

## Policy: Confidentiality

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| <b>Policy number: 1020</b>                                   | Date adopted: 20 <sup>th</sup> November 2019                  |
| Authorised by: Mareeba Community Centre Management Committee | <i>Date of next review:</i><br>20 <sup>th</sup> November 2022 |

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| <b>Policy context:</b> This policy relates to: |   |
| Human Services Quality Framework               | <p><b>Standard 1: Governance and Management</b></p> <p><i>Indicator 7:</i> The organisation has effective information management systems that maintain appropriate controls of privacy and confidentiality for stakeholders.</p> <p><b>Standard 4: Safety, Wellbeing and Rights</b></p> <p><i>Indicator 1:</i> The organisation provides services in a manner that upholds people's human and legal rights.</p>                   |
| Other standards                                |   |
| Legislation or other requirements              | <ul style="list-style-type: none"> <li>• <i>The Privacy Act 1988 (C'wlth) Amended 2012</i><br/><a href="http://www.comlaw.gov.au/Series/C2004A03712">http://www.comlaw.gov.au/Series/C2004A03712</a></li> <li>• <i>The Information Privacy Act 2009</i> (not mandatory for NGOs)<br/><a href="http://www.rti.qld.gov.au">http://www.rti.qld.gov.au</a></li> <li>• DCCSDS Service Agreement – Standard Terms of Funding</li> </ul> |

### 1. Purpose: Why do we have a confidentiality policy?

To provide an effective and high-quality service and to maintain appropriate accountability, we must collect, store and sometimes share relevant personal information about our clients, staff and volunteers. It is important that we are consistent and careful in the way we manage what is written and said about a client, staff person or volunteer and how we decide who can see or hear this information.

Our clients, staff and volunteers have legislated rights to confidentiality and privacy, and to accessing their own records. It is essential that we protect and uphold these rights, and also that we act correctly in those circumstances where the right to confidentiality or privacy may be overridden by other considerations.

To uphold the rights of clients, staff and volunteers to confidentiality and privacy, each staff and management member needs an appropriate level of understanding of:

- confidentiality, limits to confidentiality and obtaining client, employee and volunteer consent to share information about them
- our processes for providing information to people using, or working in, our services.

### 2. Scope

This policy will apply to all clients, stakeholders, volunteers and staff of Mareeba Community Centre Inc.

### **3. Policy statement: Our commitment**

Mareeba Community Centre Inc. is committed to protecting and upholding the rights of our clients, staff and volunteers to confidentiality. This means that we make sure no personal information about a client, staff person or volunteer is shared with anyone, on purpose or by omission, unless we have their informed consent or in special circumstances where the law allows or dictates an exception.

Specifically, we will:

- meet legal and ethical obligations as employees, volunteers and managers in relation to handling confidential information.
- provide clients, employees and volunteers with information about their rights regarding confidentiality, as well as any limits or exceptions to this.
- provide clients, employees and volunteers with information about the processes which protect these rights.
- avoid inappropriate verbal and written disclosure of information about clients, within and outside the organisation.
- share verbal and written information about a client with agencies and individuals external to the service only when this is necessary and with the written consent of the client (unless the circumstances are such that limits to confidentiality rights apply).
- take reasonable steps to protect all client, staff and volunteer information that we hold (including personal information) from misuse, loss, unauthorised access, modification or disclosure.
- take reasonable steps to hold information secure in an electronic or physical form (such as storing in access controlled premises and / or electronic databases requiring logins and passwords).

Wherever it is lawful and practical, Mareeba Community Centre Inc. will allow clients the option of remaining anonymous if requested.

### **4. Procedures**

#### **4.1 Confidentiality**

Our principles for ensuring confidentiality are:

- providing clients with information about our confidentiality policy
- collecting and recording information only if it is necessary for effective service provision
- being professional and appropriate in the language used in client records
- being unbiased and non-judgmental in comments and assessments that are recorded
- keeping client, employee and volunteer personal information secure and making sure that only those who are authorised to do so can gain access
- making sure information is up to date and accurate before it is used
- having written consent from a client prior to information sharing with other agencies
- disposing of records safely, or transferring them to a more appropriate agency, when they are no longer required.

#### **4.2 Disclosure**

Information about a client may be disclosed to people outside the Mareeba Community Centre if:


- the client explicitly consents to the disclosure
- the disclosure is required by law
- a worker believes disclosure is necessary to prevent a serious threat to an individual's life, health or safety or to public health or safety.

## 5. Other related policies and procedures

| Documents related to this policy        |   |
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| Related policies                        | 1008 Information Management<br>1019 Privacy<br>4001 Client Records<br>4003 Access to Confidential Information<br>6008 Code of Conduct |
| Forms or other organisational documents | 1020 Client Privacy and Confidentiality Agreement<br>1020 Staff Privacy and Confidentiality Agreement                                 |

## 6. Review processes

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| Policy review frequency: Every three years  | Responsibility for review: Manager |
| Review process: The Manager will review the policy in consultation with other service providers, clients, employees, volunteers and Management Committee. Any recommended changes will be tabled for Management Committee approval.         |                                    |
| Documentation and communication: Updated policies will be signed by the Management Committee and be placed in the Policy & Procedures Manual. All employees and volunteers will be advised of updated policies via meetings and / or email. |                                    |

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| Authorised by: Management Committee  | Date: 20/11/2019   |
| Signature:  | Name: LOUIE HENLEY |
| Version: 1020.1  |                    |

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| Record of Policy Revisions:<br>Version 1020.1 (adopted 11 <sup>th</sup> January 2017 and 20 <sup>th</sup> November 2019) |
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