

Downs Industry Schools Co-Op (DISCO)**Policy: Privacy**

Policy number: 4.1		Date adopted: 12/12/2023
Authorised by: DISCO Management Committee		
Date last reviewed: 1/12/2023 Version 10 – Dec 2023	Reviewed by Mike Paton - CEO	Date of next review: 01/12/2024

Refer to Section 6 below for information on the process for policy review.

Policy context: This policy relates to:	
Queensland Standards for Community Services	Standard 4 (Confidentiality and privacy)
Other standards	National Principles for Child Safe Organisations Commitment Charter for Children & Young People
Legislation or other requirements	The Privacy Act 1988 (Commonwealth) https://www.oaic.gov.au/privacy/the-privacy-act The Queensland Privacy Scheme (not mandatory for NGOs) http://www.justice.qld.gov.au/ Child Protection Act 1999 Commission for Children & Young People and Child Guardian Act 2000 Working with Children (Risk Management and Screening) Act 2000 (Qld) Working with Children (Risk Management and Screening) Regulation 2011 (Qld) Community Services Act 2007 Information Privacy Act 2009

1. Purpose: Why do we have a privacy policy?

DISCO has a privacy policy to ensure that we provide clients with a confidential approach to the gathering and storage of any personal information provided to us. To achieve this, we must maintain appropriate accountability and storage responsibilities. On certain occasions and possibly under legal direction we may be required to share relevant personal information about our clients. 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.

Our clients have legislated rights to privacy. It is essential that we protect and uphold these rights, and also that we act correctly in those circumstances where the right to privacy may be overridden by other considerations.

To uphold the rights of clients to privacy, each staff and management member needs an appropriate level of understanding about how DISCO meets its legal obligations.

For the protection of clients, staff and volunteers of the organisation, DISCO has developed this policy to ensure DISCO meets its legal obligations in relation to the development, maintenance, management and security of all client case files and file contents.

DISCO recognises the importance of client empowerment, respect and confidentiality. It is also acknowledged that in the course of client service delivery, ethical and legal practices must apply to the recording and maintenance of client information systems and in particular client case files.

2. Scope

This policy will apply to all of the services delivered to clients and will relate directly to young people aged 15-24 years of age seeking support from DISCO. This policy will manage the type of service a client is entitled to receive with reference to how their privacy must be respected.

This policy will apply to all clients who are involved in any way with DISCO. This policy sets out the approach DISCO will take in relation to the treatment of personal information. This policy includes information on how DISCO collects, uses, discloses and keeps secure, individual client's personal information.

Agencies that support DISCO referrals will also abide by this policy to ensure that all measures are taken to make sure that client information is kept confidential between both parties. In a situation where DISCO believes that it is in the client's best interests that the client have contact with another service provider, e.g. a doctor, counsellor or other youth worker; the client will be asked to provide written agreement that their information may be released.

All programs managed by DISCO use the Confidentiality Policy as it relates to clients. This is signed by clients during the registration process to ensure they understand their rights and responsibilities regarding their privacy.

If authorised, DISCO will discuss issues relevant to the client's needs with other professionals in order to best serve the client's interests. This may be necessary for the quality provision of service.

All information collected for or provided by a client, whether it be written, verbal or electronic will be covered under this policy. The only exceptions to these procedures are those required by law. In these circumstances, information may have to be released without client consent. This will only occur in a situation where DISCO is ethically and legally responsible to report the situation to an appropriate authority. Such situations would include:

- Cases involving child safety issues, or in circumstances where there is a court order
- Cases where records of DISCO are subpoenaed by a court of law
- Cases where there is evidence that the client is a danger to himself/herself or others

Specifically, our services are available to all young people including:

- Aboriginal & Torres Strait Islander young people
- People from culturally and linguistically diverse backgrounds
- Young people with disabilities
- All young people irrespective of issues that they feel may preclude them from service

3. Policy statement: Our commitment

DISCO is committed to protecting and upholding the rights of our clients to privacy in the way we collect, store and use information about them, their needs and the services we provide to them. We want our clients to have confidence that we take these responsibilities seriously.

Specifically, we will:

- Meet all legal and ethical obligations to protect the privacy of clients accessing a DISCO service
- Train staff in the development of recording sensitive information
- Provide clients with information about their rights regarding privacy upon registration
- Ensure all private and sensitive matters discussed between a client and a DISCO Officer are kept private

4. Procedures

The procedures below describe how DISCO achieves its aims and goals as outlined in our purpose, scope and policy statement. The following procedures are in accordance with the 1988 Federal Privacy Act.

4.1 Privacy

DISCO understands its legislative responsibilities and respects the Federal Privacy Act 1998 and commits to meet the 10 privacy principles in relation to the way the organisation provides services to clients. These can be found listed on the Privacy Commissioner's website at: <https://www.oaic.gov.au/privacy/the-privacy-act>

DISCO may hold the following personal/private information about clients:

- Name, address, telephone number(s)
- General medical information
- Facsimile number
- Email address
- Subject results and general school related information
- Employment, training or education preferences
- Job Seeker eligibility info and or registration number
- Work history or experience
- Case notes relative to personal circumstances
- Past education or training qualifications or experiences
- Current occupation
- Any other information that may be needed to provide assistance

All clients receiving services from us are made aware of their rights regarding privacy. During the registration process of a client, it is a requirement that the assigned DISCO Officer informs the client about their rights regarding privacy. They are also given a privacy form which outlines our policy.

At DISCO, we manage our obligations in relation to protecting the privacy of our clients and stakeholders by making sure that we meet the requirements of relevant legislation:

- Information is recorded in a respectful and objective manner
- Only information that is necessary is recorded in client/stakeholder files, in reports or other documentation
- Information recorded is not incriminating or subjectively descriptive of client's actions, intentions or interpretations of client's comments
- Information is accurate, dated, and signed off upon each entry by the author of the recording
- The author only records qualified statements about client's situations
- They cross reference information to that contained on file and received by external bodies. Example: schools etc
- Clients are aware of the contents to be recorded in the file and the purposes of such information

- A confidentiality consent for release of information is current and is to be contained in the client file
- Case recordings are ongoing and up to date information must be maintained, particularly in relation to client status changes
- Files must be written up within 48 hours of the meeting with the client being undertaken. If this is not possible the staff member should liaise with their supervisor
- Any sensitive discussion with a client or stakeholder must be undertaken in an appropriately private environment which respects the sensitivity of the information discussed

All staff and volunteers must ensure that any discussions related to clients that occur in a public environment are undertaken in such a way that any person not entitled to hear such information is precluded from such discussions. Work environments must be set up in such a way that client and stakeholder privacy is respected. If this is not possible private meeting rooms must be available for private discussions to take place.

Any meetings or discussions that occur with clients outside of the organisations premises and may include people's homes, public venues or other external environments etc must allow for the discussion to take place in a private setting. If this can't be achieved the discussion should not take place. Factors including discussions which may arise outside normal business hours must also occur appropriately and be reflective of the needs of the people involved.

An appropriate environment for a sensitive discussion should always be available and a booking register is recommended to ensure the availability of an appropriate environment for a discussion. If this is not available, the Program Manager should be contacted for advice and support.

DISCO takes reasonable measures to ensure that personal client information is protected from unauthorised access or disclosure.

In protecting the privacy of our clients, we ensure they are well informed about their rights and that we take our responsibilities in relation to privacy very seriously.

Before the commencement of service delivery, all clients must agree to and sign DISCO's privacy policy to ensure they understand their rights regarding privacy.

At DISCO, we pay attention to the physical layout of our premises in regard to privacy. We ensure a private interview space is available when interviewing clients or talking with them about matters of a sensitive or personal nature.

Private spaces can be requested by DISCO staff to ensure sensitive matters can be discussed in a secure, private environment. All delivery locations offer private interview rooms which can be booked when needed.

5. Other related policies and procedures

Documents related to this policy

Related policies	<ul style="list-style-type: none"> 2.1 Service Delivery Policy 2.2 Allocation Policy 2.3 Ending Service Delivery Policy 3.1 Client Service Charter Policy 4.2 Client Records Policy
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	<p>4.3 Confidentiality Policy</p> <p>4.4 Access to Confidential Information Policy</p> <p>5.1 Feedback Policy</p> <p>5.2 Complaints by Client Policy</p> <p>6.5 Child & Youth Risk Management Strategy Policy</p> <p>8.10 Client's Case Note Management Policy</p> <p>11.6 Archiving Policy</p> <p>11.10 Whistleblower Policy</p>
Forms or other organisational documents	<p>Registration Forms</p> <p>Compliments and Complaints Register</p> <p>Appeal Request Form</p> <p>Program Brochures</p> <p>DISCO Client Services Charter</p> <p>DISCO Stakeholder Survey</p> <p>DISCO Client Survey</p> <p>Compliment and Complaints Feedback Form</p> <p>National Principles for Child Safe Organisations</p> <p>Commitment Charter for Children & Young People</p> <p>Other Undefined Forms</p>

6. Review processes

Policy review frequency: This policy will be reviewed by annually or as necessary.	Responsibility for review: This policy will be reviewed by the CEO
Review process: This policy will be updated and reviewed every twelve months and approved by the DISCO Management Committee annually.	
Documentation and communication: All volunteers, management and staff will be required to read and sign this policy upon employment commencement and review it annually (and as necessary) to ensure it can be implemented and adhered to correctly. Any alterations to the policy at any time will require staff and management to reread it and sign it. Changes will be updated as necessary with an up to date version stored and available electronically.	