

1 Policy Title

Privacy Policy

1.1 Policy Introduction:

When delivering their services BADAC collect, use, store and disclose information about their clients. This information will often be classified as 'personal information' under Privacy Laws and may include 'sensitive information' and 'health information', which are subcategories of personal information requiring special treatment.

It is essential to consider BADAC's responsibilities under Privacy Laws in all dealings with personal information. Handling personal information in a lawful, transparent and respectful way is an integral part of building the trust of the people BADAC works with, as well as avoiding any legal consequences of a data breach, including financial penalties. This extends out to BADAC staff working with the highest levels of confidentiality while supporting clients.

1.2 Policy Purpose:

This policy outlines how BADAC respects and protects the private information of clients, patients, and families engaged with or attending BADAC's services.

1.3 Policy Scope:

The scope of this policy relates to all BADAC staff when collecting, storing and sharing client information.

This includes:

- All records, hard copy and/or electronic, containing personal and/or health information about individuals.
- Interviews or discussions of a sensitive personal nature, including face to face, over the telephone and video (For example: Zoom and Microsoft Teams).

2 Policy Statement:

BADAC holds and collects information considered 'personal,' 'sensitive,' and 'health' information about clients/patients. BADAC is committed to protecting and upholding the right to privacy of all its clients/patients. As part of the commitment, BADAC requires all staff to be consistent and careful with managing all 'personal,' 'sensitive,' and 'health' information. This includes ensuring that the information is only shared and discussed with people that consent has been provided to do so.

As part of BADAC's commitment to privacy BADAC and BADAC staff will:

- Only collect personal, sensitive and health information that is necessary for BADAC to provide the service to the individual with their consent.
- Provide clients/patients with information regarding their privacy rights.
- Conduct private discussions with clients/patients in appropriate rooms and not in a public setting.
- When using video technology (Zoom and Microsoft Teams) ensure that the client/patient's privacy is protected at all times.
- Legal and ethical obligations as a service provider and employer are met in relation to protecting the privacy of BADAC clients/patients.
- BADAC and BADAC staff comply with legislation requirements regarding sharing of information.

- Adhere to all requirements under the *Privacy Amendment (Notifiable Data Breaches) Act 2017(Cth)*.
- Mandatory privacy training during induction and refresher annually.

BADAC staff will be familiar with both this policy and the Sharing of Information Policy.

3 Definitions

'Personal information' is information or an opinion about an identified individual, or an individual who is 'reasonably identifiable'. Personal information can be: true or false, verbal, written, or photographic and recorded or unrecorded. Personal information includes a person's name, address, contact details (such as telephone number or email), date of birth, gender, sexuality and race.

'Sensitive information' is a particular category of personal information and is subject to stricter legal requirements for collection, storage use and disclosure. Under the Privacy Laws, the information will be considered 'sensitive information' where it is information or an opinion about a person's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a trade union, sexual preferences or practices and criminal record.

'Health information' is a type of personal information that includes information or opinion about a person's physical and mental health, disability (at any time), health preferences (including the future provision of health services), use of health services, bodily donations (e.g. blood, organs) and genetics.

3 Related Policies/Procedures

Information Sharing Policy

5 References

5.1 Relevant Legislation

Privacy Act 1988 (Cth)

Privacy Amendment (Notifiable Data Breaches) Act 2017 (Cth)

Privacy and Data Protection Act 2014 (Vic)

Health Records Act 2001 (Vic)

5.2 Standards

QIC	
Standard 1: Governance	1.2 Organisational accountability 1.6 Risk management 1.7 Legal and regulatory compliance
Standard 2: Management systems	2.3 Information management
RACGP	
Core Standard 2: Rights and Responsibilities	2.2 Presence of a third party during a consultation
Standard 12 Clinical Risk Management	12.1 Managing clinical risks 12.2 Open disclosure

NDIS	
1. Rights and Responsibilities	1.3. Privacy and Dignity
2. Provider Governance and Operational Management	2.2 Risk Management 2.3 Quality Management 2.4. Information Management
Aged Care	
N/A	
Rainbow Tick Accreditation	
5. Disclosure and documentation	5.1 A disclosure and documentation policy or guideline that outlines confidentiality processes
HSS	
N/A	
Child Safe Standards	
Standard 3 Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.	3.1 Children and young people are informed about all of their rights, including to safety, information and participation.

5.3 Resources

N/A

5.4 References

N/A

6 Documentation

6.1 Forms

N/A

6.2 Records

N/A

7 Organisational Context

7.1 OHS Implications

N/A

7.2 Risk Management Implications

7.2.1 Political

N/A

7.2.2 Economic

N/A

7.2.3 Social

1. Loss of community confidence
2. Placing a community member at risk

7.2.4 Technological

1. Information transferred not encrypted

7.2.5 Legislative

1. Breach of privacy legislation

7.2.6 Environmental

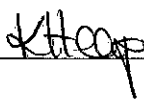
N/A

7.2.7 Cultural

N/A

8 Document Control

8.1 Document Approvals

Position	Name	Approval Signature	Date Approved
CEO	Karen Heap		13.6.2023