

PRIVACY AND DIGNITY POLICY

1. PURPOSE

Community Care TASMANIA will manage and ensure that our organisation provides the client access to services and supports that respect and protect their dignity and right to privacy.

2. SCOPE

This policy applies to all staff.

3. POLICY

Community Care TASMANIA is committed to protecting and upholding all stakeholders right to privacy and dignity; including clients, staff, management, Board of Management and representatives of agencies, we deal with.

Community Care TASMANIA is committed to protecting and upholding the clients' right to privacy and dignity as we collect, store and handle information about them, their needs and the services provided to them.

Community Care TASMANIA requires staff 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.

Community Care TASMANIA is subject to the Age Care Quality and Safety Commission and the NDIS (Quality and Safeguards) Commission rules and regulations. Community Care TASMANIA will follow the guidelines of the Australian Privacy Principles in its information management practices.

Community Care TASMANIA will ensure that each client understands, and agrees to, any personal information that will be collected and informed of the reason for the collection. The client will be informed and must authorise approval if this information being recorded material in an audio and/or visual format.

Community Care TASMANIA will advise each client of privacy policies using the language, mode of communication and terms that the client is most likely to understand. (Easy Read documents are made available to all clients as necessary).

Community Care TASMANIA will ensure that:

1. It meets its legal and ethical obligations as an employer and service provider in relation to protecting the privacy of clients and organisational personnel.
2. The clients are provided with information about their rights regarding privacy and confidentiality.
3. The clients and organisational personnel are provided with privacy, and confidentiality is assured when they are being interviewed or discussing matters of a personal or sensitive nature.
4. All staff, management and volunteers understand what is required in meeting these obligations.
5. Clients are advised of Community Care TASMANIA's confidentiality policies using the language, mode of communications and terms that are most likely to be understood. Community Care TASMANIA will attempt to locate interpreters and will use easy access materials.

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. Including but not limited to:

Defined in the Privacy Act to mean information or an opinion about an individual's:

- racial or ethnic origin;
- political opinions;
- membership of a political association;
- religious beliefs or affiliations;
- philosophical beliefs;
- membership of a professional or trade association;
- membership of a trade union;
- sexual preferences or practices; or
- criminal record

4. PROCEDURES

Dealing with personal information

In dealing with personal information, Community Care TASMANIA staff will:

1. Ensure privacy for the clients, staff, or management when they are being interviewed or discussing matters of a personal or sensitive nature.
2. Only collect and store personal information that is necessary for the functioning of the organisation and its activities.
3. Use fair and lawful ways to collect personal information.
4. Collect personal information only with consent from the individual.
5. Ensure that people know of the type of personal information being held, the purpose of keeping the information and the method it is collected, used, disclosed, and who will have access to it.
6. Ensure that personal information collected or disclosed is accurate, complete, and up-to-date, and provide access to the individual to review information or correct wrong information about themselves, in the presence of an Advocate if required
7. Take reasonable steps to protect all personal information from misuse and loss and from unauthorised access, modification or disclosure.
8. Destroy or permanently de-identify personal information no longer needed and/or after legal requirements for retaining documents have expired.
9. Ensure that clients understand and agree with what personal information will be collected and why, as outlined in Client Handbook
10. Ensure clients are informed when any recordings occur in either audio and/or visual format. The client's involvement in any recording must be agreed to in writing.

Client Records

Client records will be kept confidential and only handled by staff directly engaged in the delivery of service to the client. Information about clients may only be made available to other parties with the consent of the client, or their advocate, guardian or legal representative. A written agreement giving permission to the recording must be maintained in the client's file.

All hard copy files of client records will be kept securely in a locked filing cabinet. The building is under 24 hour security surveillance.

Electronic records are backed up daily, all systems are password protected and staff are automatically logged off from their computers after 2 minutes of inactivity.

Responsibilities for Managing Privacy

All staff are responsible for the management of personal information to which they have access. CEO is responsible for the content in Community Care TASMANIA publications, communications and on the website and must ensure the following:

Appropriate consent is obtained for the inclusion of any personal information about any individual, including Community Care TASMANIA personnel (Consent Policy and Procedure)

- 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
- All staff members are made aware when initially employed with the organisation that if employment with Community Care TASMANIA ceases, they will not initiate contact nor visit clients for whom they provided care or support during the course of their employment, and will maintain appropriate ongoing professional boundaries with former clients. Should incidental contact with past clients occur the employee agrees not to discuss the services they provided during the course of their employment.

The CEO is responsible for safeguarding personal information relating to Community Care TASMANIA's staff, management and contractors. The CEO will be responsible for:

- Ensuring that all staff are familiar with the Privacy Policy and administrative procedures for handling personal information.
- Ensuring that clients and other relevant individuals are provided with information about their rights regarding privacy and dignity.
- Handling any queries or complaints about a privacy issue.

Privacy Information for Clients

At the first interview, clients will be notified of the type of information that is being collected about them, how their privacy will be protected, and their rights in relation to this data. Information sharing is part of our legislative requirements. Clients must give consent to any information sharing between our organisation and government bodies. The client is offered to opt-out of any NDIS information sharing during audits.

Clients are reminded they can request access to their file.

In some circumstances we may disclose information without consent – These are outlined in Australian Privacy Principals Number 6.34, this information will be provided to clients.

Privacy for Interviews and Personal Discussions

To ensure privacy for clients or Staff when discussing sensitive or personal matters, Community Care TASMANIA will only collect personal information which is necessary for the provision of supports and services and which:

- Is given voluntarily; and
- Will be stored securely on the Community Care TASMANIA database.

When in possession or control of a record containing personal information, Community Care TASMANIA will ensure that the record is protected against loss, unauthorised access, modification or disclosure, by such steps as it is reasonable in the circumstances to take. If it is necessary for that the record be given to a person in connection with the provision of a service to Community Care TASMANIA, everything reasonable will be done to prevent unauthorised use or disclosure of that record

Community Care TASMANIA will not disclose any personal information to a third party without the individual's consent unless that disclosure is required or authorised by or under law or the Australian Privacy principals.

5 RELATED DOCUMENTS

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

6 REFERENCES

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

Author	Revision	Board subcommittee review	Board Approved
	CEO or delegate October - February 2019	October - February 2019	11/4/19
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