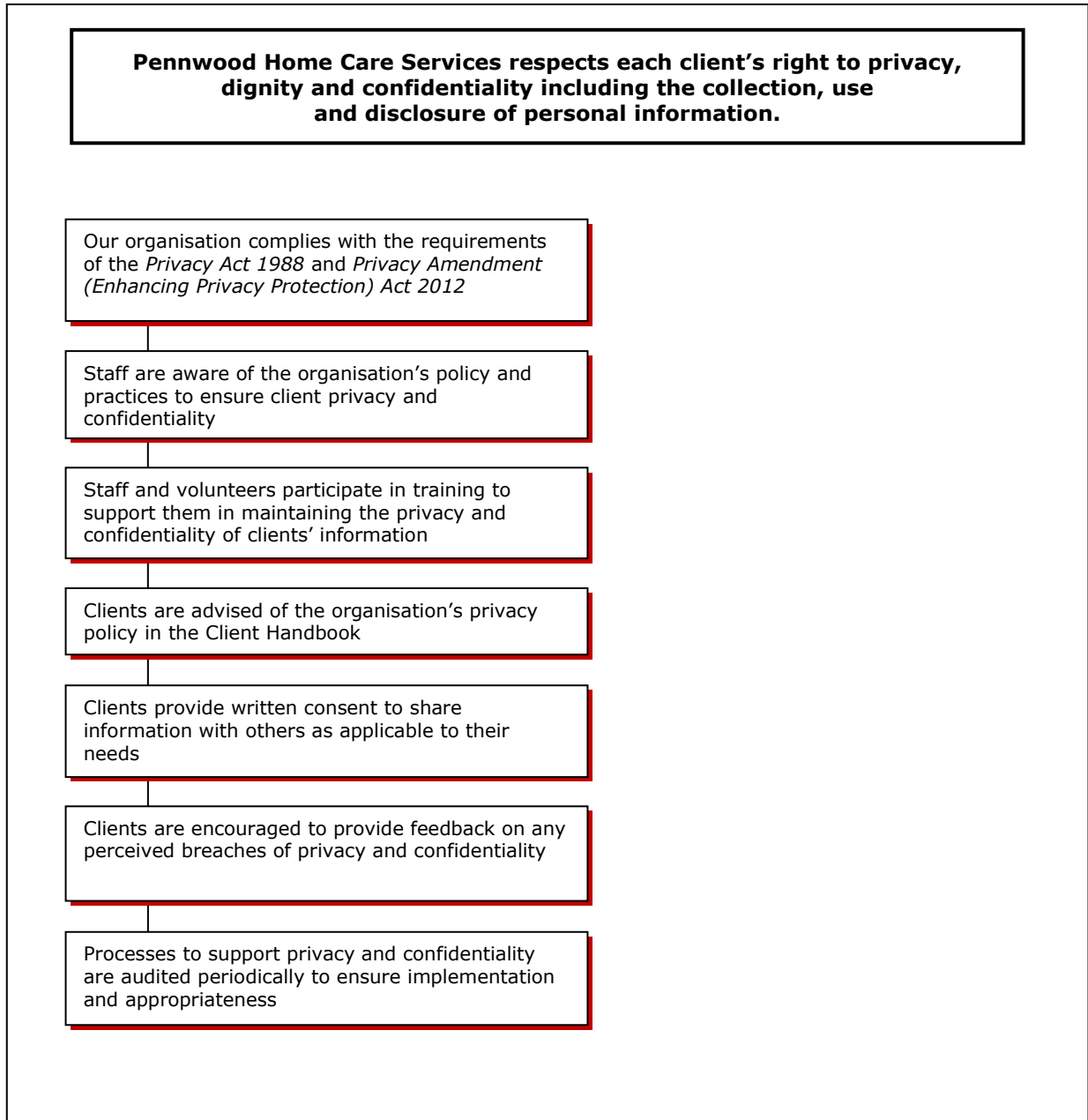




## HC15 - PRIVACY AND CONFIDENTIALITY



### FORMS AND RECORDS

Client Handbook	Shared Drive
HS01 Consent and Release of Information	Shared Drive / Client records
Aust Gov – OAIC - Privacy Fact Sheet #7	Resource Folder and P&P Folder
Aust Gov – OAIC - Privacy business resource #9	Resource Folder and P&P Folder
Aust Gov – OAIC - Privacy Fact Sheet #17	Resource Folder and P&P Folder



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## HC15.1 - Privacy and Confidentiality

### 15.1.1 PRINCIPLES FOR THE COLLECTION OF CLIENT INFORMATION

Pennwood Home Care is committed to the principles outlined in the *Privacy Act 1988* and *Privacy Amendment (Enhancing Privacy Protection) Act 2012* and has in place procedures that ensure compliance with the legislation including the protection of sensitive information including health information.<sup>1</sup> The Client Handbook outlines our approach to maintaining privacy and confidentiality of client information. We use the 10 Steps to Protecting Other People's Privacy<sup>2</sup> document as a guide to our privacy processes.

Management, staff and volunteers are provided with training and information on the rights of clients to privacy and confidentiality and the processes to support this before commencing any shifts, annually and as required. (see also Section 3: Information Management Systems; Section 7: Human Resource Management; Section 10: Assessment; and Section 11: Support Planning and Delivery).

The key guidelines for respecting client privacy and confidentiality in our organisation are:

- Clients are provided with information on our organisation's privacy policy in the Client Handbook
- Client files and other information are securely stored
- Our organisation takes 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
- We have a HS01 Consent and Release of Information Form that details approved consent
- We seek consent from clients to, in an emergency, disclose personal information to other health service providers as appropriate to provide emergency care or services
- We seek consent from clients to provide access to client records to government officials (or their delegates) in the conduct of quality reviews or the investigation of complaints. We advise clients that these individuals are required to keep all information accessed through this process confidential

<sup>1</sup> Australian Government Office of the Australian Information Commissioner 2014 *Privacy Fact Sheet 17: Australian Privacy Principles*

<sup>2</sup> Australian Government Office of the Australian Information Commissioner *10 Steps to Protecting Other People's Personal Information*



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- Information provided to government bodies regarding service provision (such as MDS data) does not identify the client. If any information is provided to outside government agencies for data purposes, we ensure that the information is de-identified and we make a note in the client's record what information was shared and to whom
- Consent to share personal information can be withdrawn at any time by the client
- Clients can ask to see the information that we keep about them and are supported to access this information if requested within 30 days of the request. Information is provided in a format accessible by the client. The client can nominate a representative to access the client's records held by us
- 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 Home Care Co-ordinator
- We do not discuss clients or their support with people not directly involved in supporting them
- Assessments and reviews are always conducted in private with the client and the Home Care Co-ordinator, or their delegate unless the client consents to their carer, advocate or other person being present
- During client assessments the Home Care Co-ordinator, or their delegate 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 assessment form and on the support plan
- Any discussions between staff about clients are held in a closed office
- 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.

### **15.1.2 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.



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## HS15.2 - Clients Right to Access Information

Clients of Pennwood Home Care 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 Home Care Co-ordinator who confirms the request with the Coordinator and then arranges for the client to view their information.

Access is provided to the client 30 days from the date of the request.

The Home Care Co-ordinator 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 will be discussed with the client/advocate should this situation arise.

## HS15.3 - Monitoring Privacy and Confidentiality Processes

Privacy and confidentiality processes and systems are regularly audited as part of our audit program and staff, clients and other stakeholders are encouraged to provide ongoing feedback on issues and areas where improvements can be made (see [Community Calendar](#) and Section 5: Continuous Improvement).