

POLICY

(58_ADM_POL_V1.0_Privacy_and_Confidentiality)

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| Name | Privacy and Confidentiality Policy |
| Purpose | 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 and staff. It is important that we are consistent and careful in the way we manage what is written and said about a client and how we decide who can see or hear this information. |
| Scope | This policy and procedure applies to Code Blue for Autism (CBFA) as a whole. |
| Policy | <p>Our clients and staff 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.</p> <p>To uphold the rights of clients and staff to confidentiality and privacy, each staff member needs an appropriate level of understanding of:</p> <ul style="list-style-type: none"> • confidentiality, limits to confidentiality and obtaining clients’ and staff consent to share information about them • our processes for providing information to people using, or working in, our services. |
| Procedure | <p>CBFA recognises the essential right of individuals to have their information administered in ways which they would reasonably expect – protected on one hand and made accessible to them on the other. These privacy values are reflected in and supported by our core values and philosophies and are also reflected in this policy and procedure, as well as our Records and Information Management Policy and Procedure.</p> <p>The organisation has adopted the following principles contained as minimum standards in relation to handling personal information, which have been developed with respect to the 11 Information Privacy Principles of the Information Privacy Act 2009, and the National Privacy Principles.</p> <p>CBFA will:</p> <ul style="list-style-type: none"> • collect only information which the organisation requires for its primary function; • ensure that stakeholders are informed as to why we collect the information and how we administer the information gathered; |

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- use and disclose personal information only for our primary functions or a directly related purpose, or for another purpose with the person’s consent;
- store personal information securely in Australia, protecting it from unauthorised access; and
- provide stakeholders with access to their own information, and the right to seek its correction.

To uphold the above, each staff member needs an appropriate level of understanding of:

- confidentiality, limits to confidentiality and obtaining clients’ and staff consent to share information about them
- our processes for providing information to people using, or working in, our services.

CBFA is committed to protecting and upholding the rights of our clients and staff to confidentiality. This means that we make sure no personal information about a client or staff member 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.

We protect the privacy and confidentiality of our clients and staff by holding all records safely and with security measures in place, e.g. tiered access to files and records.

In protecting the privacy of our clients, we ensure they are well informed about their rights and that we take our responsibilities seriously. At intake, staff must ensure clients are provided with the following:

- what information is required, why it is being collected, and how we will use their information;
- when information may need to be released or shared and with whom and when;
- their right to decline providing information;
- their rights in terms of providing, accessing, updating and using personal information, and giving and withdrawing consent;
- their right to make a complaint about privacy and confidentiality at any time; and
- what may occur if all or part of the information required is not provided.

All staff are required to sign a confidentiality agreement when they commence at our organization (via the Worker Handbook) .

Confidentiality principles

Code Blue for Autism is committed to and trains staff in the following:

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- providing clients with information about our privacy and confidentiality policy and procedure;
- collecting and recording information only if it is necessary for effective service provision, including assessments;
- 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 and staff 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;
- the specific circumstances where we can share information without consent;
- disposing of records safely, or transferring them to a more appropriate agency, when they are no longer required by your service.

CBFA will not disclose personal information except in the following circumstances:

- where disclosure would protect the client and / or others;
- where necessary for best service practice; and/or
- where obligated by law.

If the above circumstances are met, CBFA may disclose clients' personal information to other people, organisations or service providers, including:

- medical or health professionals who assist with the services we provide to clients;
- an authorised or personal representative if the client is unable to give or communicate consent e.g. power of attorney, next of kin, carer, or guardian;
- CBFA's professional advisers, e.g. lawyers, accountants, auditors;
- government and regulatory authorities, e.g. Centrelink, government departments, the Australian Taxation Office; and
- organisations undertaking research where information is relevant to public health or public safety.

Managing privacy breaches

Under the state and federal privacy legislation, CBFA is required to report to affected individuals, the NDIS Commission, and the Office of the Australian Information Commissioner when a data breach has occurred that is likely to result in serious harm to the people whose information is involved in the breach. Information on the Notifiable Data Breaches

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| Roles and Responsibilities | <p>Scheme can be found here: https://www.oaic.gov.au/privacy-law/privacy-act/notifiable-data-breaches-scheme</p> <p>CBFA's CEO will manage and report privacy breaches.</p> <p>Privacy and confidentiality complaints</p> <p>Anyone can make a complaint or raise a concern about CBFA's privacy and confidentiality practices and processes by following our Feedback and Complaints Policy.</p> <p>Complaints can also be raised to the Office of the Information Commissioner: https://www.oic.qld.gov.au/about/privacy/privacy-complaint-form</p> | | | | | | | | | | | | | | |
|--------------------------------------|--|------|----------------|---------------------|--|-------------------------|---|------|----------------------|-----|-------------------------|-----------------|--|----------------------|---|
| Definitions and Abbreviations | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #d9e1f2;"> <th style="text-align: left; padding: 5px;">ROLE</th> <th style="text-align: left; padding: 5px;">RESPONSIBILITY</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Director/CEO</td> <td style="padding: 5px;">Ensure privacy security systems are in place and monitored</td> </tr> <tr> <td style="padding: 5px;">All Team Members</td> <td style="padding: 5px;">Compliance with privacy legislation and confidentiality agreement</td> </tr> </tbody> </table> <table border="0" style="width: 100%;"> <tr> <td style="padding: 5px; vertical-align: top;">CBFA</td> <td style="padding: 5px;">Code Blue for Autism</td> </tr> <tr> <td style="padding: 5px; vertical-align: top;">CEO</td> <td style="padding: 5px;">Chief Executive Officer</td> </tr> <tr> <td style="padding: 5px; vertical-align: top;">Confidentiality</td> <td style="padding: 5px;">Is the protection of personal information, and means keeping a someone's information between you and them, and not telling anyone else unless they have given you informed consent to do so.</td> </tr> <tr> <td style="padding: 5px; vertical-align: top;">Personal information</td> <td style="padding: 5px;"> Can include: <ul style="list-style-type: none"> name, date and place of birth race or ethnicity financial/banking details health/diagnostic information employment details photograph (including CCTV footage) signature uniquely identifying number – e.g. driver license number, tax file number, employee number details of services requested or obtained unique physical characteristics – e.g. tattoo, birthmark. </td> </tr> </table> | ROLE | RESPONSIBILITY | Director/CEO | Ensure privacy security systems are in place and monitored | All Team Members | Compliance with privacy legislation and confidentiality agreement | CBFA | Code Blue for Autism | CEO | Chief Executive Officer | Confidentiality | Is the protection of personal information, and means keeping a someone's information between you and them, and not telling anyone else unless they have given you informed consent to do so. | Personal information | Can include: <ul style="list-style-type: none"> name, date and place of birth race or ethnicity financial/banking details health/diagnostic information employment details photograph (including CCTV footage) signature uniquely identifying number – e.g. driver license number, tax file number, employee number details of services requested or obtained unique physical characteristics – e.g. tattoo, birthmark. |
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| | <p>Privacy</p> | <p>Personal information may reveal a person’s identity even if their name is not mentioned. Other information may enable their identity to be deduced.</p> <p>Under the Commonwealth Privacy Act, privacy relates to personal information. For Code Blue for Autism, privacy also relates to physical privacy, that is, having a private space for oneself, or to speak about service or other issues.</p> |
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INFORMATION

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| Audience | All CBFA team members |
| Category | Administration |
| Subcategory | Governance |
| Approval date | 09.02.2024 |
| Effective date | 09.02.2024 |
| Review date | 09.02.2025 |
| Policy advisor | Manager - Operations |
| Approving authority | Director/CEO |

RELATED POLICY DOCUMENTS AND SUPPORTING DOCUMENTS

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|------------------------|--|
| Legislation | <i>Information Privacy Act 2009 (Qld)</i> <i>Information Privacy Principles</i> <i>Right to Information Act (Qld)</i> <i>Privacy Act 1988 (Cth)</i> <i>Australian Privacy Principles</i> <i>Privacy Amendment (Notifiable Data Breaches) Act 2017</i> |
| Policy | Records and Information Management Policy |
| Procedures | N/A |
| Local protocols | N/A |
| Forms | N/A |

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