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## P003 – Privacy & Confidentiality Policy

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### 1. Scope

This policy applies to all employees and volunteers and supports District 360 Supports risk management strategy and good governance of organisational and individual risk.

The Management team will identify, mitigate and manage risk with the organisation. The office manager is responsible for reporting any breach of privacy and confidentiality to Management.

### 2. Policy Statement

District 360 Supports respects the confidentiality of information obtained in the course of all communications. It is committed to protecting the privacy of all the individuals it deals with. We embrace the National Privacy Principles of the Privacy Act 1988 and the Disability Service Standard 4, Privacy, Dignity and Confidentiality.

### 3. General Policy

Employees will respect the privacy and confidentiality of information relating to participants or employees obtained in the course of all communications. This information will not be shared with any networks outside the Association.

Upon appointment, all Employees must sign the attached Confidentiality Statement.

Employees will not share confidences revealed by participants without their consent except when compelling moral or ethical reasons exist. Employees will inform participants fully about the limits of confidentiality in any given situation, the purposes for which information is obtained and how it may be used. Consent is to be gained by the completion of form Information Consent Authority.

## **Collecting Information**

Refer to National Privacy Principal NPP1 Collecting Information and Disability Service Standard 4 Privacy, Dignity and Confidentiality.

Individuals from whom information is collected will be provided with access to:

- Privacy and Confidentiality Policy
- District 360 Supports Contact details
- The purpose for which the information is collected
- How to access any information held in relation to themselves, and
- Action they can take to lodge a complaint for breach of privacy.

## **Using and Disclosing Information**

Information will only be used or disclosed for the primary purpose for which it was collected.

Personal information about an individual will not be used or disclosed for a secondary purpose unless:

- The purpose is closely related to the primary purpose and the individual would reasonably expect the information to be used in that way
- Use of the information is necessary to prevent a serious threat to a person's health or safety
- The individual has consented to the disclosure
- District 360 Supports has a legal obligation to disclose personal information.

## **Data Quality**

Reasonable steps will be taken to ensure that information collected is complete, accurate and up to date, including but not exclusively:

- Ensuring the date of collection of information is recorded
- Taking reasonable steps to review or destroy out of date information
- Detailing any steps taken to check the accuracy of information
- Identifying the source of any information unless such identification would reasonably result in a serious threat to the informant.

## **Data Security**

Reasonable steps will be taken to protect information from misuse, loss, unauthorised use, modification or disclosure, including but not exclusively:

- Periodic review of risk and security measures
- Restriction of physical access to storage areas
- Use of secure technology
- Provision of staff training

- Daily backups of all computer data

Personal information will be destroyed or permanently de-identified when no longer needed for the purpose for which it was collected and all statutory obligations for maintenance have been discharged.

The District 360 Supports website contains links to other websites. District 360 Supports does not accept responsibility for the privacy practices of linked websites.

## **Openness**

This privacy policy will be provided on request and is available on the iCloud network.

Reasonable steps will be taken to allow any person, on request, to ascertain generally what sort of personal information is held in relation to them, for what purpose, how it was collected, stored and used.

Upon request, individuals will be entitled, to view and/or to obtain a copy of any information held by District 360 Supports in relation to them.

## **Access and Correction**

Any information held on any individual is accessible to them on request, in accordance with the above section, unless:

- It is unlawful to provide the information
- Providing the information will pose a serious threat to the life or health of any individual
- Providing the information will have an unreasonable impact upon the privacy of any individual, or
- The request is believed to be frivolous or vexatious.

Except where frivolous and vexatious requests are made, any information held in relation to an individual will be made available to that individual at a reasonable cost.

District 360 Supports will amend an individual's personal and sensitive information upon the request of that individual provided the individual can show that the collected information is incorrect and unless:

- It is unlawful to change the information,
- Changing the information will pose a serious threat to the life or health of any individual, or
- The request is believed to be frivolous or vexatious.
- In considering a refusal, District 360 Supports will consider whether the use of a mutually agreed mediator will allow sufficient access.

If a request for amendment is refused:

- An individual may require District 360 Supports to add a notation setting out their claims as to why they believe the information is incorrect, incomplete, out of date or misleading, and
- District 360 Supports will provide a written statement of reasons to the individual.

## **Identifiers**

District 360 Supports will use identifiers unique to the company. District 360 Supports will not disclose identifiers unless disclosure is necessary to fulfil its obligations.

## **Anonymity**

District 360 Supports will take all reasonable steps to ensure that as many services as possible will be provided to the community or individuals without recording or collecting personal information.

Individuals have the option to not identify themselves when dealing with District 360 Supports.

## **Transborder Data Flow**

District 360 Supports will not sell exchange or release personal information for commercial gain.

District 360 Supports will not transfer personal information to any other agency or individual, including an agency or organisation in a foreign country unless:

- The organisation is subject to laws, a binding scheme or contract, which effectively upholds the privacy of personal information, and
- The individual consents, or if obtaining consent is impractical, the individual is likely to give consent, or
- The transfer is for the benefit of the individual.

## **Sensitive Information**

Wherever possible, District 360 Supports will not collect sensitive information.

Where sensitive information about an individual must be collected it will not be collected without that individual's consent unless:

- It is necessary for research relevant to public health, compilation or analysis of public health statistics
- It is required by law
- It is necessary to prevent or lessen a serious and imminent threat to the life or health of any individual, or
- It is necessary to the provision of quality advocacy, information, rehabilitation, and/or lifestyle support services.

## **Confidentiality Statement**

Personal and/or sensitive information will be collected and maintained on confidential records and/or databases maintained by District 360 Supports in support of its activities and service provision.

District 360 Supports Employees who may have access to personal and or sensitive information in the course of their duties will respect its confidentiality and will not disclose the information to any third party.

Breaches of confidentiality by Employees will be dealt with in accordance with HRP3 Disciplinary Action Policy.

### **Destruction of client information**

Client information (both paper files and electronic data) must be destroyed after all statutory obligations for maintenance have been discharged. Destruction is to be done in a supervised and safe manner and must be authorised by the Office Manager.

Several situations will exist where destruction of a client record is not to occur. These will include:

- An outstanding compensation claim with any insurance provider
- An imminent or ongoing dispute between the client and our service
- A request for access to information
- An outstanding audit queries.

*Destruction of paper and electronic data must be total and done in such a way that no one else can access the information.*

## **4. Other relevant District 360 Supports policies**

Staff, especially managers and supervisors, are encouraged to read this policy in conjunction with other relevant District 360 Supports policies, including;

- Disciplinary Procedures Policy

## **5. Review details**

This policy was adopted by District 360 Supports on 11<sup>th</sup> November 2019

Last updated: 24 March 2021 by Tanya Johnston

Next review date: 24 March 2022

