



BallyCara - Privacy, Dignity and Confidentiality Policy

POLICY:

The information requested of and collected from consumers is only that which is necessary for effective service and support provision, for health monitoring and to enable BallyCara to comply with duty of care and funding specifications.

Collection of information

The types of information collected from consumers may include

- ~ Demographic details
- ~ Diagnoses and medications
- ~ Functioning and management of day to day tasks of living.
- ~ Family, informal and social support networks
- ~ Information pertaining to individual goals and emotional wellbeing, preferences and choices in relation to how support is provided.
- ~ The involvement and role of other service providers and agencies

BallyCara's documentation of consumer information is accurate, complete and up to date.

To the greatest extent possible, BallyCara will always endeavour to first seek and obtain information directly from consumers.

PROCEDURE:

Information Request/Release

There will be occasions when BallyCara will need to obtain information about a consumer and his/her individual circumstances from other sources.

Before seeking information from other sources, BallyCara staff will discuss with the consumer and their authorised representative the types of information required and who is to be requested to provide this information. The Consent to Request or Release Information Form will be discussed and completed with the consumer and his/her authorised representative. With the consumer's written consent, BallyCara staff will then proceed with gathering information agreed with the consumer or their authorised representative.

A consumer and/or their authorised representative has the right to withdraw their consent for release or exchange of information at any time.

BallyCara will not release information to another party without the consent of the consumer or their authorised representative (and without discussing the type of information to be released), unless it is reasonably believed that use or disclosure is necessary to lessen or prevent

- (i) A serious and imminent threat to an individual's life, health or safety; or
- (ii) A serious threat to public safety.

Further exceptions may apply as outlined in general situations section 16A or permitted health situation section 16B, Australian Privacy Principles, *Privacy Amendment (Enhancing Privacy Protection) Act 2012*.

If BallyCara uses or discloses personal information in accordance with paragraph 6.2 (e) *Australian Privacy Principles 2014* a written note of the use of disclosure must be made.

Provision of policy information/education to consumers

Information is provided to consumers on their rights to privacy, dignity and confidentiality in several formats;

- Verbal explanations by staff during assessment and care planning meetings
- Written information provided in Consumer Booklet
- Provision of Charter of Care Recipients' Rights & Responsibilities – Home Care
- Reminders and discussions during Care Plan Review and Support Plan Review meetings.

Appointment and confirmation of consumer's approved representative

Ascertaining if a new consumer has an authorised representative appointed is completed during the Intake and Assessment process.

When making a referral to BallyCara Community Services, the referrer is requested to advise if the consumer has an authorised representative, and to provide the name and contact details of that person.

During the pre- screening & initial assessment, the consumer is also asked about the appointment of an authorised representative and a copy of relevant paperwork is obtained & stored on file.

Should a consumer or another party (referrer, GP, family member) advise that a PoA, EPoA or Guardian has been appointed for decisions about financial and/or personal matters, a copy of the relevant documentation (QCAT order, EPoA Form, PoA document) will be requested and placed on file.

Individual needs

Consumers who may not be able to readily understand and provide informed consent for release or exchange of personal and health information will be assisted to access appropriate and specialised support.

Consent Forms, BallyCara Privacy and Confidentiality Policy, information pertaining to rights can be provided to consumers in various formats which meet individual consumer language and sensory needs.

BallyCara staff may assist consumers to arrange interpreting services as required.

Consumers are advised that they may choose to have an advocate of their choice present for discussions about information release or exchange, and policies pertaining to privacy and

confidentiality. Information is provided the Consumer Booklet on advocacy services, with brochures for advocacy services provided.

Staff access to information

Only staff directly involved in the care and support of consumers of Community Care will have access to information kept on consumer files. The information or documents which will be most commonly be shared with direct support staff may include

- Demographic, relevant contact details
- Service Outlines
- Support Plan
- Progress Notes

Consumer access to information

Each consumer has the right to view his/her file and requests should be made to the Community Services Manager.

Under some circumstances, it may be determined that BallyCara cannot provide a consumer with access to information contained on their file. Such circumstances are outlined in Subclauses 12.3 of the Australian Privacy Principles 2014.

Storage of information

All consumer files are kept in a locked filing cabinet in the office of the Community Services Manager and strict confidentiality is maintained at all times.

Disclosure of personal information overseas

BallyCara will not disclose consumer's personal information to overseas recipients.

Staff training

BallyCara ensures that all community based support staff have received training and are competent to carry out activities prior to involvement with consumers in line with contemporary practice.

Staff are provided with information on consumer rights and responsibilities during their induction program as part of mandatory training requirements. The induction program includes familiarization with all operational policies and each staff member's obligation to understand and comply with documented procedures.

All staff are required to sign an Induction Checklist to verify completion of the induction program and their acceptance and understanding of the information provided.

Breach of the Australian Privacy Principles

All breaches of the Australian Privacy Principles are to be reported to the Community Services Manager. All details of a breach are to be documented and reported to the HR Team for further action.

Forms/Documentation

Consent to Request or Release Information

Consumer Documentation related to Queensland Powers of Attorney Act 1998

Progress Notes