

Privacy and confidentiality

Version: 5

Published: 1 Nov 2023, 11:13 AM

Last edited: 1 Nov 2023, 11:12 AM

Approved: 1 Nov 2023, Kerry Flannery

Next review: 1 Nov 2024

Introduction

This policy ensures iCoordinate Disability Services protect and handle personal information in accordance with the NDIS and relevant privacy legislation. iCoordinate Disability Services 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 iCoordinate Disability Services collect is used to provide services to participants 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.

Applicability



When
<ul style="list-style-type: none"> • applies to all personal information and sensitive personal information including the personal information of employees and participants • applies to all company confidential information - that is any information not publicly available.
Who
<ul style="list-style-type: none"> • applies to all representatives including key management personnel, directors, full time workers, part time workers, casual workers, contractors and volunteers.

Definitions








Term	Description
data breach	<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>personal information</p>	<p>Personal information includes (regardless of its accuracy):</p> <ul style="list-style-type: none"> • name • address • phone number • email address • date of birth • recorded opinions or notes about someone • any other information that could be used to identify someone.
<p>sensitive personal information</p>	<p>Sensitive personal information can include personal information that is normally private such as:</p> <ul style="list-style-type: none"> • health information • ethnicity • political opinions • membership of a political association, professional or trade association or trade union • religious beliefs or affiliations • philosophical beliefs • sexuality • criminal record • biometric information (such as finger prints).

Applicable processes for this policy

-  Manage incident internally
-  Participant Intake

Documents relevant to this policy

-  National Disability Insurance Scheme Act 2013
-  NDIS Code of conduct for Providers
-  Privacy Act 1988
-  Privacy and confidentiality (easy read - Word version)
-  Public Health Act 2010
-  Public Health Regulation 2022
-  Worker Code of Conduct Template

Privacy and confidentiality guidelines

Rights related to privacy are set out in the Commonwealth Privacy Act 1988 and State and Territory privacy laws.

People with disability have a right to privacy including in relation to the collection, use and disclosure of information concerning them and the services they receive.

iCoordinate Disability Services comply with Commonwealth and State and Territory privacy laws.

Individuals have the right not to have personal information disclosed to others without their informed consent. Personal information is information or an opinion about a person whose identity can be determined from that information or opinion.

- images or video footage of participants will not be used without their consent.
- each individual has the right to opt out of consenting to and providing their personal details if they wish.
- 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)
- participants have the option of being involved in external NDIS audits if they wish.

iCoordinate Disability Services respect and protect the privacy of everyone that receives supports and services from us.

- iCoordinate Disability Services provide all individuals with access to information about the privacy of their personal information.

iCoordinate Disability Services manage health information about any participants we support or about our workers in accordance with privacy laws related to the management of health information.

iCoordinate Disability Services provide Participants and workers with information to ensure they understand our policies around how we manage information about people in accordance with privacy laws.

- a. the kinds of personal information about them that will be collected and held, including recorded /audio and visual material.
- b. why this information is held.
- c. who will have access to this information.
- d. how they will ensure the information is secure.
- e. how this information will be used.
- f. how to access and amend information held about them.
- g. how to make a complaint if they feel that the NDIS provider has breached their privacy obligations.

There are certain circumstances where NDIS providers should disclose information about a person without consent from the person involved. This might include mandatory reporting requirements on child protection matters, and obligations to report incidences of violence, exploitation, neglect and abuse, and sexual misconduct to the NDIS Commission and police.

iCoordinate Disability Services policies and processes, participant intake process including the participant handbook and staff inductions clearly explain the above.

- iCoordinate Disability Services 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.
- iCoordinate Disability Services are fully committed to complying with the consent requirements of the NDIS Quality and Safeguarding Framework and relevant state or territory requirements.

- where iCoordinate Disability Services 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.

Security of information

- iCoordinate Disability Services take reasonable steps to protect the personal information iCoordinate Disability Services hold against misuse, interference, loss, unauthorised access, modification and disclosure.
- personal information is accessible to the participant and is able for use by relevant workers.
- security for personal information includes password protection for IT systems, locked filing cabinets and physical access restrictions with only authorised personnel permitted access.
- personal information no longer required is securely destroyed or de-identified.

Data breaches

- iCoordinate Disability Services will take reasonable steps to reduce the likelihood of a data breach occurring including storing personal information securely and accessible only by relevant workers
- if iCoordinate Disability Services know or suspect your personal information has been accessed by unauthorised parties, and iCoordinate Disability Services think this could cause you harm, iCoordinate Disability Services 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.
- See Data Protection policy.

Breach of privacy and confidentiality

- a breach of privacy and confidentiality is an incident—follow the Manage incident internally process to resolve
- 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.