

4.9 Privacy Policy



Principle

The SPDL Committee of Management is committed to protecting the privacy and confidentiality of personal information which the organisation collects, holds, and administers. Personal information is information which directly or indirectly identifies a person.

Policy

All client information will be kept in accordance with legislative requirements, ensuring that privacy and confidentiality of personal information is always maintained. SPDL is bound by Victorian Privacy Laws, the Information Privacy Act 2000, as well as other laws, which impose specific obligations when it comes to handling information. The organisation has adopted the respective Privacy Principles contained in the Victorian Privacy Laws as minimum standards in relation to handling personal information

Procedure

SPDL will clarify with the client the accuracy of information received through the referral process and will make them aware of the following:

- on first contact, the client has consented to the referral to our service
- that information is being collected and for which purposes.
- the intended recipients of the information.
- the client's right of access to, and correction of the information.
- how records are kept – i.e. client paper file and electronic database.
- that the client has the right to withhold information for privacy reasons.

The only information held by SPDL about a client will be information necessary to assess the need for a service, and to provide the service.

Purpose of Collecting Information

The purposes may include:

- processing referrals from MAC.
- assessing clients' service needs and offering services
- assessing WH&S status of client's homes for the purpose of service provision.
- keeping client records.
- meeting funding, legal and regulatory requirements.

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Document Owner	General Manager	Document Author	Ed Holmes
Approved by	Committee of Management	Published Date	12/05/2016
Version No.	V2.0	Last updated	25/02/2021
		Scheduled Review Date	25/02/2024

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- quality measurement and management.

Information collected and recorded by SPDL includes all information detailed on referral forms and on the organisation's assessment forms.

Type of information collected and held

Includes but is not limited to:

- name, details of birth, language preference and cultural affiliations.
- Name and details of carer
- eligibility to services.
- accommodation, living arrangements.
- health, medication.
- functional abilities.
- referral requirements.
- present and future service requirements.

Documentation kept on the clients' individual file includes but is not limited to :

- Referral information; My Aged Care (MAC) Regional Assessment Service (RAS).
- Support Plan including WH&S risk assessment.
- Review information - change in circumstances of the client.
- Feedback from the client
- Reports/information from and to other agencies.
- Client progress notes.

Use or disclosure of personal information

SPDL does not disclose any of the above information to others without the client's or authorised representative's consent.

SPDL releases or discloses personal information only as permitted by general and health situations and only as required under Australian legislation i.e. mandatory reporting, reporting as per government funding contracts.

SPDL will not:

- Use or disclose an individual's personal information for the purpose of direct marketing.
- Adopt, use, or disclose a government related identifier collected by SPDL in registering clients to use its services.

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SPDL may disclose information with the prior consent of the person responsible where the consumer information is:

- needed urgently for medical treatment or when disclosure is essential to protect a person from imminent harm.

Protecting Clients' Personal Information

SPDL physical safeguards include:

- an individual file will be created for each client following initial assessment.
- client's files are stored in the organisations central filing systems.
- the client filing systems are locked at the end of each working day.
- keys to the client filing systems are kept in a locked cabinet.
- ensuring that all consumer information is filed correctly and in a timely manner.

SPDL electronic safeguards include:

- electronic client information is password protected.
- electronic transmission of information to the funding bodies is encrypted.
- access to client information is limited to authorised staff.

Access to own information

Under the Australian Privacy Principles, clients have the right to access their own information held by SPDL. Clients can make a request to staff verbally or in writing.

Clients' request for access will be responded to within two (2) working days.

SPDL will validate the identity of anyone making a request to access client information. This is to ensure that information is not passed to a person who is not authorised to receive it, as per the client consent.

Length of Time Records Are Held

Client records are archived once the exit procedures have been completed. All information regarding clients will be destroyed seven (7) years after clients cease to receive services.

Data breach

If SPDL becomes aware of unauthorised access to or loss of client Personal Information, SPDL will promptly:

- notify affected clients
- investigate the cause and report the breach to regulatory bodies if applicable

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- remedy any consequences and
- advise clients what steps we have taken to prevent a reoccurrence.

Staff and volunteers will:

- Respect the privacy of client's personal information.
- Not discuss client's information with other staff, and/or volunteers unless pertinent to the execution of service delivery or the functioning of the organisation.
- Respect the values and attitudes of clients, their right to make their own decisions and work out their own problems.

SPDL will:

- Provide regular training to all staff and volunteers on privacy and confidentiality requirements.

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Version No.	V2.0	Last updated	25/02/2021
		Scheduled Review Date	25/02/2024