

## 1. PURPOSE

The purpose of this policy is to establish standards of privacy, dignity and confidentiality in the dealings with prospective, current and past users of Streams of Living Water' services. The policy has been framed around the individuals' rights as they are specified in:

- The Privacy Act (1988),
- The Freedom of Information Act (1982),
- The Disability Services Act (1993),
- NDIS Practice Standards Provider Governance and Operational Management Core Module (Information Management), and
- Standard 1 of the National Standards for Disability Services.

## 2. SCOPE

This policy applies to all Streams of Living Water staff members, volunteers and individuals who are engaged in Streams of Living Water programs and activities.

## 3. POLICY STATEMENT

Streams of Living Water respects every individual's legal right to privacy. This policy sets out Streams of Living Water' practices relating to the collection, holding, use and disclosure by Streams of Living Water of personal and sensitive information relating to an individual.

## 4. DEFINITIONS

In this policy:

**Consent** is a voluntary and informed agreement by an individual to something Streams of Living Water does. Where Streams of Living Water considers that a person is unable to give this consent to the use of his or her personal information for a particular purpose, Streams of Living Water will ask that person's parent or guardian to provide the consent.

**Health records** are part of personal information and sensitive information, and include information or an opinion about a person's health or disability. In the case of Streams of Living Water, most health records that are subject to the Law are collected for the purpose of assessing client's health to ensure support needs are met.

**Personal information** is information, or an opinion, about an individual who is reasonably identifiable, whether or not that information or opinion is recorded in some way, and whether or not the information or opinion is true. Personal information collected by Streams of Living Water includes contact details, educational qualifications, personal history and personal financial information.

Sensitive information is part of personal information and includes information Streams of Living Water may collect such as racial or ethnic origin, religious beliefs, membership of a professional or trade association, criminal record, or health information.

## 5. OPEN AND TRANSPARENT MANAGEMENT OF INFORMATION

Streams of Living Water will make this policy publicly available on its website at

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[www.solw.org.au](http://www.solw.org.au) and will take reasonable steps to provide a copy of this policy to anyone who asks for it. A person may request a copy of the policy by contacting Streams of Living Water at [info@solw.org.au](mailto:info@solw.org.au)

When asked to do so by an individual, Streams of Living Water will take reasonable steps (subject to the Law) to let the person know, generally, what sort of personal information Streams of Living Water holds about that person, for what purposes, and how it collects, holds, uses and discloses that information.

Streams of Living Water has in place procedures, including this policy, to ensure that it complies with the Australian Privacy Principles, and that individuals may approach Streams of Living Water with any questions or complaints about Streams of Living Water's compliance with the Law.

## 6. PROCEDURE

Based on the Australian Privacy Principles, the following procedures are to be implemented to ensure that Streams of Living Water meets its policy objective of respecting every individual's right to privacy.

The Australian Privacy Principles will be followed to ensure Streams of Living Water will:

- Only collect information about the participant that can be shown to be directly relevant to effective service delivery and Streams of Living Water's duty of care responsibilities.
- Seek the written consent of the participant or family prior to obtaining information from any other source.
- Seek the written consent of the participant or family prior to releasing information to any other source.
- Ensure that personal information is stored securely and is not left on view to unauthorised personnel or general public.
- Ensure that only those Streams of Living Water staff members who need access to the above information will be granted access.
- Advise the participant and family of the nature of the personal information that is held by Streams of Living Water about the participant.
- Advise the participant and the family of their right to view the information that the Streams of Living Water keeps in respect of the participant.
- Ensure that personal information about the participant is only held by Streams of Living Water as long as it remains relevant to the delivery of effective services and Streams of Living Water's duty of care obligations.
- Promptly investigate, remedy and document any consumer grievance regarding privacy, dignity or confidentiality.

## 7. PERFORMANCE STANDARDS

All participants and their families have been provided with a copy of Streams of Living Water's Privacy and Confidentiality Policy.

All staff members and volunteers have been provided with a copy of Streams of Living Water's Privacy and Confidentiality Policy and a staff copy is kept in each service outlet.

Participants and families have been informed why the information sought is required

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by Streams of Living Water.

Client Consent Forms have been completed by the participant and/or their family prior to information being obtained and stored.

Photographic, video or other identifying images are not displayed or aired publicly without the written prior permission of the participant or family and signing of content Release Forms.

Any grievances have been addressed in accordance with the privacy, dignity and confidentiality principals outlined in this policy and Compliments, Complaints and Feedback Policy.

## **8. DATA QUALITY**

Streams of Living Water will take all reasonable steps to ensure that the personal information it collects is accurate, complete and up-to-date and relevant, having regard to the purposes of the use or disclosure of the personal information that is collected.

## **9. DATA SECURITY AND HANDLING**

Streams of Living Water will take all reasonable steps to protect the personal information it holds from misuse, interference (which may include measures to protect against computer attacks), loss and unauthorised access, modification or disclosure.

Streams of Living Water data handling practices are regularly reviewed. All sensitive information is separately stored and shared among staff members on a need to know basis only.

Client management records (that include personal, sensitive and health records) are stored on separate databases and are accessible only to those who require the information to undertake this activity e.g. support workers, head coaches and assistant coaches.

All Streams of Living Water personnel have been provided with training and guidance to support this privacy policy.

Streams of Living Water will take all reasonable steps to destroy or permanently de-identify personal information about an individual that it holds, if the information is no longer needed for any purpose for which it is able to be used or disclosed, and where there is no law or Court/tribunal or Government contract that requires Streams of Living Water to keep the information.

## **10. REVIEW OF THE POLICY**

This policy will be reviewed on a two yearly basis. However, if at any time the legislative, policy or funding environment is so altered that the policy is no longer appropriate in its current form, the policy will be reviewed immediately and amended accordingly.

## **11. RELATED POLICIES**

Compliments, Complaints and Feedback Policy

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**SUPPORTING DOCUMENTS**

Client Consent Form which is part of the Service agreement

**RELEVANT LEGISLATION OR STANDARDS**

Freedom of Information Act (1982)

National Standards for Disability Services, Standard 1:

Rights Privacy Act (1988)

NDIS Practice Standards and Quality Indicators

Revision History

Rev	Date	CRF number	Section(s) / page(s) affected	Reason / description / remarks
01	01/09/2020			First issue

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