

# QUESTCARE PRIVACY AND CONFIDENTIALITY POLICY AND PROCEDURES

## PURPOSE AND SCOPE

This policy ensures QuestCare protects and handles personal information in accordance with the NDIS and relevant privacy legislation.

We acknowledge an individual's right to privacy while recognising that personal information is required to be collected, maintained and administered in order to provide a safe working environment and a high standard of quality.

The information we collect is used to provide services to clients in a safe and healthy environment with individual requirements, to meet duty of care obligations, to initiate appropriate referrals, and to conduct business activities to support those services.

## Definitions

<b>Data breach</b>	<p>A data breach is type of security incident where personal, sensitive or confidential information normally protected, is deliberately or mistakenly copied, sent, viewed, stolen or used by an unauthorised person or parties.</p> <p>A data breach where people are at risk of serious harm as a result, is reportable to the Office of the Australian Information Commissioner.</p> <p><a href="http://oaic.gov.au">Home - Home (oaic.gov.au)</a></p>
<b>Personal Information</b>	<p>Personal information includes (regardless of its accuracy):</p> <ul style="list-style-type: none"> <li>• name</li> <li>• address</li> <li>• phone number</li> <li>• email address</li> <li>• date of birth</li> <li>• recorded opinions or notes about someone</li> <li>• any other information that could be used to identify someone.</li> </ul>

<b>Sensitive Personal Information</b>	<p>Sensitive personal information can include personal information that is normally private such as:</p> <ul style="list-style-type: none"> <li>• health information</li> <li>• ethnicity</li> <li>• political opinions</li> <li>• membership of a political association, professional or trade association or trade union</li> <li>• religious beliefs or affiliations</li> <li>• philosophical beliefs</li> <li>• sexuality</li> <li>• criminal record</li> <li>• biometric information (such as finger prints).</li> </ul>
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### Privacy and Confidentiality Guidelines

- we are committed to complying with the privacy requirements of the Privacy Act, the Australian Privacy Principles and for Privacy Amendment (Notifiable Data Breaches) as required by organisations providing disability services
- we are fully committed to complying with the consent requirements of the NDIS Quality and Safeguarding Framework and relevant state or territory requirements
- we provide all individuals with access to information about the privacy of their personal information
- each individual has the right to opt out of consenting to and providing their personal details if they wish
- individuals have the right to request access to their personal records by requesting this with their contact person
- where we are required to report to government funding bodies, information provided is non-identifiable and related to services and support hours provided, age, disability, language, and nationality
- personal information will only be used by us and will not be shared outside the organisation without your permission unless required by law (e.g. reporting assault, abuse, neglect, or where a court order is issued)
- images or video footage of clients will not be used without their consent
- clients have the option of being involved in external NDIS audits if they wish

### Employee responsibility

Employees must not;

- discuss client information in a trivial manner
- discuss information about clients with their own circle of friends, families or other people not professionally associated with QuestCare
- pass on information, or discuss information with another affiliated service provider that is not factual or relevant

- divulge information over the telephone, or to visitors, about a client or their families location
- discuss behavioural information or addresses of clients' homes to member of the public
- leave any client information in unsecured public places
- breach their obligation of confidentiality towards the client group and their families.
- These obligations remain in place during and after being an employee of QuestCare

### Security of information

- we take reasonable steps to protect the personal information we hold against misuse, interference, loss, unauthorised access, modification and disclosure
- funding-related client information is stored securely
- commercial system meets all confidentiality and industrial workplace requirements
- internal client management information is stored securely
- personal information is accessible to the client and is able for use by relevant employees
- personal information no longer required is securely destroyed or de-identified.

### Data breaches

- we will take reasonable steps to reduce the likelihood of a data breach occurring including storing personal information securely and accessible only by relevant employees
- if we know or suspect your personal information has been accessed by unauthorised parties, and we think this could cause you harm, we will take reasonable steps to reduce the chance of harm and advise you of the breach, and if necessary the Office of the Australian Information Commissioner.

### Breach of privacy and confidentiality

- a breach of privacy and confidentiality is an incident—incident reporting policy is implemented
- a breach of privacy and confidentiality may require an investigation
- an intentional breach of privacy and confidentiality will result in disciplinary action up to and including termination of employment.

### DOCUMENT CONTROL

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Version History		
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