



# Organisational Wide Policy

## - Org 57 - Privacy

### Policy Statement

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Beechworth Health Service (BHS) is committed to protecting the privacy of all its customers, including patients, clients, residents, employees and contractors.

### Process

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- BHS cannot use or disclose information of a personal nature except to the extent that this is required, authorised or permitted under law.
- All staff are required to be trained and understand their obligations under the laws relating to maintaining privacy
- BHS only collects health information that is necessary to perform its functions.
- Information will be collected in a fair, lawful and non-intrusive way.
- Wherever possible information will be collected directly from the customer rather than third parties.
- When collecting information, staff will explain why the information is being collected, any law that requires it to be collected, the organisations or types of organisations to whom the information would usually be disclosed and the consequences for customers if the information is not provided.
- Information is collected and used for the purposes of providing care and treatment.
- If approached by other health service providers for information about customers, staff will first ask for written consent.
- If written consent is not provided information may still be disclosed to other health care providers for the purpose of providing further treatment
- Information can also be used for other purposes permitted under the privacy laws, for example in compliance with a court order or summons or where there is a serious and imminent threat to an individual's life.
- Information is not disclosed for purposes which are unrelated to the purposes for which it was collected without first obtaining consent.
- If details of religion have been provided, customers will be asked to consent to their name appearing on a list provided to pastoral care workers
- BHS does everything possible to ensure the information held about customers is accurate, complete and up to date.
- BHS does not keep information longer than is required by law.
- Access to record keeping and digital record systems is controlled and staff and authorised external users only have access to systems that their duties require.
- Paper records are securely stored and access is only granted to authorised personnel.
- Any individual or organisation seeking access to health information held by BHS will be required to sign a confidentiality agreement, whereby the recipient agrees that the information will only be used and disclosed in accordance with the terms and conditions of the agreement. However, if a customer authorises in writing the release of health information then no such agreement is required.
- BHS is not obliged to provide access to information where doing so would unreasonably disclose information relating to others or where the information would otherwise be exempt from disclosure by law.
- BHS may transfer health information to organisations outside Victoria for the purposes of the provision of care and treatment. This is only done where consent is provided and where there is a belief that the recipient organisation is subject to binding privacy obligations or where it is in the interests of BHS to do so and it is impracticable to obtain consent from the customer.
- BHS will thoroughly investigate any suspected infringements of privacy and any such infringements may result in disciplinary action.
- If customers wish to have access to health information that is held about them or believe the information held is inaccurate and are requesting amendment a request

should be made to the Freedom of Information (FOI) Officer. By default the Chief Executive is the FOI Officer.

## Outcome

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BHS complies with all legislation relating to confidentiality and privacy.

Customers of BHS are confident that health information relating to them is managed in accordance with legislation and accepted standards

## Definitions

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Nil.

## Quality & Risk Management

An organisation-wide risk management program helps ensure that safe and/or appropriate practice is considered in all activities across BHS. This policy and its directly associated issues will be integrated into these processes.

There are developed continuous quality improvement systems and activities to demonstrate a commitment to improving performance in care and service delivery.

Issues and resulting actions identified through the auditing and risk analysis processes are to be linked into the various Quality processes (e.g Quality Cycle, Annual Business Plans, Continuous Improvement Plans and Quality Activity Proposals/Reports etc).

## Document Control

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<b>Standards</b>	<ul style="list-style-type: none"> <li>National Safety and Quality Health Service Standards Standard 1 Governance for Safety and Quality in Health Service Organisations</li> <li>National Safety and Quality Health Service Standards Standard 5 Patient Identification and Procedure Matching</li> <li>Aged Care 1.2 – Regulatory Compliance</li> <li>1.4 - Comments and complaints,</li> <li>1.6 Human Resource Management</li> <li>3.6 – Privacy and Dignity,</li> <li>Community Care Common Standards Standard 1 Effective Management</li> <li>Community Care Common Standards Standard 3 Service User Rights and Responsibilities</li> </ul>
<b>References</b>	<ul style="list-style-type: none"> <li>Health Records Act 2001 (Vic)</li> <li>Information Privacy Act 2000 (Vic)</li> <li>Privacy Act 1988 (Comm)</li> <li>Aged Care Act 1997</li> <li>Health Services Act 1988 (VIC)</li> <li>BHS policies – Complaints, Consent and Human Resources</li> <li>BHS Code of Conduct</li> </ul>
<b>Approving Committees</b>	Board of Management (BOM), Finance, Resources & IT Services Committee (FRITS) <span style="float: right;">Approval Date: 29/07/2014</span>
<b>Contact Point</b>	M. Ashcroft, Chief Executive Officer <span style="float: right;">Approval Date:</span>
<b>Review Dates</b>	Issue Date: 01/08/2002      Last Review: 12/08/2014      Next Review: 01/08/2017