



DOWN SOUTH THERAPY

Privacy and Confidentiality Policy

Version 1.0

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Privacy and Confidentiality Policy

1.1. Purpose

The purpose of this policy is to ensure services are delivered in ways that respect the dignity of clients by establishing standards of privacy, dignity, confidentiality and data protection in accordance with;

- The Privacy Act (1988),
- Freedom of Information Act (1982),
- Disability Services Act (1993), and the
- Disability Services Standards (2013).

This policy relates to all Down South Therapy activities and applies to all employees, contractors, students, advocates, Directors and others who may act on behalf of Down South Therapy (DST).

1.2. Collection of Personal Information from Clients

'Personal Information' is information or opinion in any form, whether true or not, that identifies or enables identification of an individual. Down South Therapy collects only personal information that is necessary for one or more of its functions or services and ensures that all information is collected by fair and lawful means.

All personal information is only used for the purposes for which it was collected except where legal exemptions exist.

All information collected by the company is collected by lawful and fair means and is, where practical to do so, collected directly from the client. The client is informed who is collecting the information (Down South Therapy), how it is stored and what it is used for.

Personal information is collected by staff through completion of various intake, referral/application or service delivery forms. Generally such forms are completed by the client, with assistance if necessary, by the client's carer or referring agency. All forms used for the collection of information are approved by the Down South Therapy Directors and are compliant with the Australian Privacy Principles.

Information may also be collected, reviewed or updated through face to face meetings, interviews, telephone calls or emails.

In accordance with Down South Therapy policy, clients may be refused service with Down South Therapy where they do not disclose or give permission for disclosure of personal information necessary for protection of the safety of staff and clients.

1.3. Kinds of Personal Information collected from Clients

The types of personal and/or sensitive information that we collect may include;

- Client identifying information (Name, age, address)
- Identification and contact details for next of kin/ person responsible/ carer or guardian
- Referral information
- Details of medical conditions/disability

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- Case/ progress notes
- racial or ethnic origin,
- sexual orientation or practices,
- criminal record,
- other such information that is relevant for us to provide our services in the manner that the client has requested, or to comply with the Law.

1.4. Disclosure of Information to those outside Down South Therapy

'Disclosure' is the transfer of information to a third party outside the organisation.

Personal information is not disclosed to a person, body or agency (other than the individual concerned) unless;

- It is for the main reason it was collected (the primary purpose) or for a related secondary purpose e.g. an onward referral with the clients consent
- The client, carer/guardian has consented to the disclosure
- It is required by/or under law or requested by a board or tribunal with legal authority
- Where the client, carer/ guardian confidentiality is deemed to be diminished by a serious or imminent threat to the life, health or safety of the individual or of another person.

1.5. Use of information within Down South Therapy

'Use' refers to the handling of information *within* Down South Therapy, the use of personal information regarding clients is restricted to those within the agency who have a legitimate 'need to know'.

Information contained in client files is restricted to that necessary for the smooth running of the service and/or monitoring of service outcomes.

Only staff members within the service have access to the client files and information relating to the clients, unless the client has given prior written permission.

It is accepted that all staff member may discuss personal client details with their supervisor or senior staff for supervision, determination of work, health and safety issues or to ensure the proper service to support the client.

1.6. Client Access to Personal Information

Individuals have the right to access their personal information, except where access may present a threat to an individual or is deemed unlawful.

Information may be accessed upon request by the individual following confirmation of their identity.

A client or carer, can ask that personal information be corrected, if it is inaccurate, incomplete or out of date.

1.7. Security

Down South Therapy takes all responsible steps to protect personal information against misuse and provides safeguards to ensure against loss, unauthorised access, misuse, modification or

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disclosure.

Personal information held by Down South Therapy on databases, file servers or personal computers are password protected to unauthorised access.

Personal records are secured in locked cabinets.

All emails sent from the organisation contain privacy statement and security disclaimer.

1.8. Record Keeping

Access to client records is restricted to those who have a legitimate 'need to know' or a legal right to access

Information contained in client files is restricted to that necessary for the smooth running of the service and/or monitoring of service outcomes.

Personal information kept by Down South Therapy is regularly updated and reviewed to ensure information is accurate, up to date and only used for the intended purposes.

1.9. Staff Training and Compliance

Staff are trained in implementation of the company's Privacy and Confidentiality Policy and breaches of these requirements are considered a serious disciplinary issue, which may result in disciplinary action being taken up to and including termination of employment.

