



CFN ASSOCIATION INC.

POLICY 4.0 - PRIVACY, DIGNITY AND CONFIDENTIALITY

HUMAN SERVICES QUALITY STANDARD 1: GOVERNANCE AND MANAGEMENT

The organisation maintains accountability to stakeholders through the implementation and maintenance of sound governance and management systems. These systems should reflect the size and structure of the organisation and contribute to maximising outcomes for people using services.



POLICY 4 - PRIVACY, DIGNITY AND CONFIDENTIALITY

Policy Contents

Purpose and Scope
Policy Statement: Our Commitment
Preamble

Procedures:

<i>Number</i>	<i>Procedure</i>	<i>Related Human Services Quality Standard</i>
4.0 (A)	<i>Collecting Information from A Service User</i>	1
4.0 (B)	<i>Obtaining Consent to Share A Service User's Information</i>	
4.0 (C)	<i>Providing A Service User with Information from their File</i>	
4.0 (D)	<i>Collection, Storage, Retrieval and Disposal of Service User Information</i>	
4.0 (E)	<i>Reviewing this Policy</i>	

Related CFN Policies and Procedures
Associated Forms and Documents
Resources
Policy History

ANNEXURE A Flowchart of Information Management (illustrated format)



Purpose and Scope

The purpose of this policy is to establish standards of privacy, dignity and confidentiality in the organisation's dealings with prospective, current and past users of the organisation's services. The policy has been framed around individuals' rights as they are specified in the *Information Privacy Act 2009 (Qld)*, *Commonwealth Privacy Act (1988)*, *Disability Services Act (2006)* and *Standard 1 of the Human Services Quality Standards*.

This policy applies to CFN Association Inc. service users, governance board and staff members.

Policy Statement: Our Commitment

CFN is committed to ensuring that individuals who receive a service from this organisation, and their advocates, have the same level of privacy, dignity and confidentiality as is expected by the rest of the community.

Preamble

Information sharing is a vital part of any organisation's development, management and progression. However, it is acknowledged that, due to the intrusive nature of service delivery in a human service environment, information can carry with it the potential to impair the dignity, respect and right to privacy of the subject. To meet our obligations any breaches to this privacy policy will be reported to the department.

CFN will ensure that all personal information is kept confidential and private and that all considerations and legislative requirements under the *National Privacy Principles* will be met. More specifically:

<i>Collection</i>	CFN will not collect personal information unless the information is necessary for its work.
<i>Use and Disclosure</i>	CFN will not use or disclose personal information without consent.
<i>Data Quality</i>	CFN will take reasonable steps to make sure that personal information the organisation collects, uses or discloses is accurate, complete and up-to-date.



Data Security	CFN will take reasonable steps to: <ul style="list-style-type: none">• protect personal information from misuse and loss, and from unauthorised access, modification or disclosure; and• destroy personal information if no longer needed for any purpose.
Openness	CFN will disclose the nature of personal information held by the organisation, for what purpose and how the organisation collects, stores, uses and discloses that information.
Access and Correction	On request, CFN will provide access to an individual's personal information unless there is an exemption by law.
Identifiers	CFN will not adopt a government identifier such as a Medicare number as its own identifier.
Anonymity	CFN will offer anonymity as far as is practical while offering the best possible service.
Transfers to other Countries	CFN will not transfer information to someone in a foreign country that is not subject to a comparable information privacy scheme, except where the individual concerned has given consent.
Sensitive Information	CFN will not collect sensitive information unless the individual concerned has consented.

Procedures

4.0(A) Collecting Information from a Service User

Rationale

CFN will only collect from an individual information that can be shown to be directly relevant to effective service delivery and the organisation's duty of care responsibilities.



Detailed Procedure

CFN will:

- at the commencement of service provide access to all *CFN Policies and Procedures* and upon request offer explanations regarding the service and its policies (see Policy 1.0(N) Providing Service User Information);
- support the service user to access a family member or independent advocate to assist them with all matters concerning the collection, storage and use of their personal information (see 1.0(J) Engaging an Advocate to Speak on behalf of a Service User);
- obtain only information essential to providing good service;
- review and update *Service User File* information annually or earlier as required (see 1.0(O) Compiling Service User Files);
- update the electronic *CFN Service User Database* as required.

4.0 (B) Obtaining Consent to Share a Service User's Information

Rationale

CFN will seek written consent prior to obtaining personal information from any other source or releasing information to any other source. This includes comments and/or photographs taken of program participants at CFN associated activities and events. If consent is given, all photographs and/or comments will only be published at the discretion of the general manager and/or a delegated staff person.

Detailed Procedure

CFN will:

- at the establishment of service provision, provide for completion a *Comprehensive Profile* which includes instructions to CFN about sharing personal information with:
 - individuals other than themselves;
 - community organisations;
 - health professionals;
 - government agencies;
 - authorised persons who may view the *Service User File* for Quality Assurance purposes.
- obtain photo release consent prior to the publication of photographs and/or comments on CFN website, brochures, newsletters, Facebook and any other social media;
- advise the individual of their right to withdraw or modify their consent to share information;



- review and update the relevant consent forms annually;
- with consent, use a service user's information to plan, deliver and monitor service provision. Data collected will be qualitative and/or quantitative in order to appropriately analyse service delivery and assess outcomes for service users.

If requested, CFN will respect a person's right to not disclose their personal details. However, if this interrupts or breaches service delivery a decision will be made by the governance board regarding the anonymity.

4.0 (C) Providing a Service User with Information from their File

Rationale

A service user has the right to access information from their file.

Detailed Procedure

CFN will:

- at the establishment of service provision, advise the service user of their right to view the information CFN holds regarding their support;
- upon a request, send a copy of the information to the service user within three (3) working days from receipt of the request. This may be subject to some exemptions allowed by law.

4.0 (D) Collection, Storage, Retrieval and Disposal of Service User Information

Rationale

CFN will comply with all relevant legislation regarding collection, storage, retrieval and disposal of information on *Service User Files*. The following service management procedures aim to ensure that information pertaining to each service user, staff member and governance board member of CFN is protected by an effective, transparent system of information collection, use and disposal.



Detailed Procedure

At all times, CFN will endeavour to demonstrate compliance with the *National Privacy Principles* by ensuring that:

- all staff will receive training about the *National Privacy Principles* on induction, this will be followed up with on-going in-service training/staff meetings. Training and/or meetings will be coupled with value-based training, designed in such a manner to ensure that all staff understand and respect the type of information they are privy to and receive adequate support to understand the impediment to dignity if this information is not appropriately respected and managed (see Policy 10.0 Staff Recruitment, Employment and Development);
- hard copies of personal information will be stored in a locked filing cabinet only accessible by the general manager or delegated staff;
- the *Incident Register*, including *Medical/Critical Incident Report* forms will be kept in a secure location;
- if personal information about a service user is no longer required, then, depending on its nature, and legislative requirements regarding its storage, it will be archived or destroyed (see Policy 8.02(H) Destroying Records);
- personal information is not on view to unauthorised organisational staff, other service users or the general public;
- only those organisational staff who need access to a service user's information will be granted access;
- CFN will:
 - ensure the files are locked in a filing cabinet at the close of business each day;
 - provide the service user with information on file in accordance with 4.0(C) Providing a Service User with Information from their File;
 - further process and archive files only after the general manager has identified files/documents requiring archiving;
- information stored on a computer system will be protected by a password and knowledge of the password will be limited to the general manager and/or delegated persons; and
- security based changes to the password will be made as deemed appropriate by the general manager;
- use of the computer will be limited to service needs, as deemed suitable and appropriate by the general manager;
- original electronic information will only be updated, altered or archived but not deleted;
- computer data will be remotely backed up and scanned for viruses;
- contracted IT companies will be required to sign a *Confidentiality Agreement*;
- no personal records will be copied onto or stored on removable hardware;
- archived files will be stored in a secure location for at least seven (7) years;



- unwanted documents containing personal details will be shredded;
- office whiteboards, charts etc. will display initials only of service users and or staff;
- anonymity is an option for service users when completing evaluation forms or opinion surveys;
- ensure support workers store a service users *Guest Profile* in a secure place for the duration of their stay at The Retreat;
- all members of the governance board and staff will sign a *Code of Conduct*, including a *Confidentiality Agreement*, as part of their induction;
- failure to abide by the organisation *Code of Conduct* will be treated seriously (see Policy 10.0 Staff Recruitment, Employment and Development) and Policy 8.0 Service Management: Governance).

4.0 (E) Reviewing this Policy

Rationale

CFN will engage in a regular process of external evaluation, review and plan services to include service user representatives in all stages of the process. CFN is committed to continual improvement of the services provided to individuals living with a disability.

Detailed Procedure

CFN senior staff, in consultation with all stakeholders i.e. other staff, service users and members of the governance board will:

- review this policy on a minimum two (2) 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 shall be reviewed immediately and amended accordingly;
- conduct the review by asking the following key questions:
 - is the policy being implemented?
 - are procedures being followed?
 - is the policy clear?
 - what has changed that may prompt a change to the policy?
 - have particular stakeholders had difficulty with any aspect of the policy?
 - can their concerns be resolved?
 - how does the policy compare with that of similar organisations?

When changes have been deemed necessary, the general manager will:

- present the updated policy, together with a completed *Request for Change Form*, to the governance board for ratification, a record of which will be recorded in the minutes of the relevant meeting; then ensure



- the relevant change is recorded on the *Continuous Improvement Register*;
- the name of this policy, the date it was originally created, the date it was reviewed and the date it is due to be reviewed is recorded in the *CFN Document Register*;
- the updated policy in the format approved by the management committee is published and made available to service users and staff

Related CFN Policies and Procedures

Policy 1.0 Service Access

Policy 7.0 Complaints and Disputes

Policy 8.0 Service Management: Governance

Policy 8.02 Service Management: Administration

Policy 9.0 Protection of Legal and Human Rights and Freedom from Abuse and Neglect

Policy 9.01 Positive Behaviour Support and Reduction of Restrictive Practices

Policy 10.0 Staff Recruitment, Employment and Development

Associated Forms and Documents

CFNF001 Service User Handbook
CFNF003 Information Booklet
CFNF012 Service Delivery Pictorial
CFNF009 Comprehensive Profile
CFNF020 Vacation Care Pack
CFNF051 Photo Release Consent Form
CFNF011 Service User Survey
CFNF022 Brokered Service Provision Survey
CFNS001 Employment Agreement
CFNG002 Confidentiality Agreement
CFNA010 Confirmation of Information Slip
CFNA019 Request for Change Form
CFNA021 Meeting Record
CFNA022 Continuous Improvement Register
Service User Files
Electronic Service User Database
Retreat Guest Profile

CFN Association Inc. Constitution
Governance Board Handbook

Incident and Hazard Register
CFN Document Register



Disability Services Act (2006)
Disability Services Regulation (2017)

Resources

CFN Association Inc. (www.cfn.org.au)

Disability Services (www.communities.qld.gov.au/disability) Caboolture office: 5431 2250

Dept. of Communities, Child Safety and Disability Services Ph. 13 74 68 TTY 13 36 77

Office of the Information Commissioner (www.oic.qld.gov.au) ph. 3234 7373

Qld Advocacy Inc. (www.qai.org.au) ph 3844 4200

(SUFY) Speaking up for you (www.sufy.org.au) ph 3255 1244

AMPARO Advocacy (for people from a non-English speaking background who have a disability)
(www.amparo.org.au) ph 3354 4900

ADA Australia Your Aged and Disability Advocates (www.adaaustralia.com.au) ph 1800 818 338

SWITC (Support with interpreting, translating and communication) (www.switc.org.au)
ph 3892 8559 a/h 3018 0333

This service is available free to services funded by the Department of Communities - Disability Services

Bookings can be made online or by phone by quoting CFN's Outlet number 558135

Policy History:

This Policy replaces:

Policy 4.0	Privacy, Dignity & Confidentiality Versions 1, 2, 3 & 4
CPL G006	Information Privacy Policy
CPL015	Creating and Reviewing Policies
CPP022	Privacy and Confidentiality Procedure
CPP051	Procedure for Filing Information and Culling of Files



Annexure A

Flowchart of Information Management

Your information can arrive at CFN in a number of different ways:

- you might voluntarily tell us some information about yourself in conversation, or for the purpose of facilitating service
- someone from your informal support network might tell us some information about you in order to help us to get to know you better and therefore provide a quality service to you
- Disability Services (with your permission) might pass some information on to us, about you, for the purpose of assisting us to provide the very best service to you
- A support worker may find out information about you while they are there supporting you

It doesn't matter how we acquired the information about you, all information will be managed in the same safe, confidential manner at all times. The following flowchart illustrates what happens to that information once it is received and how you can access it again if you wish.

