

Confidentiality Policy

The Privacy (*Private Sector*) Act establishes national principles that address the gathering and disclosure of personal information.

1. **Collection**

- 1.1. Staff shall gather only necessary personal information
- 1.2. Personal information shall be collected fairly and legally
- 1.3. *Whenever possible*, inform the client why the information is collected, how it is to be used and whom it will be used by.

2. **Storage of Information**

- 2.1. Relevant information is filed in either the '*hard copy*' filing system or the '*Online Practice Management Studio*' (OPMS) software system.
- 2.2. Files shall not be left where clients or members of the public may gain access to them.
- 2.3. Computer programs with client information shall not be in view of the public.
- 2.4. Filing cabinets to be locked outside business hours.

3. **Request for Information**

- 3.1. All clients have a right to request access to their personal information unless particular circumstances apply which will allow access to be declined.
- 3.2. All requests for information must be made in writing.
- 3.3. It should be understood that all client information is confidential, even after the discharge or death of client. Information to anyone, including next-of-kin cannot be given in an effort to 'console' or 'give an understanding' as to the discharge or death of the client.
- 3.3. Information regarding clients is not to be released without the authority of management.
- 3.4. There may be cases where it is believed that providing a client with access to their personal files could present a serious threat to the safety or health of the client or another person. In such cases access may be denied (*harm may include harm to physical or mental health*).
- 3.5. If a client record contains information about another person, that information should not be made available to the client without the permission of the CEO or medical director.
- 3.6. Information may be withheld where the request is considered frivolous or vexatious.
- 3.7. If access is declined or some information is withheld, the client must be given reasons for the refusal to grant their request.
- 3.8. The '*release of information*' authorisation must be signed by the client prior to any information being forwarded to other sources (*This authorisation is found on the 'Conditions of Residency' form that should be retained in the client's 'hard copy' file*).

4. **Staff Confidentiality**

- 4.1. Staff (*including permanent staff, medical consultants, student placements and volunteers*) shall treat all client interactions with the utmost confidentiality.
- 4.2. Staff shall not discuss a client's case with anyone outside the organisation unless prior agreement has been obtained from management.
- 4.3. Staff shall not discuss the activities of Wayback with anyone outside the organisation who may inappropriately use that information.
- 4.4. Staff shall not discuss the activities of Wayback with individuals who have been identified by management as vexatious complainants against Wayback.