

Policy

PRIVACY, DIGNITY & CONFIDENTIALITY

Summary	The Privacy, Dignity and Confidentiality Policy outlines the minimum requirements for Royal Rehab Private Petersham staff in providing support to Patient/ Participants that respects and maintains their right to privacy, dignity and confidentiality
Approved By	General Manager, Royal Rehab Private Petersham
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Comprehensive Review	June 2026
Related Documents	Attachment 7.1.1 Royal Rehab Private Petersham Privacy Summary
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PRIVACY, DIGNITY, CONFIDENTIALITY

1. Scope of Practice

- 1.1 This policy applies to all Royal Rehab Private Petersham's operations.
- 1.2 The policy affects anyone whose personal information is held by Royal Rehab Private Petersham, including employees, carers, contractors, volunteers, patients & participants.

2. Expected Outcome

- 2.1 People will understand their rights under the Privacy Act. This includes:
 - Knowing what information Royal Rehab Private Petersham holds about them.
 - Information regarding the collection, use, disclosure and storage of the information; and
 - To correct that information if it is out of date or inaccurate.
- 2.2 Royal Rehab Private Petersham will have in place practices, policies and procedures to make sure that the Australian Privacy Principles (APPs) are complied with, and to deal with questions and complaints about the APPs (APP1).
- 2.3 Royal Rehab Private Petersham will have a clear, up to date and easy to access policy about its management of personal information (APP1).
- 2.4 The services offered by Royal Rehab Private Petersham endorse the principles of the least restrictive alternative and with the least intrusion into the patient / participants life. These practices promote the Patient / Participant ability to manage their own affairs and increase their privacy, dignity and confidentiality.

3. Definitions

Personal Information

As defined in the Privacy Act, means information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information is true or not, and whether or not the information is documented.

Sensitive information

Means personal information about a person's:

- Racial or ethnic origin
- Political opinion or membership of a political association
- Trade union or professional association membership
- Religious beliefs or affiliations or philosophical beliefs
- Sexual orientation or practices
- Criminal record
- Health information

4. Policy

- 4.1 Royal Rehab Private Petersham's privacy practices in collecting, storing, using and disclosing personal and health information are regulated by the Privacy and Personal Information Protection Act 1998 (NSW) and the Health Records and Information Privacy Act 2002 (NSW). These laws have privacy principles; Australian Privacy Principles (APPs),

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that tell us:

- What information we can collect and how we collect it.
 - How we store and protect personal and health information.
 - How you can find out what information we hold and correct it if it is wrong.
 - How we can use and disclose your information including special protection for health and other sensitive information.
 - How you can complain about breaches of your privacy.
- 4.2 Each Patient / Participant has the right to privacy and confidentiality and be treated with Dignity in all aspects of their lives. Royal Rehab Private Petersham ensures that all support offered to the Patient / Participant respects and maintains their right to confidentiality, privacy and dignity.
- 4.3 This policy outlines the type of personal information Royal Rehab Private Petersham may hold and how it manages that information.
- 4.4 All employees, carers, contractors and volunteers of Royal Rehab Private Petersham have a responsibility to make sure personal information is handled in a way that complies with this policy.

5. Collection of Information (APP3 - 5)

- 5.1 It is Royal Rehab Private Petersham's usual practice to collect personal information directly from the person.
- 5.2 Where a person is not able to provide the information, Royal Rehab Private Petersham may collect the information from another person who has legal responsibility for the person.
- 5.3 Royal Rehab Private Petersham allows people to have the opportunity to remain anonymous or to use a false name, except where it is not practical to do so (APP2).
- 5.4 Sometimes Royal Rehab Private Petersham collects personal information from a third party or a publicly available source. This only takes place if the person has agreed to it being collected, would expect us to collect their personal information in this way or if it is necessary for Royal Rehab Private Petersham to provide a service to that person.
- 5.5 Royal Rehab Private Petersham only collects personal information for purposes directly related to our activities (APP3), such as:
- Providing services and support.
 - Working with government and other non-government agencies.
 - Operating our businesses.
 - Fundraising.
 - Responding to enquiries about our programs and services.
 - Administrative activities.
- 5.6 Royal Rehab Private Petersham may also collect personal information in its normal communications, including when a person:
- Emails employees.
 - Phones Royal Rehab Private Petersham as we may store their phone number on our telephone system.
 - Provides us with their business card.
- 5.7 There are some circumstances where Royal Rehab Private Petersham may receive personal information that it has not asked for. When this happens, Royal Rehab Private Petersham will decide whether we could have collected the information from that person, if we had

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asked. Royal Rehab Private Petersham may use or disclose that information to help us make that decision (APP4).

5.8 If allowed to, Royal Rehab Private Petersham will destroy or de-identify the information (APP4) if:

- Royal Rehab Private Petersham decides that we could not have collected the personal information if we had asked the person.
- The personal information is not found in a Commonwealth record.

5.9 Royal Rehab Private Petersham does not sell, loan or give away any information that we collect.

5.10 Before, at the time of, or as soon as possible after Royal Rehab Private Petersham collects personal information, it takes steps to tell or make sure that the person whom it is about, is aware of the following:

- Who Royal Rehab Private Petersham is and how to contact us.
- The fact that Royal Rehab Private Petersham has collected the information if it was collected from someone else and how it was collected.
- Whether the collection of the information is allowed under an Australian law or a court/tribunal order.
- The reasons why Royal Rehab Private Petersham collected the information.
- What will happen if the information is not collected.
- Whether there is anyone else that Royal Rehab Private Petersham usually discloses personal information to including whether Royal Rehab Private Petersham is likely to disclose the personal information to anyone overseas and, if yes, the countries in which those people are located (APP5).
- That Royal Rehab Private Petersham privacy policy is available and contains details regarding access and correction of the information.
- That Royal Rehab Private Petersham' Privacy Policy contains information about how the person may complain about a breach of the APPs, and how it will deal with any complaint.

6. Use and Disclosure of Information (APP6)

6.1 Royal Rehab Private Petersham only holds personal information for the primary purpose it was given to us. It is not to be used or disclosed to anyone else for a secondary purpose unless one of the following applies:

- The person has agreed.
- The person would expect Royal Rehab Private Petersham to use or disclose the personal information for the secondary purpose as it relates to the primary purpose.
- It is required or authorised by law.
- A permitted general situation exists (see s.16A of the Privacy Act).
- A permitted health situation exists (see s.16B of the Privacy Act), in which case, steps must be taken to de-identify the information before it is disclosed.
- Royal Rehab Private Petersham believes that the use or disclosure of the information is necessary for an enforcement related activity (e.g., Federal Police, Immigration, ATO) (APP6).

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7. Direct Marketing (APP7)

- 7.1 Royal Rehab Private Petersham will not use or disclose personal information for use in direct marketing.
- 7.2 Exceptions include where a person has agreed to or would expect Royal Rehab Private Petersham to use or disclose the information for direct marketing.
- 7.3 Royal Rehab Private Petersham will provide an easy way for the person to request not to receive direct marketing and will include a prominent statement that the person may make such a request.
- 7.4 A person may ask how Royal Rehab Private Petersham got their information. Royal Rehab Private Petersham will give them that information at no charge and within a reasonable timeframe.

8. Cross Border Disclosure (APP 8)

- 8.1 Before Royal Rehab Private Petersham discloses personal information about a person to someone who is not in Australia, it will make sure that the person overseas does not breach the APPs in relation to the information. Exceptions include:
 - If Royal Rehab Private Petersham believes that the overseas person is subject to a law that can protect the information in a way that is similar to the APPs.
 - If the person agrees to the disclosure, after being told about this APP.
 - The disclosure of the information is required by law.
 - A permitted general situation exists (see s.16A of the Privacy Act).
 - The disclosure of the information is required under an inter-Australian agreement.
 - Royal Rehab Private Petersham believes that the disclosure of the information is necessary for enforcement related activities.

9. Adoption, Use or Disclosure of Government Related Identifiers (APP9)

- 9.1 Royal Rehab Private Petersham will not adopt a government related identifier of a person (e.g., Medicare or Driver's Licence number) as its own identifier of that person unless it is allowed to do so.
- 9.2 Royal Rehab Private Petersham will not use or disclose a government related identifier of a person unless:
 - It is necessary for Royal Rehab Private Petersham to verify the identity of the person.
 - It is necessary for Royal Rehab Private Petersham to fulfil its obligations to an agency or a State or Territory authority.
 - It is required by law or a court/tribunal order.
 - A permitted general situation exists (see s.16A of the Privacy Act)
 - Royal Rehab Private Petersham believes it is necessary for an enforcement related activity.

10. Quality of Personal Information (APP 10)

- 10.1 Royal Rehab Private Petersham takes reasonable steps to make sure that the personal information it collects is accurate, up to date and complete.

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- 10.2 Royal Rehab Private Petersham takes reasonable steps to make sure that the personal information that it uses or discloses is, considering the purpose of the use or disclosure, accurate, up-to-date, complete and relevant.
- 10.3 These steps include maintaining and updating personal information when we are advised by a person that their personal information has changed.

11. Security of Personal Information (APP 11)

- 11.1 Royal Rehab Private Petersham takes steps to protect the personal information it holds against misuse, interference, loss, unauthorised access, modification or disclosure. These steps include password protection for electronic files, securing paper files in locked cabinets and physical access restrictions.
- 11.2 When it is no longer required, personal information is destroyed, deleted or de-identified in a secure manner, unless Royal Rehab Private Petersham is required by law to keep the information (APP12).
- 11.3 If a person asks for access to their personal information held by Royal Rehab Private Petersham, we will allow access unless there is a reason under the Privacy Act or any other law not to give access to the information. These reasons include:
- A serious threat to the life, health or safety of any individual, or to public health/safety.
 - It would impact on the privacy of other individuals.
 - The request is frivolous or vexatious.
 - The information relates to existing or anticipated legal proceedings.
 - It would prejudice negotiations with the individual.
 - It would be unlawful.
 - Denying access is authorised by law.
 - Unlawful activity, or serious misconduct relating to Royal Rehab Private Petersham functions may be engaged in and giving access would prejudice the taking of appropriate action.
 - Enforcement related activities may be prejudiced.
 - Evaluative information generated within Royal Rehab Private Petersham in connection with a commercially sensitive decision-making process may be revealed.
- 11.4 Royal Rehab Private Petersham will respond to the request for access to the personal information within a reasonable time and will give access in the way requested by the person if it is able to do so.
- 11.5 If Royal Rehab Private Petersham refuses to give access to the information or to give access in the way requested by the person, it will take steps to give access in a way that meets both its needs and those of the person, including through the use of a mutually agreed intermediary.
- 11.6 If Royal Rehab Private Petersham does not agree to provide access to personal information, we will advise the person in writing of the reasons why and how to complain about the refusal.
- 11.7 There is no fee for making a request to access personal information and any fee charged by Royal Rehab Private Petersham will not be excessive (e.g., copying charges).

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12. Correction (APP13)

- 12.1 Royal Rehab Private Petersham will take reasonable steps to correct personal information that it holds if:
- It is satisfied that, considering the purpose for which the information is held, the information is inaccurate, out of date, incomplete, irrelevant or misleading.
 - The person requests that Royal Rehab Private Petersham correct the information.
- 12.2 If Royal Rehab Private Petersham corrects personal information that it previously disclosed to someone else, if requested, it will take reasonable steps to notify the other person of the correction.
- 12.3 If Royal Rehab Private Petersham refuses a request to correct the personal information, it will give the person a written notice that sets out the reasons for the refusal and how they may complain about the refusal.
- 12.4 Where Royal Rehab Private Petersham refuses a request to correct the personal information, the person may request that it associate or attach a statement that the information is inaccurate, out-of-date, incomplete, irrelevant or misleading. Royal Rehab Private Petersham will take reasonable steps to associate or attach the statement so that it can be seen by anyone using the information.
- 12.5 If Royal Rehab Private Petersham is asked to correct personal information, it will respond within a reasonable time and will not charge the person for making the request, for making the correction or for associating the statement with the information.

13. Confidentiality

- 13.1 Employees, carers, contractors and volunteers who may have access to personal and sensitive information during their duties, are bound by their commitment to confidentiality.
- 13.2 Breaches of confidentiality by employees, carers, contractors and volunteers will be dealt with in accordance with the conditions of appointment of those individuals and Royal Rehab Private Petersham Policy.

14. Procedures Relating to Particular Activities of Royal Rehab Private Petersham

- 14.1 Royal Rehab Private Petersham will develop or update procedures to ensure that they comply with this Policy, and to endure the effective management of personal information, including sensitive information, in the context of the broad range of its activities and operations.

15. Requesting Access or Change to Information

- 15.1 Under the Privacy Act 1988, individuals have a right to access and/or amend their health information contained in their health record if it is out of date, incomplete, irrelevant or misleading. The health record itself however remains the property of Royal Rehab Private Petersham
- 15.2 The request should be made in writing and directed to the Royal Rehab Private Petersham General Manager.
- 15.3 Response to a request will be within 30 days of the request being received. The person will be advised of the time it may take to provide the information, or if there is any reason why

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the information cannot be provided or changed in accordance with the request.

- 15.4 If an individual would like their health record amended, they can request the changes. Royal Rehab Private Petersham will permit the requested changes unless there is a reason under the Privacy Act 1988 or other relevant law in which the information cannot be changed. If Royal Rehab Private Petersham does not agree to change the information contained in an individual's health record, it will permit the individual to make a statement of the requested changes and will enclose the statement within the health record.
- 15.5 Royal Rehab Private Petersham may charge individuals a fee for collating and providing access to their personal and health information.

16. Complaints or Concerns in Relation to Privacy

- 16.1 If a person wishes to make a complaint in relation to privacy, it should be made in writing, directed to the Royal Rehab Private Petersham General Manager.
- 16.2 Should the individual not be satisfied with Royal Rehab Private Petersham's response to their privacy relation questions or resolution of their privacy complaint, they have a right to make a complaint to the Privacy Commissioner. Further information on how to make a complaint to the Privacy Commissioner can be obtained at <http://www.oaic.gov.au/privacy/privacy-complaints>

17. Personal Privacy and Dignity

- 17.1 Royal Rehab Private Petersham shall maintain a process to respect the personal privacy, dignity and lifestyle of the Patient / Participant at all times. The Patient / Participant has the right to enjoy a private life, free from unnecessary staff involvement. Support staff respect the wishes of the patient/ participant, who is giving informed consent, regarding an agreed level of involvement.
- 17.2 Support staff assisting with people's personal hygiene and care ensure that the support offered always reflects the rights of that Patient / Participant to be treated with dignity and for their privacy to be maintained. This includes providing training to the Patient / Participant to increase their level of independence, providing information about the assistance to be offered, closing of and knocking on doors and observing the universal standards of infection control.
- 17.3 Royal Rehab Private Petersham shall ensure the concept of dignity and respect is culturally appropriate.

18. Patient / Participant Feedback

- 18.1 Royal Rehab Private Petersham actively engages with Patient / Participant's to seek their feedback on their satisfaction with Royal Rehab Private Petersham respecting personal privacy and dignity during the provision of services, through focus groups, Patient / Participant interviews and audit. This feedback is incorporated into service delivery.
- 18.2 Patient / Participants and their families are valued and an invitation to provide feedback at the end of a stay will be sent electronically to the contact details provided. Alternatively, a Patient / Participant may provide feedback by:
- completing an anonymous feedback survey
 - speaking to Royal Rehab Private Petersham's staff in person or by phone
 - writing to the General Manager.
- 18.3 Response to feedback is in line with the Royal Rehab Private Petersham Compliments and Complaints Handling Procedure.

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19. References and Acknowledgements

1. Privacy and Personal Information Protection Act 1998 (NSW)
2. Health Records and Information Privacy Act 2002 (NSW).
3. Australian Privacy Principles (APPs).

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