

## Policy Name: **Privacy, Dignity and Confidentiality**

### **1.0 Policy Statement**

Peckys Limited recognises that each client using our services has the right to privacy, dignity and confidentiality in all aspects of their lives.

- 1.1** Peckys Limited recognises and respects clients' right to privacy and confidentiality with regards to all discussions, meetings, records and any other information written, oral, observed or electronically stored.
- 1.2** Peckys Limited maintains all personal files consistent with the person's right to privacy and confidentiality. Records are required for professional accountability and service operational purposes. The service maintains the quality and accuracy of the records and only keeps information necessary for the provision of service to the clients.
- 1.3** Under certain circumstances Peckys Limited will disclose, upon approval from the CEO, information to people other than the client or staff members. They are as follows:
- There is a serious threat to an individual or member of the public's life, health or safety;
  - Non –identifying data is required by funding bodies and by government departments for planning purposes;
  - Disclosure is required or authorized by law, such as a court subpoena or staff member testifying under oath;
  - Emergency services such as ambulance, police, fire brigade who may assist during the delivery of services;
  - Clinicians and therapists who assist Peckys Limited to deliver services;
  - Peckys Limited professional advisors, including our accountants, auditors and lawyers.
- 1.4** Except as set out above, Peckys Limited will not disclose an individual's personal information to a third party unless:
- The individual has consented to the release;
  - The individual was told at the time the information was collected that a release to a nominated party would be made.

### **2.0 Purpose**

The purpose of this document is to outline how Peckys Limited meets legislative

**SECTION: Rights**  
**REF. NO: Section 1**  
**POLICY NO: 1.5**

requirements and encourages involvement from clients and significant others in meeting and following applicable disability service standards.

**2.1** Peckys Limited ensures the guidelines are used when handling personal information about:

- Clients, family members, carers and advocates;
- Staff and volunteers;
- Members;
- Sponsors and supporters;
- Website users;
- Any other identifiable person.

**Document References**

- Disability Inclusion Act 2014 (NSW)
- Peckys Limited Grievance Policy
- Peckys Limited Complaints and Feedback policy
- Privacy Amendment (Enhancing Privacy Protection) Act 2012
- Privacy and Personal Information Protection Act 1998
- Government Information (Public Access) Act 2009

**Forms**

- Consent form
- Service Agreement

## **Procedure**

All information about a client including, but not limited to, information about their body, health, daily activities, lifestyle choices, social and leisure activities, family, relationships, property or finances is private and confidential.

- 1.1** Information about clients may be recorded on paper file and electronically. All information contained on paper and electronic file is private and confidential and each client's right to privacy, dignity and confidentiality is respected.
- 1.2** Peckys Limited only collects information relevant to effective service delivery.
- 1.3** Upon entry to a service, clients (or the person responsible or guardian) are informed of:
  - The type of information Peckys Limited collects;
  - Reasons for collecting and holding this information including the timeframe;
  - Peckys Limited Privacy, Dignity and Confidentiality Policy.
- 1.4** Each client will have a client folder. This contains personal information, training programs and communication information. This file is kept in a locked cabinet located at the service delivery site and is available to staff on a need to know basis.
- 1.5** Any client sensitive material is to be kept in the CEO's office in a locked cabinet. Any sensitive information is only available with the written consent of the client and the authorisation of the CEO. Any sensitive information may be made available to the Coordinator on a need to know basis.
- 1.6** Clients may have access to their own files on request, with support from staff and/or families.
- 1.7** Any decisions to release information to other disability agencies are made with the consent of the client involved on each occasion or the person responsible or guardian.
- 1.8** No information may be disclosed about a client outside Peckys Limited without their written consent (or the written consent of the person responsible or guardian) except in the following circumstances:
  - Where non identifying data is required by funding bodies and government departments for planning purposes;
  - Where the disclosure is authorised by law;
  - Where it is reasonable that the disclosure is necessary to prevent or lessen serious threat to the life or health of the client, another person or the public;

- Where it is reasonable that the disclosure is necessary for the enforcement of criminal law.

**1.9** Information disclosed under the request for a client file, must be approved by the CEO prior to the release. It must be documented and only used for the purpose for which disclosure was approved.

## **2.0 Personal Care**

Clients who need and want support with personal hygiene will be provided with assistance in a manner that respects their dignity and privacy at all times. This includes providing training to the client to increase their level of independence, providing information about the assistance to be provided, closing of and knocking on doors and observing the universal precautions of infection control.

**2.1** Any personal care assistance will only be given with the consent of the client, family or legal guardian and in the least intrusive way.

## **3.0 Cameras, Mobile telephones with Cameras & Media**

No camera (including mobile telephones with inbuilt cameras), video recorder, digital recorder, computer imaging device or any other media recording device is to be used in any of the programs without:

- The authorisation from the Coordinator;
- Manager approval if photos are being used on any published material.

**3.1** No information photos or information is to be published in the media without the written consent of the client or the person responsible/guardian and the approval of the Manager.

**3.2** No staff member is to participate or release information in or for media interviews, on FaceBook or any other social media site, for any matter in relation to Peckys Limited, its associated operations or entities, its staff and clients without the written consent of the Manager.

## **4.0 Complaints**

Individuals who have provided Peckys Limited with personal information or about whom Peckys has collected and holds personal information has the right to make a complaint and have it investigated under the complaints procedure.

**4.1** A privacy complaint relates to any concern regarding Peckys Limited privacy practices or Peckys Limited handling of personal information, including matters such as how information is collected or stored, used or disclosed or how access is

provided.

- 4.2** Where possible, complaints will be handled at a local level. All complaints will be logged and a record kept of the outcome.