

4.2 Privacy and Confidentiality Policy

Purpose: This policy formally recognises each client's right to privacy and confidentiality. The Privacy and Confidentiality Policy is intended to protect individuals from harm that may arise from misuse of their personal information. It also enables services to collect information they need to perform their activities and/or functions – people are usually more willing to provide full and frank information if satisfied that it will be treated in confidence.

Our Values: BrainLink Services Limited works on the philosophy that the wellbeing and needs of those affected by acquired brain injury or other neurological disorders and their carers take first priority – BrainLink CARES: **C**ommitment, **A**ccountability, **R**espect, **E**quality and **S**upport. Every effort is made to inform and educate health and welfare services, and the community, about the effects and implications of acquired brain injury or other neurological disorders, and the needs of the individuals affected. BrainLink Services staff work as a team, sharing tasks as necessary for the wellbeing of all staff and the smooth running of the service.

Relevant Legislation: Disability Act 2006 (Section 39); Health Records Act 2001; Information Privacy Act 2000; Freedom of Information Act 1982; Ombudsman Act 1973; Parliamentary Committees Act 1968; Subordinate Legislation Act 1994; Victorian Civil and Administrative Tribunal Act 1998; Public Records Act 1973.

When to Use this Procedure: The Privacy and Confidentiality Policy should be incorporated into the everyday running of services in the organisation, staff should be mindful of the policy in all dealings with clients and any other contractors or key stakeholders.

The right to privacy and confidentiality will be protected in the following ways:

- The dignity and privacy of each client is protected during any interaction.
- Clients are not watched, listened to or reported upon without consent.
- Staff should recognise that their role is one of empowering the client in his or her home, workplace or other living situation (eg. Supported accommodation).
- Clients are given the option of not identifying themselves.
- Clients are able to choose whether or not to discuss their feelings, relationships, or other aspects of their private lives.
- Staff should interact with clients in a manner which reinforces their individual self-esteem.

Reducing the impact of acquired brain disorders in our community.

- Staff are sensitive when discussing an individual's personal details with any other party and are aware of their duty of confidentiality to the client.
- Written information about a client is to be limited to that which is relevant and necessary to the individual's involvement with the services of BrainLink Services Limited. Make sure personal information is accurate, complete and up-to-date; individuals have a right to seek access to their personal information and make corrections.
- Clients are not to be the focus of uninvited public attention without their prior written consent.
- The use of any information is limited to the client and the staff who need to use it. It is then to be stored securely and only accessible to those particular staff.
- Written information is not kept longer than necessary or longer than required by legislation. This information is to be destroyed after that time.
- Clients are aware of the information kept about them and their written or verbal permission must be sought prior to releasing any information.
- Staff should refrain from engaging in gossip or unnecessary discussion about the client and their families.

If a client feels that their privacy has been in any way breached, BrainLink Services Ltd encourages the party to approach the organisation, as per our Grievance Procedure. If the issue cannot be resolved by following this procedure, the party is entitled to lodge a complaint with the Office of the Victorian Privacy Commissioner.

The Privacy Policy and Grievance Procedure are available for public view on the BrainLink Website (www.brainlink.org.au) and in hard copy by request from the Administration Desk, 1800 677 579.

August 2010