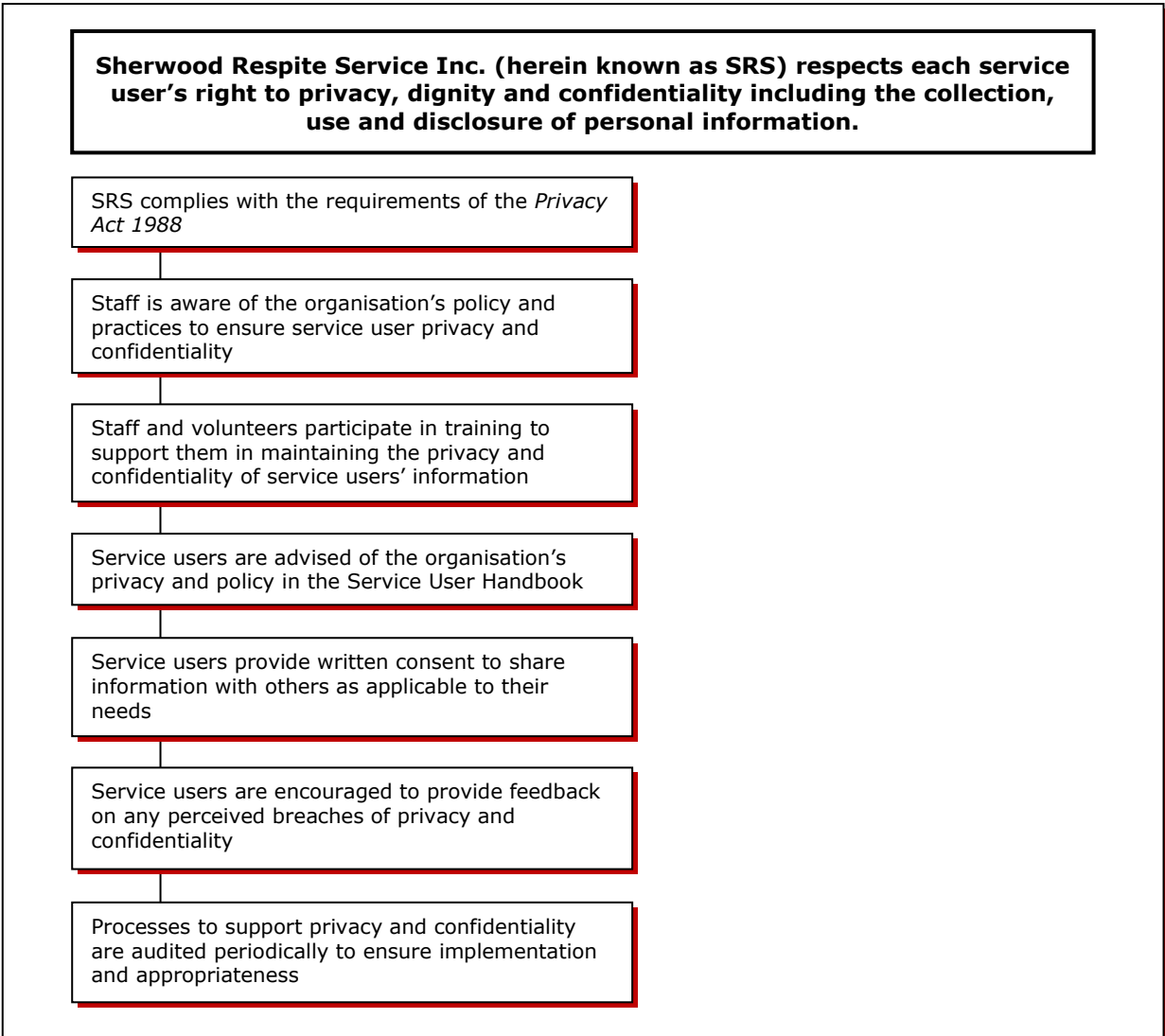


## PRIVACY AND CONFIDENTIALITY



### FORMS AND RECORDS

Service User Handbook	Shared Drive
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Approved by: Management Committee  
 Date: 17 May 2011  
 Date Reviewed: 18 March 2014  
 Next Review Date: March 2017  
 Version: 1.2

Service User Consent Form

Service user records

## 15.1 Privacy and Confidentiality

### 15.1.1 PRINCIPLES FOR THE COLLECTION OF SERVICE USER INFORMATION

SRS 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. The Service User Handbook outlines our approach to maintaining privacy and confidentiality of service user information. We use the 10 Steps to Protecting Other People's Privacy<sup>1</sup> document as a guide to our privacy processes.

Management, staff and volunteers are provided with training and information on the rights of service users to privacy and confidentiality and the processes to support this, annually and as needed when new staff/volunteers commence with the organisation (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 service user privacy and confidentiality in SRS are:

- Service users are provided with information on our organisation's privacy policy in the Service User Handbook.
- Service user files and other information are securely stored
- Our organisation takes steps to correct information where appropriate and regularly review service user information to ensure it is accurate and up to date.
- We only collect information about service users that is relevant to the provision of support and we explain to service users why we collect the information and what we use it for
- We have a [Service User Consent Form](#) that details approved consent
- We seek consent from service users to, in an emergency, disclose personal information to other health service providers as appropriate to provide emergency care or services
- We seek consent from service users to provide access to service user records to government officials (or their delegates) in the conduct of quality reviews or the investigation of complaints. We advise service users that these individuals are required to keep all information accessed through this process confidential
- 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 service user
- Service users 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 service user. The service user can nominate a representative to access the service user's records held by SRS
- Service users 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 service users is confidential and is not disclosed to any other person or organisation without the service user's permission

<sup>1</sup> Australian Government Office of the Privacy Commissioner (now integrated into the Office of the Australian Information Commissioner) *10 Steps to Protecting Other People's Personal Information*

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- We only share information when it is necessary to ensure appropriate support is delivered and only with the service user's permission/consent beforehand
- The provision of information to people outside the service is authorised by the Coordinator
- We do not discuss service users or their support with people not directly involved in supporting them
- Assessments and reviews are always conducted in private with the service user and the Assessment Officer unless the service user consents to their carer, advocate or other person being present.
- During service user assessments the Assessment Officer asks the service user 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 service users are held in a closed office
- Any references to individual service users in meeting minutes refer to the service user by first name followed by initial of surname only.
- We confidentially destroy any personal information held about our services users 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 service user 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 service user and a staff member or a service user and a carer is kept confidential. The service user'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.

## 15.2 Service Users Right to Access Information

Service users of SRS have a right to read any personal information kept about them. A request from a service user (or their advocate) to access information is referred to the Team Leader who confirms the request with the Coordinator and then arranges for the service user to view their information.

Access is provided to the service user within two weeks from the date of the request and the file must always remain within the office area with the Team Leader in attendance.

The Team Leader is available to assist the service user in understanding the information and to explain terminology or other assistance.

On advice from SRS's legal representative, access to a service user's record may be denied. This will be discussed with the service user/advocate should this situation arise.

## 15.3 Monitoring Privacy and Confidentiality Processes

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

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