PRIVACY, DIGNITY AND CONFIDENTIALITY

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| Policy number | TBE |
| Effective from | August 2020 |

AIM

1. The aim of this policy is to establish standards of privacy, dignity and confidentiality in the FLINTWOOD’s dealings with Participants, prospective, present and past employees and volunteers. The policy will also outline how the data relating to an individual will be protected and comply with the Australian Privacy Principles.

SCOPE

1. This policy applies to all stakeholders within FLINTWOOD.
2. DEFINITION

**Privacy and dignity** - Privacy relates to all information and practice that is personal or sensitive in nature. The act of ensuring and maintaining privacy and valued status in these matters will protect the rights and dignity of the individual.

**Confidentiality** - Confidentiality refers to the restricted disclosure and dissemination of private information.

**Data Protection** - Participants, employees, volunteers, parent and/or guardian, where applicable, must give their authority to release and/or obtain information from other sources. Only authorised personnel may gain access to Participants / employees’ files.

**Personal information** – Recorded information (including images) or opinion, whether true or not, about a living individual whose identity can reasonably be ascertained.

**Sensitive information** – Information or an opinion about an individual’s racial or ethnic origin, political opinions, membership of a political party, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preference or practices, or criminal record. This is also considered to be personal information.

**Health information** – Any information or an opinion about the physical, mental or psychological health or ability (at any time) of an individual.

**Information Privacy** – refers to the control of the collection, use, disclosure and disposal of information and the individual’s right to control how their personal information is handled.

1. POLICY
2. 4.1 FLINTWOOD recognises its obligation to protect the privacy and confidentiality of Participants, employees and volunteers of FLINTWOOD as required by the principles in the Privacy Act 1988. This policy is underpinned by the Australian Privacy Principles, which aims to ensure that personal information is protected, and the dignity of the individual is respected.
3. 4.2 FLINTWOOD believes all Participants, employees and volunteers should receive the same level of privacy, dignity and confidentiality as is expected by the rest of the community and is committed to ensuring individuals’ rights are respected.
4. 4.3 FLINTWOOD commits to privacy and confidentiality of the Participant’s personal information (including health information). Privacy for Participants may relate to a physical environment, possessions, physical needs, personal relationships and personal information.
5. Procedures
6. 5.1 In regards to recruitment, only use personal and sensitive information that is pertinent to the recruitment and selection decision of employees and volunteers and/or is directly relevant to effective service delivery and FLINTWOOD’s duty of care responsibilities.
7. 5.2 Always inform Participants, employees and volunteers of the purposes of collecting information.
8. 5.3 Always ensure the Participant consent form is completed on a bi-annualbasis.
9. 5.4 Provide Participants, employees and volunteers with a copy of FLINTWOOD’s privacy, dignity and confidentiality policy. FLINTWOOD will do its utmost to ensure the information it holds is accurate, up to date, complete and relevant.
10. 5.5 Staff will provide information to participants about their privacy and confidentiality in ways that suit participants’ individual communication needs. This includes using the language, mode of communication and terms that the participant is most likely to understand. Methods include providing written information in Easy English, explaining information either face-to-face or over the phone and using interpreters and advocates.

5.6 Staff must respect people’s choices about being photographed or videoed and ensure images of people are used appropriately. This includes being aware of cultural sensitivities and the need for some images to be treated with special care.

1. 5.7 All FLINTWOOD employees with access to personal records are responsible for protecting this information from misuse, loss from unauthorised access, modification or disclosure.
2. 5.8 Confidential information is not permitted to be stored on mobile devices such as USB drives except for payroll data, which should be encrypted and stored securely.
3. 5.9 Emergency folders, which are inclusive of personal or sensitive information, must be stored in a locked filing cabinet.
4. 5.10 Hard copies of personal or sensitive information should not be left in filing trays or on desks when the area is unattended.
5. 5.11 Personal information, which is stored in databases, must be password protected. Passwords should not be given to any personnel that are not authorised to access the information.
6. 5.12 On request by a Participant, employee or volunteer, FLINTWOOD will let that person know, generally, what sort of personal information it holds, for what purposes, and how that information is collected, held, used and disclosed.
7. 5.13 Participants, employees and volunteers seeking personal information held about them may request this information either from the Service Manager or in writing to the People, Finance and Systems General Manager. The Service / General Manager will acknowledge the request in writing within 24 hours of receiving the request and a suitable date and time will be arranged to view their file.
8. 5.14 All files are to remain on site and Files from the server are not to be copied. Files are not to be removed from the FLINTWOOD premises except with the approval of the General Manager and for audit purposes.
9. 5.15 If the Participant / employee feels information in their personnel/personal file is recorded incorrectly, they have the right to have it corrected or a note made to state that the information is in dispute. This dispute shall be referred to the relevant General Manager for review and response.
10. 5.16 If information cannot be altered (e.g. third party forms, government or funding declarations), the Manager will discuss with the Participant / employee why the information cannot be altered and attach an ‘in dispute’ note with relevant information.
11. 5.17 If FLINTWOOD refuses to correct the information, it will in writing notify the individual who requested the correction and advise the individual about the available mechanisms to complain about the refusal.
12. 5.18 Where a Participant, employee, volunteer or other individual believes that their personal information has been breached or handled inappropriately by an employee, or person acting on behalf of the organisation they may contact either:

* their Service / General Manager
* the People, Finance and Systems General Manager
* the CEO
* the Board of Directors

1. 5.19 Any feedback from an internal investigation will be collated and the outcome communicated to the complainant with relevant actions if a breach has been identified.
2. 5.20 Where a complainant believes that a satisfactory resolution to their complaint has not been achieved, the individual will be informed of their right to have the matter reviewed by an external, independent body, such as the NDIS Commission.

* web: https://www.ndiscommission.gov.au/
* email: feedback@ndis.gov.au
* phone: 1800 035 544 (free call from landlines) or TTY 133 677.

1. RESPONSIBILITIES

Employee

* All employees will be informed about privacy, dignity and confidentiality initially during their induction, and a copy of the policy will be included in their ‘Welcome Pack’.
* Adhere to the policy and procedures at all times
* Always respect the Confidentiality, Privacy and Dignity of the Participant
* Always respect the Confidentiality, Privacy and Dignity of any employee or volunteer

Service Manager

* Adhere to the policy and procedures at all times
* Ensure all emergency folders and personnel documentation is securely locked away
* Always respect the Confidentiality, Privacy and Dignity of the Participant
* Always respect the Confidentiality, Privacy and Dignity of any employee or volunteer

General Manager

* Adhere to the policy and procedures at all times
* All personnel documents are securely locked away
* Always respect the Confidentiality, Privacy and Dignity of the Participant
* Always respect the Confidentiality, Privacy and Dignity of any employee or volunteer

CEO

* Adhere to the policy and procedures at all times
* Always respect the Confidentiality, Privacy and Dignity of the Participant
* Always respect the Confidentiality, Privacy and Dignity of any employee or volunteer
* All personnel documents are securely locked away

1. CHANGE HISTORY

| Version | Release / Review date | Author / Reviewer | Change details |
| --- | --- | --- | --- |
| 0.1 | 9/6/2010 | Kay McPartland | Review and Update Policy |
| 0.2 | Aug 2020 | Ehsan Nasiri | Policy aamended and updated |
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