

021 - PRIVACY AND CONFIDENTIALITY POLICY OPERATIONAL POLICY



POLICY TITLE:	021 – PRIVACY AND CONFIDENTIALITY POLICY		
VERSION:	003	DATE EFFECTIVE:	01/06/2006
AUTHORISED BY:	Chief Executive Officer	DATE REVIEWED:	08/04/2022

PURPOSE

To ensure each Participant’s right to privacy, dignity and confidentiality in all aspects of their life is recognised and respected. To ensure a good understanding of confidentiality, privacy and dignity for all employees, volunteers, committee members, Participants and their families.

SCOPE

All Staff, Volunteers and Board Members are responsible.

IMPLEMENTATION

It is the policy of ARC Disability Services Inc. (ARC) that privacy and confidentiality are a high priority in all dealing with Participants, their families and employees. It is expected that all staff, Board and volunteers have a good understanding of the 13 Australian Privacy Principles (APP), and will be provided with information regarding this policy and the 13 Australian Privacy Principles at induction. All employees, Board and volunteers are required to abide by this policy and any conditions regarding confidentiality listed in their engagement agreement.

THE AUSTRALIAN PRIVACY PRINCIPLES

- **APP 1 Open and transparent management of personal information;** Manages personal information in an open and transparent way.
- **APP 2 Anonymity and pseudonymity;** Individuals are given the option of not identifying themselves, or of using a false name. However, exceptions do apply.
- **APP 3 Collection of solicited personal information;** Collection of personal information that is solicited.
- **APP 4 Dealing with unsolicited personal information;** Outlines how to deal with unsolicited personal information.
- **APP 5 Notification of the collection of personal information;** Outlines when and in what circumstances you can collect personal information and must notify an individual of certain matters.
- **APP 6 Use or disclosure of personal information;** Outlines the circumstances in which you may use or disclose personal information that it holds.
- **APP 7 Direct marketing;** an organisation may only use or disclose personal information for direct marketing purposes if certain conditions are met.
- **APP 8 Cross-border disclosure of personal information;** Outlines the steps that you must take to protect personal information before it is disclosed overseas.
- **APP 9 Adoption, use or disclosure of government related identifiers;** Outlines the limited circumstances when an organisation may adopt a government related identifier of an individual as its own identifier, or use or disclose a government related identifier of an individual.
- **APP 10 Quality of personal information;** the organisation must take reasonable steps to ensure the personal information it collects is accurate, up to date and complete. The organisation must also take reasonable steps to ensure the personal information it uses or discloses is accurate, up to date, complete and relevant, having regard to the purpose of the use or disclosure.

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- **APP 11 Security of personal information;** the organisation must take reasonable steps to protect personal information it holds from misuse, interference and loss, and from unauthorised access, modification or disclosure. The organisation has obligations to destroy or de-identify personal information in certain circumstances.
- **APP 12 Access to personal information;** the organisation has an obligation when an individual request to be given access to personal information held about them by the organisation. This includes a requirement to provide access unless a specific exception applies.
- **APP 13 Correction of personal information;** the organisation has an obligation in relation to correcting the personal information it holds about individuals.

INFORMATION MANAGEMENT

It is the policy of ARC that all information that comes through the organisation is managed appropriately and used purposefully. Personal information shall only be collected for a purpose that is lawful and directly related to a function or activity required to provide a service.

The organisation shall allow individuals to access their own personal information if required unless the individual has been denied access through an authorised person or by law.

ARC shall ensure that personal information is stored securely and that personal information shall only be held for as long as required and will be disposed of appropriately. Information that is no longer required to be held by the organisation will be archived and stored securely or disposed of using secure methods.

CONFIDENTIALITY

- ARC respects the rights of all of our Participants and their families to confidentiality and privacy in all our dealings. This service and its staff will strive to maintain that confidentiality at all times.
- Personal details will not be released to other agencies without written consent unless it is an emergency situation and vital to the well-being of the person in our care.

DIRECT SUPPORTS

1. Staff members will knock on bedroom and bathroom doors before entering when the bedroom or bathroom is being used by a participant.
2. Staff will encourage all Participants to respect the privacy of others by knocking before entering rooms.
3. Personal care tasks will take place in a private area, preferably a bedroom or bathroom and not in communal living areas.
4. All Participants have the right to request that visits or phone calls from family and friends can take place in private.
5. At all times staff will demonstrate and encourage, respectful and appropriate language and behaviour to protect the privacy, dignity and confidentiality of all Participants.

REFERENCES

Privacy Act 1998

Australian Human Rights Commission

The NDIS Code of Conduct

AUTHORISATION

This Policy is approved and issued by:

BENJAMIN KEAST

Chief Executive Officer

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