement with partners, services, businesses and consultants
- Researchers
- Funders and government
- Tenders and grants
- Data requests, collection, sharing and sovereignty
- Measurement, Evaluation and Learning Team.

Framework purposes

This framework identifies the considerations and expectations concerning ethics, privacy and safety. Including explaining:

- The importance of considering ethics, privacy and safety in HUM's work

- What ethics, privacy and safety mean in the multiple contexts of engaging and collaborating with:

    - people, including community members (children, young people, families and other community members)
    - service partners
    - businesses
    - consultants
    - funders
    - government
    - researchers.

- When and how ethics, privacy and safety are considered and applied.

Definitions

A list of definitions is included below to help use and understand this guide.

Act	An Act has been presented and passed by Parliament and is law, meaning it must be followed.
Data	Facts and statistics are collected together for reference or analysis. This includes voice, image and written data.
Ethics	Ethics are the moral principles or values that guide our ways of working. There are no legal or regulatory obligations when it comes to ethics. Ethical practice requires reflecting on and reckoning with dynamics of *power, responsibility* and the *effects* of our work.
Framework	A framework is a supporting structure. It can be put in place to show how or what to consider when implementing legislation, Acts, policies etc.
Informed consent	A process in which people are given adequate information, including possible risks and benefits, about the activity they have the option to participate in. To be successful this includes ensuring communicating in a way appropriate to the person's needs, and that reasonable time is allowed for them to make a decision. Informed consent is consent given freely without undue pressure or coercion.
Legislation	Legislation means it is law and there is a legal requirement to adhere to the legislation.
Policy	A principle or course of action. They outline the organisations or governments plan on addressing certain issues and set out expectations. Policies can have an impact on values, philosophy and culture.
Prior consent	Prior consent means that consent has been sought before the activity they have the option to participate in.
Privacy	Privacy is the protection of the handling of personal information about individuals. Protecting privacy includes collecting, using, storing, and disclosing personal information.
Safety	Safe practice means practice that does not put you or those in your care at undue risk, including physical, mental or emotional risk.

Principles for ethics, privacy and safety

Respect

Importance is placed on people feeling comfortable and safe and in honouring their abilities and limits.

We do this by asking:

- Am I treating the participant as a person and collaborator rather than a subject?
- Am I aware and considerate that there are cultural expectations and sensitivities?
- Am I aware of the communication sensitivities?
- Are my actions thoughtful and kind?

Responsibility

People's current and future interests are protected.

We do this by asking:

- Am I confident that our work isn't harmful to the participants?
- Am I collecting only the information that I need and will not put the participant/s in a compromised position?
- Are participants aware of the consequences of what they have shared?
- Have I sought prior consent to make sure the participant has enough time to understand and consider their options?
- Do I have their informed consent?
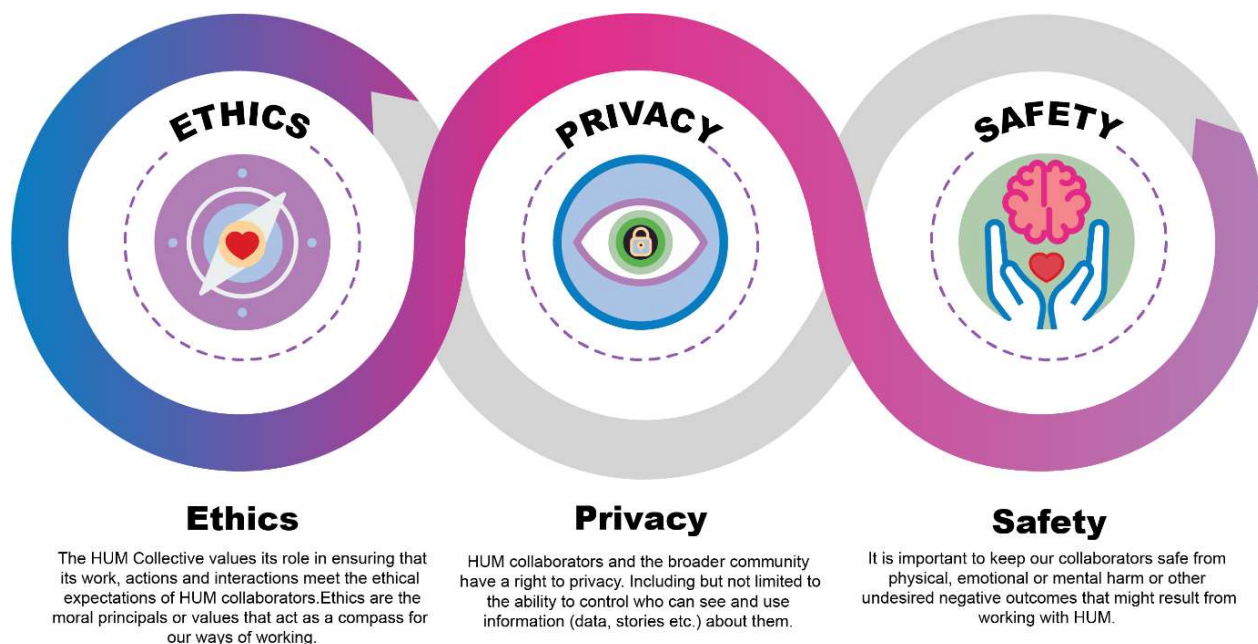- Am I safeguarding the information that might compromise a participant in some way?

Honesty

Communication and actions are appropriate, concise, truthful and timely.

We do this by asking:

- Am I communicating or acting in a way the participants understand?
- Am I being clear about what we are doing and the intended outcome?

Defining ethics, privacy and safety

Ethics

The HUM Collective values its role in ensuring that its work, actions and interactions meet the ethical expectations of HUM collaborators. Ethics are the moral principals or values that act as a compass for our ways of working.

Privacy

HUM collaborators and the broader community have a right to privacy. Including but not limited to the ability to control who can see and use information (data, stories etc.) about them.

Safety

It is important to keep our collaborators safe from physical, emotional or mental harm or other undesired negative outcomes that might result from working with HUM.

Ethics

Ethics are the moral principles or values that act as a guide for ways of working, there are no regulatory or legislative requirements relating to ethics. However, HUM will use checkpoints assess risk and will follow up with experts where flags are identified. The practice guide shows how this is applied.

Some key considerations in ensuring the ethical practice in HUM's work are:

1. **Freedom to choose:** People working with HUM can decide if they participate and can withdraw their consent at any time.

2. **Clearly communicated consent:** People collaborating with HUM are provided with all information to enable informed consent that best meets their needs.

3. **Independent contacts and complaints:** HUM's allocated contact and complaints people are independent of each other to ensure that the people working with HUM feel that they can have queries answered or complaints handled in a safe, independent and confidential manner.

4. **Equitable value for collaborators:** People collaborating with HUM come from varied places and experiences, and their contributions are equally valuable. As such, there should be an equitable exchange for their contributions. This exchange may vary in form. For example, it may include payment for participation or sharing of outcomes.

5. **Collaborative data decisions:** People and services working with HUM should have a say in the data gathered and where and how it is used. Collaborative data decisions must also consider and align with HUM's data sovereignty principles.

6. **Clear and consistent communication:** People engaging with HUM should be able to easily access up-to-date information about the work they are participating in.

Privacy

HUM adheres to the relevant federal and state privacy policies and workplace-related concerns.

People working and engaging with HUM have a right to privacy. This right includes and is not limited to controlling who can see or use information (e.g. data, stories) about them. Their rights and access are subject to relevant legislation.
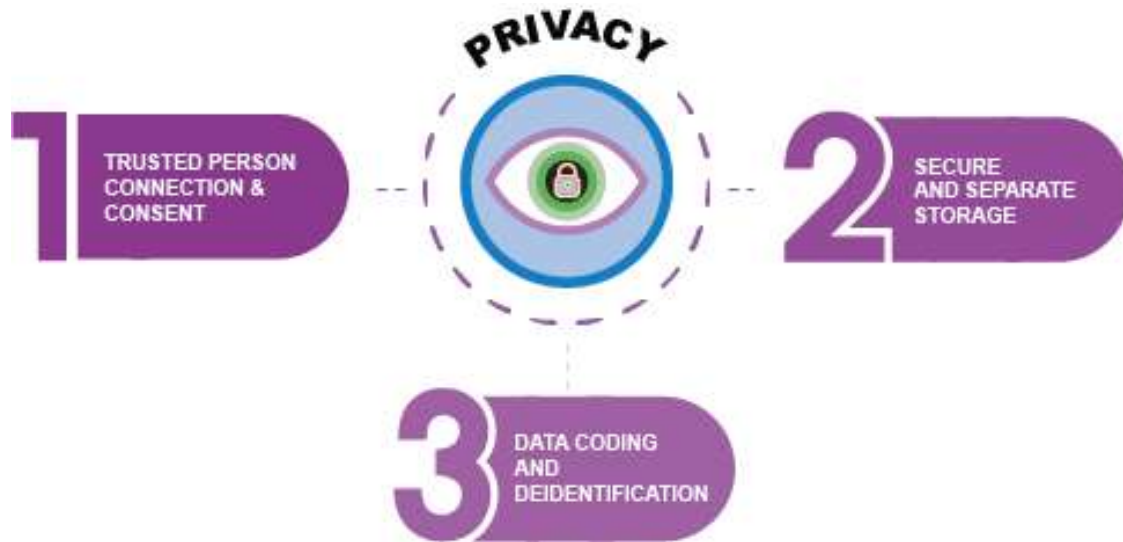

Critical steps in ensuring the privacy of people engaging with HUM are:

1. **Trusted person connection and consent:** First contact with community members is made by a person with whom they have an existing, trusted relationship.

2. **Secure and separate storage:** Information collected is stored securely, electronically, and separately to personal details.

3. **Data coding and de-identification:** Data/information shared with HUM will be de-identified, coded, and stored securely and separately. Care is taken to ensure that the person, their family or others mentioned will not be identified without their informed consent. See Appendix A for the legislation and policies relating to HUM's work.

Safety

The safety of all people working with HUM is a high priority in developing and delivering all HUM activities, keeping people safe from physical, emotional or mental harm or other adverse undesired outcomes. Continuous monitoring and safety assessments are undertaken, and adjustments are made as required. We want people to feel valued and cared for.

Critical steps in ensuring safety when working with HUM are:
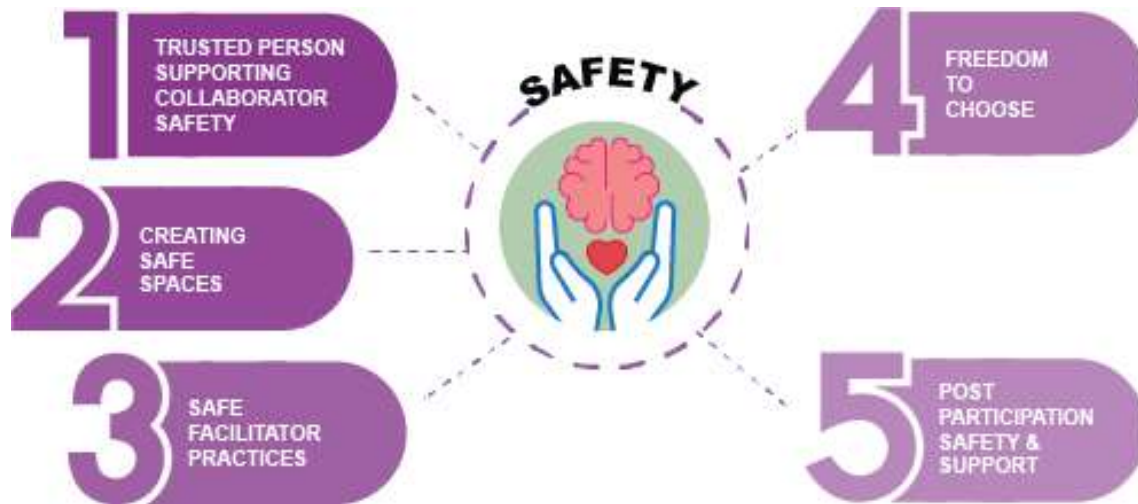
1. **The trusted person supporting safety:** Trusted people who support community members to work with HUM help ensure that the safety needs of those individuals have been established and communicated.

2. **Creating safe spaces:** Events, meetings and other interactions should be conducted in safe, welcoming, suitable spaces with privacy appropriate to the activity.

3. **Recording** (video, audio, photographic and written) is only done with the prior informed consent of the participants.

4. **Safe facilitator practices:** Activities are facilitated by a person who has experience working safely with people, with a solid understanding of the effects of cultural and intersectional identities, trauma and experiences of vulnerability.

   All leads/facilitators must have a current national crime check and, where appropriate, a current Working with Children Check.

5. **Freedom to choose:** People working with HUM are aware of their right to exit from participation at any time or withdraw consent and be supported to do so safely.

6. **Safety support:** Timely and appropriate response to safety support when requested or required.

7. **Access to debrief:** With a person in a safe and supportive space when requested or required.

When to consider ethics, privacy and safety

Ethics, privacy and safety are embedded throughout all stages of HUM work, including the planning, delivery and evaluation of work, and with all people working with HUM.

It is important to note that people's cultural and intersectional identities, trauma and experiences of vulnerability add further needs and complexities that should be supported to ensure their ethical inclusion, privacy and safety.

For example, people who are from the following non-exhaustive list:

- People under the age of 18

- Aboriginal and Torres Strait Islander People

- People who are or have life experiences that may make them vulnerable to exploitation, have different communication needs or trauma, e.g., Unhoused people, people with a mental illness, people with a disability, people who have experienced intimate or partner violence etc.

- Newly arrived migrants and refugees

- People with additional communication needs, e.g. Non-English speakers, people who speak English as a secondary language, people with hearing or speech difficulties, or other communication differences.

Supporting documents

HUM is developing a range of documents to support and assist with the practical implementation of the ethics, privacy and safety framework.

Ethics, privacy and safety practice guide

A practical guide on how to consider and implement the ethics, privacy and safety framework.

Currently being developed.

Cultural safety framework

To be developed.

Data sovereignty framework

To be developed.

Legislation, policies and frameworks

Legislation, policies and frameworks that are relevant for Hands Up Mallee's work include and are not limited to the following.

Victorian

The Charter of Human Rights and Responsibilities Act 2006 (Vic)

Child Safe Standards (Vic) July 2022

Privacy and Data Protection Act 2014 (Vic)

Federal

Privacy Act 1988 (Commonwealth)

Spam Act 2003

Principles and frameworks

Australian Privacy Principles

Five Safes framework

Victorian Privacy Principles

Cultural safety

Evaluation practice in Aboriginal and Torres Strait Islander settings – www.betterevaluation.org

First Nations Cultural Safety Framework – www.aes.asn.au

Workplace policies and procedures

Hands Up Mallee is auspiced by Sunraysia Community Health Services and is required to adhere to its workplace policies and procedures. Relevant policies and procedures include, but are not limited to:

SCHS policy regarding: Communications & Technology
Prompt Doc No: SCH0001410 v1.0

SCHS Consumer feedback Form
Prompt Doc. No.: SCH0000694 v4.0

SCHS procedure regarding: Incident Reporting
Prompt Doc No: SCH0116210 v6.0

SCHS procedure regarding: Privacy and Confidentiality
Prompt Doc No: SCH0116120 v4.0