

Adelaide Quality Care

Policy 1

Privacy and Confidentiality Policy

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Privacy and Confidentiality Policy

PURPOSE AND SCOPE

Adelaide Quality Care to manage and ensure that the rights of the participants remain private and only used for purpose that it is collected. This policy applies to all employees.

POLICY

Adelaide Quality Care is committed to protecting and upholding the right to privacy of participants, staff, management and representatives of agencies we deal with.

Adelaide Quality Care is committed to protecting and upholding the rights of our participants to privacy in the way we collect, store and use information about them, their needs and the services provided to them.

Adelaide Quality Care requires employees and management to be consistent and careful in the way they manage what is written and said about individuals and how they decide who can see or hear this information.

Adelaide Quality Care is subject to NDIS (Quality and Safeguards) Commission. The organisation will follow the guidelines of the Australian Privacy Principles in its information management practices.

Adelaide Quality Care will ensure that each participant understands and agrees to what personal information will be collected and why, including recorded material in audio and/or visual format.

Adelaide Quality Care will advise each participant of confidentiality policies using the language, mode of communication and terms that the participant is most likely to understand.

Adelaide Quality Care will ensure that:

- It meets its legal and ethical obligations as an employer and service provider in relation to protecting the privacy of participants and organisational personnel.
- Participants are provided with information about their rights regarding privacy and confidentiality.
- Participants and organisational personnel are provided with privacy and confidentiality when they are being interviewed or discussing matters of a personal or sensitive nature.
- All staff, management and volunteers understand what is required in meeting these obligations.
- Participants are advised of confidentiality policies using the language, mode of communications and terms that are most likely to be understood. Our company will attempt to locate interpreters and use easy access materials such as those on NDIS website.

This policy conforms to the Federal Privacy Act (1988) and the Australian Privacy Principles which govern the collection, use and storage of personal information.

This policy will apply to all records, whether hard copy or electronic, containing personal information about individuals, and to interviews or discussions of a sensitive personal nature.

PROCEDURES

DEALING WITH PERSONAL INFORMATION

In dealing with personal information, Adelaide Quality Care staff will:

- Ensure privacy for participants, staff, or management when they are being interviewed or discussing matters of a personal or sensitive nature.
- Only collect and store personal information that is necessary for the functioning of the organisation and its activities.
- Use fair and lawful ways to collect personal information.

- Collect personal information only by consent from an individual.
- Ensure that people know what sort of personal information is held, what purposes it is held it for and how it is collected, used, disclosed and who will have access to it.
- Ensure that personal information collected or disclosed is accurate, complete and up-to-date, and provide access to any individual to review information or correct wrong information about themselves.
- Take reasonable steps to protect all personal information from misuse and loss and from unauthorised access, modification or disclosure.
- Destroy or permanently de-identify personal information no longer needed and/or after legal requirements for retaining documents have expired.
- Ensure that participants understand and agree to what personal information will be collected and why.
- Participants will be informed why any recordings occur - audio and/or visual format.
These must be agreed to in writing.

PARTICIPANT RECORDS

Participant records will be confidential to participants and staff directly engaged in delivery of service to the participant. Information about participants may only be made available to other parties with the consent of the participant, or their advocate, guardian or legal representative. All participant records will be kept on a securely protected database that is restricted to staff members directly engaged in delivery of service to the participant.

All paper participant records will be kept securely in a locked filing cabinet, in the office of Managing Director.

RESPONSIBILITIES FOR MANAGING PRIVACY

- All staff are responsible for the management of personal information to which they have access, and in the conduct of research, consultation or advocacy work.
- Managing Director is responsible for content in Adelaide Quality Care publications, communications and website and must ensure the following:

- Appropriate consent is obtained for the inclusion of any personal information about any individual including Adelaide Quality Care personnel (Consent policy)
- Information being provided by other agencies or external individuals conforms to privacy principles
- That the website contains a Privacy statement that makes clear the conditions of any collection of personal information from the public through their visit to the website.
- Managing Director is responsible for safeguarding personal information relating to Adelaide Quality Care.
- Managing Director will be responsible for:
 - Ensuring that all staff are familiar with the Privacy Policy and administrative procedures for handling personal information.
 - Ensuring that participants and other relevant individuals are provided with information about their rights regarding privacy.
 - Handling any queries or complaint about a privacy issue.

Privacy information for participants

At the first interview participants will be told what information is being collected, how their privacy will be protected and their rights in relation to this information.

Privacy for interviews and personal discussions

To ensure privacy for participants or staff when discussing sensitive or personal matters, the organisation will:

- Only collect personal information which is necessary for the provision of information provided on the site;
- Which is given voluntarily; and
- Which will be stored securely on the Adelaide Quality Care database

When in possession or control of a record containing personal information, will ensure that:

- The record is Adelaide Quality Care protected against loss, unauthorised access, modification or disclose, by such steps as it is reasonable in the circumstances to take;
- If it is necessary for that record to be given to a person in connection with the provision of a service to Adelaide Quality Care, everything reasonable will be done to prevent unauthorised use or disclosure of that record.

Adelaide Quality Care will not disclose such personal information to a third party:

- Without the individual's consent; or
- Unless that disclosure is required or authorised by or under law

RELATED DOCUMENTS

- Code of Conduct Form
- Privacy and Confidentiality Agreement
- Policies and Procedures

REFERENCES

- NDIS Practice Standards and Quality Indicators 2018
- Privacy Act (1988)