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1.6 PRIVACY AND CONFIDENTIALITY

1.6.1 PRINCIPLES FOR THE COLLECTION OF CLIENT INFORMATION

Waratah Respite Services are committed to the principles outlined in the Privacy Act 1988 and Privacy Amendment (Enhancing Privacy Protection) Act 2012 ¹ and has in place procedures that ensure compliance with the legislation including the protection of sensitive information including health information. We use the OAC document, 10 Steps to Protecting Other People's Privacy, as a guide to our privacy processes².

Management, staff and volunteers are provided with annual training and information on the rights of clients to privacy and confidentiality and the processes to support this, and as needed when new staff/volunteers commence employment (see Section 7: Human Resource Management).

The key guidelines for respecting client privacy and confidentiality in Waratah Respite Services are:

- Clients are provided with information on our privacy policy in the Service Agreement and our privacy statement is read to clients during the consent collection process
- Client files and other information are securely stored
- We seek support from carers and family (who are also identified) if the client cannot self-identify. We use other identifying information (e.g. from referral information, such as Medicare number, pension and other documentation) to validate identification
- We take steps to correct information where appropriate and regularly review client information to ensure it is accurate and up to date
- We only collect information about clients that is relevant to the provision of support and we explain to clients why we collect the information and what we use it for
- Clients can ask to see the information that we keep about them and are supported to access this information (see 1.6.3 Clients Right to Access Information)
- Clients are supported by us should they have a complaint or dispute regarding our privacy policy or the management of their personal information
- All information relating to clients is confidential and is not disclosed to any other person or organisation without the client's permission
- We only share information when it is necessary to ensure appropriate support is delivered and only with the client's permission/consent beforehand
- The provision of information to people outside the service is authorised by the relevant team leader
- We do not discuss clients or their support with people not directly involved in supporting them

¹ Australian Government Privacy Act 1988 and Privacy Amendment (Enhancing Privacy Protection) Act 2012

² Based on: Australian Government Office of the Australian Information Commissioner [Protecting Customers Personal Information](#) Accessed 8 August 2019

- Reviews are always conducted in private with the client and the relevant team member unless the client consents to their carer, advocate or another person being present
- During client assessments reviews the relevant team member asks the client about any particular privacy requirements they have such as their preference for a male or female support worker. These are noted on their My Profile and Goals form and on the support plan
- Any discussions between staff about clients are held in a private space
- Any references to individual clients in meeting minutes refer to the client by initials only or another unique identifier, such as their client number
- We confidentially destroy any personal information held about our clients when it is no longer necessary to provide support (see 8.11.6 Archiving).

(See 2.3.6 Assessment and Support Planning Practice and 2.6 Client Documentation and Information Sharing).

1.6.2 CONFIDENTIALITY OF COMPLAINTS AND DISPUTES

As far as possible, the fact that a client has lodged a complaint and the details of that complaint are kept confidential amongst staff directly concerned with its resolution. Similarly, information on disputes between a client and a staff member or a client and a carer is kept confidential. The client's permission is obtained prior to any information being given to other parties whom it may be desirable to involve in the resolution of the complaint or dispute.

1.6.3 CLIENTS RIGHT TO ACCESS INFORMATION

Clients of Waratah Respite Services have a right to read any personal information kept about them. A request from a client (or their advocate) to access information is referred to the relevant Team Leader who confirms the request with the Manager and then arranges for the client to view their information within 30 days of the request.

Information is provided in a format accessible by the client. The client can nominate a representative to access their records held by us.

The Team Leader is available to assist the client in understanding the information and to explain terminology or other assistance.

On advice from our legal representative, access to a client's record may be denied. This is discussed with the client/advocate should this situation arise.

VERSION CONTROL

Version Number	Reviewed By	Review Date	Modifications Made	New Review Date
1	J Bartholomew	Sept 2019	Created	Sept 2022