

PRIVACY POLICY

PURPOSE

To ensure clients personal information is managed responsibly and in accordance with the Privacy and Health Acts.

RELEVANT

This Privacy Policy is relevant to all staff and individuals engaging in the services of Global Humanitarian Aid Foundation.

RESPONSIBLE

All staff are responsible for the enforcement and execution of this policy at Global Humanitarian Aid Foundation.

FORMS

This Policy relates to Global Humanitarian Aid Foundation's Personal Information Request Forms and information collecting procedures.

DEFINITIONS

Confidentiality is the assurance that written or spoken information is secure from unauthorised disclosure.

Privacy is maintained when personal matters are protected from the intrusion or view of others.

Sensitive Information includes information such as health, racial or ethnic background, or criminal record.

Personal Information refers to any information recorded about a client where their identity is known or could reasonably be worked out. Personal information includes a person's name, address, Medicare number and any health information (including opinion) about the client.

Health Information is a confidential information and attracts additional privacy protection because of its greater sensitivity. This includes information about a person's health, disability, use of health services, or other personal information collected from someone when delivering a health service.

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OUR POLICY

Global Humanitarian Aid Foundation is committed to meeting our organisation's obligations under the Privacy and Health Acts in relation to the privacy of personal information and ensuring client confidentiality is maintained at all times.

Clients are entitled to expect that information about them will be treated as confidential and that staff will refrain from voluntary disclosure of any personal information learned directly or indirectly, to an unauthorised third party.

On accessing a service/program clients are to be informed:

- Of the personal and sensitive information that is collected and stored for the primary purposes of providing appropriate quality service delivery in a safe and healthy environment to meet individual requirements, to meet duty of care obligations, and initiate appropriate referrals;
- That information will be shared within the organisation on a 'need to know basis', and with external agencies with their consent;
- That information may be disclosed as required by law, for example, reporting of assault, abuse, neglect, where a court order is issued, or in the case of an emergency; and
- That the personal and sensitive information is to remain current and up to date and that, in accordance with the Freedom of Information Act 1982, clients have the right to request access to their personal and sensitive information. They can do this by completing a Personal Information Request form.

Personal information about clients is not only essential for delivering appropriate services, support and care, it is also necessary for a number of other purposes:

- Assuring and improving the quality of services, support and care in the context of effective team work;
- Effective administration which includes:
 - Managing and planning services
 - Auditing
 - Risk management, health and safety
 - Investigating complaints and potential legal claims
- Training; and
- Statistical information.

OUR POLICY

As a consequence, client information will be seen and used by Global Humanitarian Aid Foundation's professional staff and management, where relevant. Where this occurs, client information will be anonymised i.e. unique identifier assigned via Departmental databases.

Global Humanitarian Aid Foundation recognises that clients may have concerns about their privacy and the confidentiality and security of information collected by the organisation. Our policy aims to provide reassurance to clients that personal information held by the organisation will be protected, with a copy of this policy provided to anyone who asks for it.

Staff members are to:

- Ensure that personal and sensitive information collected, stored, and released is as outlined in this policy and procedure;
- Ensure client consent has been obtained where photographs and other media forms are to be used for promotional materials, and prior to the sharing of information with external agencies or people;
- Share information within the organisation, on a 'need to know basis';
- Utilise a private room or space to conduct interviews or for conversation of a personal nature;
- Respect the privacy of a client's personal and sexual relationships, and for their gender identity;
- Be courteous, and mindful of cultural differences;
- Ensure that clients are presented in the most positive light whilst participating in activities both onsite and in the wider community; and
- Promote client's rights, remind client's of these rights, and initiate or facilitate necessary action as needed.

Any disclosure in circumstances other than those outlined in this policy is likely to constitute a breach of confidentiality and may be regarded as an unauthorised disclosure.

Unauthorised disclosure of personal information is a most serious matter, which may lead to disciplinary action.

OUR PROCEDURE

Collection of Personal Information

Global Humanitarian Aid Foundation will only collect personal information that is required and necessary to deliver a quality service to the client.

Use and Disclosure of Personal Information

Personal information will only be used or disclosed by Global Humanitarian Aid Foundation as allowed by legislation. To facilitate us in delivering appropriate services and benefits to clients, personal information collected may be shared within the organisation on a 'need to know basis', and with external agencies with their consent. Consent where possible should be given by completing the relevant service/program consent form or in writing. Personal information is not transferred or shared with organisations outside of Australia.

Global Humanitarian Aid Foundation is required to report to Government funding bodies. Information provided is non-identifiable, and relates to the types of services and support provided, age, language, and nationality. The reports assist in determining community needs and planning for the future. Your consent is obtained to share information for this purpose.

Information may be disclosed as required by law, for example, reporting of assault, abuse, neglect, or where a court order is issued.

Where a client is incapable of giving or communicating consent, disclosure may occur if it is necessary for the provision of appropriate care or treatment to the client; or for compassionate reasons. The information disclosed is limited to the information that is reasonable and necessary to achieve either of these two purposes. Disclosure would not occur if it were contrary to client's wishes expressed before that client lost the capacity to give or communicate consent.

A client may withdraw or change the consent for release of information, at anytime, where possible withdrawing consent by completing the relevant service/program consent form or in writing.

Security of Personal Information

An electronic or hard copy file containing a client's details and services provided are retained in a secure location in accordance with legislation.

To prevent any unauthorised access to client information, Global Humanitarian Aid Services has installed computer and network security, including password protection processes. Hard copies of any information are stored in locked cabinets/offices and secured storage areas.



OUR PROCEDURE

Where consent has been received to disclose personal information, information should be disclosed directly to the intended organisation/professional/individual. Where information is disclosed by fax, the following precautions should be followed to minimise risks.

- Before sending a fax, ring the intended recipient to confirm their number and alert them of an incoming fax
- Do not send the information by using a pre-programmed dialled number
- Send only the minimum amount of information necessary
- Always use a fax cover sheet containing your details and a request that you be contacted if the recipient is not the addressee
- Label the fax 'private' or 'confidential', and mark it for the attention of the addressed recipient only
- Ask the recipient to ring to confirm receipt of the message
- Retain a copy of the print transmission report
- Make a note on the original document that it has been faxed
- Disguise identities if necessary and appropriate

There are particular risks to privacy in sending information by email. These include misdirection due to error in typing the address and the ease of copying, forwarding, amending or disclosing the information to others. If email is used, care should be taken with the list of addressees.

Access to Personal Information The client and authorised others may seek access to personal information by completing the Personal Information Request form. Completed forms are to be submitted to the relevant Unit Manager to verify the person seeking the information has the relevant authority to do so.

The relevant Unit Manager will provide acknowledgement of the request within 14 days of receipt, advising of any costs involved in processing the request, where relevant. If requested information is approved for access, the information will be provided within 30 days.

Access will be denied, as outlined in legislation and may include for example:

- The release of such information would pose a threat to life or health of any clients
- A client's record contains information about another person where to release such information would have an unreasonable impact on the privacy of that other person
- The request is considered frivolous or vexatious



OUR PROCEDURE

- Legal proceedings are underway, or where it is anticipated there will be future legal proceedings, information may be withheld if it is considered that it not be discoverable in those proceedings. For example, documents subject to legal profession privilege
- Negotiations are under way between the organisation and the client, and access to information may prejudice negotiations
- Providing access would be unlawful
- Denying access is required or authorised by or under law
- Providing access would be likely to prejudice an investigation of possible unlawful activity

Access to Health Information

When an organisation provides a health service, the Health Privacy Principles (HPPs) apply to all identifying personal information originally collected by the organisation in the course of providing that service. All such information is "health information".

Global Humanitarian Aid Foundation is referred to in the Act as a "health service provider". This will include personal information collected to provide services by:

- Medical practitioners (general practitioners);
- Dentists;
- Mental health providers;
- Allied health service providers;
 - Nursing services.

Corrections to Personal Information

Under legislation, it is necessary for Global Humanitarian Aid Foundation to ensure that the personal information collected, used, or disclosed is accurate, complete, and up-to-date.

Where a client believes information is not up-to-date, accurate and complete, the client may ask to have it amended. Amendments will be attached to the record noting the correct information, rather than permanently erasing details.

Concerns Regarding Personal Information

For any concerns relating to privacy matters, clients should discuss their concerns with the relevant Unit Manager. Complaints will be managed in accordance with the Complaints Management policy & procedure.



FURTHER INFORMATION

Privacy Act (1988)

Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Privacy Amendment Act)

Privacy Regulation 2013

Australian Privacy Principles (APPs)

Information Privacy Act (2000)

Health Records Act (2001) VIC

Freedom of Information Act 1982

Office of the Privacy Commissioner



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Health Services Commissioner Complaints and Information



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