



SUB POLICY: PRIVACY AND CONFIDENTIALITY

1.0 SUB POLICY

TAD Disability Services recognises that all records about people who use our services, employees, volunteers, subcontractors, and other service agencies must be kept and stored in a safe, secure and organised manner that best protects those records for future use, and protects the confidentiality of the information they contain.

2.0 POLICY CONTENT

TAD Disability Services will promote and uphold an individual's right to privacy, dignity and confidentiality and seek to ensure compliance with all federal state and local laws. TAD Disability Services is committed to upholding the principles of the NSW Disability Services Act and Standards and the TAD Disability Service Standards Policies:

GSP01.01 Rights

GSP02.01 Participations and Inclusion

GSP03.01 Individual Outcomes

GSP04.01 Feedback and Complaints

GSP05.01 Service Access

GSP06.01 Service management

3.0 RESPONSIBILITIES

The Chief Executive Officer is responsible for ensuring that the storage of service users, employees, volunteers, subcontractors, and other service agencies information is secure, and as safe as possible from access by unauthorised persons, and destruction by natural or contrived disaster.

The Operations Manager or delegate is responsible for ensuring that all relevant information about a current or potential service user's project application and progress is kept securely, entered onto the person's individual file and that details are factual, accurate, complete, and timely.

The Volunteer Manager or delegate is responsible for ensuring that all relevant information about a current or potential volunteer is kept securely and in an organised manner.

PROCEDURE: PRIVACY AND CONFIDENTIALITY

4.0 PROCEDURES

4.1 INFORMATION MANAGEMENT

For all people supported by TAD Disability Services, the service will:

- Collect and keep information about people only when it is relevant and necessary to the provision of the service.
- Ensure data about each person is up to date, accurate and secure and stored in accordance with privacy legislation.
- take account of any relevant cultural or religious sensitivities of people using services in the way information about them is collected and used.
- store and dispose of personal records correctly.
- Provide information to people using our services about:
 - a. What information TAD Disability Services collects and holds, and how their personal information is collected, used, disclosed, and managed;
 - b. How they may access personal information about themselves that is held by TAD Disability Services;
 - c. How they can complain about a breach of privacy and how TAD Disability Services will deal with such a complaint

4.1.1 Personal Files

When TAD Disability Services collects keeps and uses identifiable data about a service user, the following procedures will be implemented to guarantee the privacy of the person and ensure that records are appropriate, accurate and secure.

The personal files and their contents remain the property of TAD Disability Services at all times. A person may access their personal file and any documents about them held in archive storage if they request that access.

TAD Disability Services collects and records the information required to support an individual's request for service. Such information may include, but not be limited to, details regarding:

- Health;
- Behaviour;
- Communication;
- Community inclusion and participation;
- Important contacts and circle of support information;

This information is collected for the purpose of:

- Planning, implementing, monitoring and reviewing individualised services.
- Service monitoring, evaluation and reporting (de-identified information only is used for this purpose);
- Meeting the reporting requirements of the relevant government agencies

When information is being sought, the TAD representative will inform the individual, parent /

guardian of:

- the reason for requesting the information
- how the information will be recorded and stored
- what other information will be recorded during the provision of service
- how their privacy will be protected
- their right to view or access their information.

Identifiable information about a person to be shared with another agency is only to be done so by a TAD Disability Services staff member after obtaining consent from the individual, parent or guardian. The date of the verbal consent being obtained must be documented, and/or the individual (or their substitute decision maker) must sign a consent form.

4.1.2 Maintaining Personal Records

Upon an individual submitting an application for a project / service from TAD Disability Services an electronic file will be immediately opened in the Priority database on the secure server. All project progress and documentation relating to an individual's project and any additional support provided will be entered straight onto the individual's electronic file. Any paperwork associated to an individual's project will be scanned, uploaded and attached to the person's electronic file and the paperwork stored on the individuals file in a locked filing cabinet.

When an individual's project is complete their electronic file will be closed on the Priority Database. His/her project information remains the property of TAD Disability Services and remains securely stored on the TAD Disability Services Server under the control of the Operations Manager. The person may request a copy of these records however they cannot be copied or provided to a third party without the written consent of the person or their substitute decision maker.

In recording personal information about a person employees will ensure that the information is:

- Factual;
- Accurate;
- Comprehensive;
- Timely (in chronological order, showing the dates and times they were written/received), and
- Objective – avoiding judgement, bias, and personal opinion

4.1.3 Documentation Use in Professional Setting

Employees are :

- permitted to raise personal information about people they support, volunteers, or associates of TAD that is appropriate and relevant in the context of professional supervision, debriefing, or personal counselling.
- to ensure that each person understands that they have the right not to provide information or sign documents unless they are satisfied that they understand the purpose and use.
- to seek translation and/or qualified interpreting if necessary, to ensure a person understands information and documents.

4.1.4 Protecting Social Privacy and Dignity

Employees and Volunteers are not to discuss service users confidential personal information with:

- o Unauthorised employees;
- o Employees from other services without the consent of the person;
- o In public, or
- o In a location where that conversation may be over-heard by unauthorised persons.

Meetings with project applicants must be conducted in a professional manner that respects an individual's privacy and dignity at all times.

4.2 VOLUNTEER INFORMATION MANAGEMENT

See PCP07.01 Volunteer Recruitment, Selection and Development. Volunteers have the right to access their file and are to request access from the Volunteer Manager.

4.3 EMPLOYEE INFORMATION MANAGEMENT

All employee recruitment, selection, performance review and training documentation will be filed in each individual's Personnel File.

All personnel files will be kept in a locked cupboard under the supervision of the Chief Executive Officer. All employees have the right to access their personnel file and are to request access from the Chief Executive Officer.

4.4 MEMBER INFORMATION MANAGEMENT

Upon a member's application being processed in accordance with GSP 20.01 Processing Membership, all members information will be appropriately filed and stored in a locked filing cabinet within the department the individual will be working.

4.5 DONORS AND SPONSORS INFORMATION MANAGEMENT

Identifying information received from donors or sponsors will be entered into the Raiser's Edge database by the Development Team and stored on the TAD Disability Services secure server. Any documents in relation to Donors, Sponsors or supporters containing personally identifying information is appropriately filed and stored in a locked filing cabinet.

One off Donations – Donor information is entered into the Raiser's Edge database. Documents containing credit card details are immediately processed with credit card information then being blocked out before filing.

Regular Donors - Donor information is entered into the Raiser's Edge database. Documents containing credit card information is to be locked in the safe.

4.6 APPEALS

Individuals who are refused access to records or information may appeal by contacting the Chief Executive Officer or Board who will review the decision in the context of this policy and relevant legislation.

The Chief Executive Officer and or the Board will, where required, seek legal clarification and advice on access to documents by any party other than the person to whom the documents relate.

4.7 Document Archiving and Destruction

Each department of TAD Disability Services will archive files at least annually. Archive files will be clearly labelled to enable easy access if required in the future.

Archived files will be kept in a secure storage area with all documents retained in line with related legislation and funding agreements.

5.0 REFERENCES

NSW Disability Service Standards
ADHC Governance Policy
Quality Policy for ADHC Funded Services
Human Rights and Equal Opportunities Commission Act
Anti-Discrimination Act
Privacy Act 1998
Australian Privacy Principles
Privacy and Personal Information Act 1998

6.0 DOCUMENTATION

PCP10.01 Grievances Complaints and Disputes Management.
GSP19.01 Code of Ethics and Conduct.
GSP22.01 Continuous Quality Improvement Committee Charter
SDP02.01 Service Access to Freedom wheels and CDE
GSP20.01 Processing Membership
PCP05.01 Staff Recruitment and Selection
PCP07.01 Volunteer Recruitment, Selection and Development

Appendix A- Records Retention Table

Record Type	Location *	Retention Period	Authority for disposal
TAD Owned Properties	Archiving	Until Property is sold	CEO
Financial Records	Archiving	7 years	CEO
General Files	Archiving	7 Years	Department Manager
Human Resources, Staff Files	Archiving	7 years after termination of employment	CEO
WH & S	Archiving	20 Years after termination of employment	CEO
Payroll	Archiving	7 years	CEO
Committee Minutes	Electronic	7 years	CEO
Internal Audit Reports	Electronic	7 years	CEO
Client Surveys and Feedback	Archiving	7 years	Department Managers
Client Files (over 18 years old)	Archiving	7 years after last contact	Department Managers
Client Files (Children under 18 years old)	Archiving	18 years	Department Managers
Superseded Policies & Procedures	Electronic	7 years	CEO