

## 8.7 Privacy and Confidentiality

### Policy

Co.As.It. (SA) recognises its responsibilities to ensure:

- The privacy and confidentiality of personal information about clients.
- The privacy and confidentiality of any commercial or in confidence or other restricted information requirements arising from the delivery of care and services supports to the client.
- The personal privacy of clients in the provision of care and services supports.

### Procedure

Co.As.It. (SA) is committed to privacy and confidentiality management systems that provide for:

#### Confidentiality of Information

- The treatment of all information about clients collected from any party in accordance with state and federal legislation and the National Privacy Principles.
- The collection of information in an open and fair manner and, where possible, from the client concerned.
- Information only being used and disclosed for organisational purposes in its care and services supports for clients: the only exemption being where disclosure is required in situations of legal obligation for example mandatory notification or criminal investigation.
- Information about particular clients only being available to those who require it for the care and services supports provision for that client, in line with the expressed preferences of the client: made available in a timely manner that protects the confidentiality and integrity of the information.
- Ensuring information is accurate.
- Information being kept in a secure manner.
- The appointment of a designated Privacy Officer:
  - To provide support and liaison with clients regarding the aspects of this policy.
  - To maintain the organisation's written protocols and ensure compliance with privacy and confidentiality principles, legal obligations and the aspects of this policy across the organisation's operations.

#### Personal Privacy

- Respect for personal privacy in the provision of care and services supports including personal care in line with the clients expressed preferences.
- Respect by staff and volunteer members for the clients' privacy and confidentiality in their communication and interaction with them; understanding that clients can feel vulnerable when receiving personal care.

### Definitions

**Australian Privacy Principles:** deal with all stages of the processing of personal information, setting out standards for the collection, use, disclosure, quality and security of personal information; and provide obligations on agencies and organisations subject to the Privacy Act (1988) concerning access to, and correction of, an individuals' own personal information.

**Confidentiality:** keeping information secret or private.

**Personal information:** information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not, and whether the information or opinion is recorded in a material form or not.

**Privacy:** includes:

- A state in which one is not observed or disturbed by other people.
- Someone's right to keep their personal matters and relationships secret.

**Sensitive information:** information or 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, criminal record or health, genetic or biometric templates, that is also personal information.

## Related Policies and Procedures

- Assessment and Planning
- Code of Conduct
- Client Records

## Related Documents

- Information Consent Forms

## Legislative References

- Aged Care Act 1997
- *Aged Care Act 1997* (Cth), Schedule 1 User Rights Principles 2014. Charter of Rights and Responsibilities – Residential Care
- *Aged Care Act 1997* (Cth), Schedule 2 User Rights Principles 2014. Charter of Rights and Responsibilities – Home Care
- *Aged Care Act 1997* (Cth), Schedule 3 User Rights Principles 2014. Charter of Rights and Responsibilities – Short-term restorative Care
- *Aged Care Act 1997* (section 11.3) Meaning of people with special needs
- Australian Privacy Principles 2013
- Privacy Act 1988 (Cth)
- State and Territory privacy and health records legislation

Document title: **Privacy and Confidentiality**

Reviewed by: PROJECT MANAGER

Approval by: Board

Version: 2      Effective Date: 1<sup>st</sup> September 2021

Next Review Date: 1<sup>st</sup> September 2024