

Policies & Procedures
Easy M Care Services
Privacy and Confidentiality Policy

Related Forms	Assessment & Intake, Complaints and Feedback
Related Documents	Support Plan
Related Policies	Rights & Responsibilities

1.0 Introduction

Easy M Care Services is committed to safeguarding the confidentiality of personal or sensitive information collected with regard to the people we support. Easy M Care Services is committed to protecting the privacy and dignity of all our participants and services users. Easy M Care Services is also committed to protecting the privacy of its staff and stakeholders.

2.0 Policy

This policy sets out how Easy M Care Services complies with its obligations under the Privacy Act 1988, including the Australian Privacy Principles to ensure we meet our legal and ethical obligations to respect the rights and privacy of people we support, and our staff.

This policy regulates how we manage personal information, collect, use, disclose, and secure & store personal information. It also details how individuals may access that information and have it corrected if it is wrong.

- **Legislative Context**
Legislation that relates to Privacy is:
 - Privacy Act 1988;
- Australian Privacy Principles 2014
- National Security Legislation Amendment Act (No. 1) 2014
- Privacy Amendment (Private Sector) Act 2000
- Privacy and Personal Information Protection Act, 1988 (NSW)

3.0 Compliance with the Australian Privacy Principles & Privacy Provisions within the NDIS Practice Standards



Easy M Care Services will ensure all aspects of our operations comply with the Australian Privacy Principles and the NDIS Practice Standards and any relevant State or Federal legislation.

The above-mentioned privacy and dignity outcomes of the NDIS Practice Standards apply to the people we support and their families. The National Privacy Principles apply to all people that the organisation holds personal information about. This includes people we support, families, advocates, staff and students/volunteers.

4.0 Scope

The scope of this policy applies to all of our supports and services. The policy applies to all employees, students, management, contractors and others who may act on behalf of the organisation from time to time.

5.0 Responsibilities of Staff, Contractors and the Privacy Officer

All employees, contractors and students at Easy M Care Services have a responsibility to ensure that personal information is handled in accordance with this policy and that any personal and/or sensitive information accessed in the course of their duties are bound by their commitment to confidentiality.

The Operations Manager is the Privacy Officer and will respond to any concerns, complaints or alleged breaches in relation to privacy. The Privacy Officer's responsibilities are limited to:

- receive and respond to any requests for access to personal information; and
- report any requests or complaints to the Director.

6.0 Principles:

To ensure compliance Easy M Care Services has developed specific procedures to effectively manage personal information, including sensitive information, in the context of the broad range of services we provide.

To ensure the quality and relevance of data Easy M Care Services will take all reasonable steps to make sure that the personal and/or sensitive information it collects, uses or discloses is accurate is complete and up-to-date. Personal and/or sensitive information about our service users will only be collected when it is directly relevant and needed to provide support services to that person, or where we are required by regulation to collect the information.

Easy M Care Services has in place procedures to allow service users and staff the ability to access information kept about them, update and or amend their records.



7.0 Collection Use and Storage of Personal Information

Collection of Information

Easy M Care Services will only use personal information for the purposes for which it was given to us, or for purposes that are directly related to one of our functions or operations.

Kinds of personal and/or sensitive information that we collect and hold

The types of personal and/or sensitive information that we collect may include your name, address, other contact details, information about your racial or ethnic origin, religious beliefs or affiliations, sexual orientation or practices, health information and other such information that is relevant for us to provide our supports and services to you in the manner that you have requested, or to comply with our legal requirements.

How we collect and hold personal information

We generally collect personal and/or sensitive information directly from you through the use of our standard forms, interviews, via email or through a telephone conversation with you. With your consent we may collect personal and/or sensitive information from third party contractors or agents and government instrumentalities that are involved in the provision of our supports and services.

The purposes for which we collect, hold, use and disclose personal information personal information.

We collect your personal and/or sensitive information for any one or more of the following reasons:

- providing our supports or services to you and to ensure they meet your requirements;
- to assist with your queries;
- facilitating our internal business operations, including the fulfilment of any legal obligations; and
- analysing our services and participants' needs with a view to developing new and/or improved services.

8.0 Disclosing Identifying Information Without Written Consent

Easy M Care Services doesn't give identifying information to other agencies, organisations or anyone else unless one of the following applies:

- the person has consented;
- it is required by law or is necessary to protect the rights or property of our organisation or any other individual
- it will prevent or lessen a serious and imminent threat to somebody's life or health; or
- it relates to a criminal issue



Where the person we support is unable to provide consent, we will obtain written consent from the Person Responsible (Nominee/Guardian). In some circumstances verbal consent from a Person Responsible may be necessary and this will be witnessed and documented in participants' files.

Where there is uncertainty as to the direct benefit of the release of information which does not remove the names of individuals and or other identifying characteristics such as home address, or there is doubt that individuals would not consent to the release of this information we will seek approval from the participant/service user concerned or the designated Person Responsible prior to the release of the information.

9.0 Security of Information

Easy M Care Services takes steps to protect the personal information it holds against loss, unauthorised access, use, modification or disclosure and against other misuse.

These steps include:

- secure handling procedures;
- placing access restrictions on private files and information so that only the Operations Manager and Director have access to these files unless permission is given by these officers to key personnel who require that information to execute their duties;
- ensuring paper-based documents are stored in locked cabinets when not in use;
- all electronic files are password protected with restricted access for all electronic files for sensitive and personal information;
- all servers are protected with firewalls and anti-virus and anti-spyware software that is kept up dated; and
- ensuring our information management procedures and processes comply with the requirements of the NDIS Practice Standards.

When no longer required, personal information is destroyed in a secure manner such as shredding or permanent deletion.

10.0 Privacy Amendment (Notifiable Data Breaches) Act 201

In accordance with the Notifiable Data Breaches Easy M Care Services will notify affected individuals and the Office of the Australian Information Commissioner when a data breach has occurred and is likely to result in serious harm to individuals whose personal information is involved in the breach.



11.0 Responsibilities

The Director is responsible for the final review of this policy and for its approval and implementation.

The Operations Manager is responsible for maintaining this policy, its related procedures and associated documents.

All employees and students who work with people using our service are responsible for complying with this policy.

12.0 Communication

This policy will be:

- communicated to the participants and families/carers, internal and external stakeholders of Easy M Care Services;
- communicated to Easy M Care Services staff through induction and professional development opportunities;
- accessible through Easy M Care Services.

13.0 Policy Review

This policy will be regularly every three years or as policy or legislative requirements dictate.