

Operational Policy – O 21

Privacy and Confidentiality Policy

Document ID O 21	Authorised by :CEO Date: 11/3/16	Effective Date: Jun 06 Review Date: Mar 17	Version: 1 Last Amended: 11/3/16
---------------------	-------------------------------------	---	-------------------------------------

PURPOSE OF POLICY

To ensure each Service Users right to privacy, dignity and confidentiality in all aspects of his/her life is recognized and respected. To ensure a good understanding of confidentiality, privacy and dignity for all employee, volunteers, committee members, Service Users and their families.

RESPONSIBILITY FOR IMPLEMENTING POLICY

All staff, volunteers and Board members.

This policy and related procedures are based on the following Information Privacy Principles as established by the Australian Government by the Office of the Australian Information Commissioner.

POLICY

It is the policy of ARC Disability Services Inc. that privacy and confidentiality are a high priority in all dealing with Service Users, their families and employees. It is expected that all staff, Board of Management 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 of Management and volunteers are required to sign a confidentiality agreement on commencement with the organization.

THE AUSTRALIAN PRIVACY PRINCIPLES

- **APP 1 Open and transparent management of personal information;** Manages personal information in an open and transparent way. This includes having a clearly expressed and up to date APP Privacy Policy.
- **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.
- **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 obligations when an individual requests 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 organization 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 organization shall allow individuals to access their own personal information if required unless the individual has been denied access through an authorized person or by law.

ARC Disability Services Inc. 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 shredded.

CONFIDENTIALITY

- ARC Disability Services Inc. respects the rights of all of our service users 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 SUPPORT PROCEDURES

1. Staff members will knock on bedroom and bathroom doors before entering when the bedroom or bathroom is being used by a consumer.
2. Staff will encourage all Service Users to respect the privacy of other Service Users by knocking before entering rooms.

3. Personal care tasks will take place in a private are, preferably a bedroom or bathroom and not in communal living areas.
4. All Service Users 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 Service Users.