

POLICY : 1.6 **Privacy**

Approval By: Controlled Documents Committee **Approval Date:** 01/02/2018

Document Owner: Privacy Officer **Next Review Date:** 01/02/2019

Purpose This policy outlines QEC’s commitment to protect the privacy of health, personal and sensitive information of our clients, employees and volunteers.

Target Audience All QEC Employees, Clients, students and volunteers.

Definitions **Health information** means information or opinion about a person’s physical, mental or psychological health or disability that is also personal information. This includes information or opinion about a person’s health status and medical history.

Personal information means recorded information or opinion, whether true or not, about a person whose identity is apparent, or can reasonably be ascertained, from the information. The information or opinion can be recorded in any form.

Sensitive information means information or opinion (that is also personal information) about a person’s racial or ethnic origin, political opinions, religion, philosophical beliefs, sexual preferences or practices, membership of a political association, professional/trade association or trade union, or an individual’s criminal record.

Policy QEC seeks to uphold the highest standard of privacy by:

- Protecting a client’s right to privacy
- Creating an environment in which clients are confident that their rights are protected.
- Guiding the fair and responsible handling of client information, to protect the privacy of information and to provide individuals with a right of access to their own health information.

This policy recognises that client information held by QEC may be sensitive. Where a staff member has any concerns about a privacy issue they should speak to their manager/ coordinator.

This policy is based on the Victorian Health Privacy Principles (HPP) as described in Appendix One :

- HPP 1 Collection
- HPP 2 Use and disclosure
- HPP 3 Data quality
- HPP 4 Data security
- HPP 5 Openness
- HPP 6 Access and correction
- HPP 7 Unique identifiers
- HPP 8 Anonymity
- HPP 9 Trans border data flows
- HPP 10 Transfer or closure of a health service
- HPP 11 Making information available to another

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health service provider

Access, Correction or Complaints

Any enquiries regarding the privacy of information or to submit a complaint in regards to information may be directed to:

Freedom of Information and Privacy Officer

e: privacy@qec.org.au

p: 03 9549 2777

Depending on the nature of your enquiry you may be requested to complete a freedom of information request:

<http://www.qec.org.au/privacy-policy>

Regular training of staff in operation of this policy and in the HPPs and the Health Records Act (Vic) 2001 will occur (may use the e-Learning, online course developed by the Office of the Health Services Commissioner).

Related Documents

1.4.5 Freedom of Information

Key Legislation, Acts and Standards

[Health Complaints Act 2016](#)

[Health Records Act 2001](#)

[Health Records Regulations 2012](#)

[Health Services \(Conciliation and Review\) Act 1987](#)

[Privacy & Data Protection Act 2014](#)

[Freedom of Information Act 1982](#)

[Freedom of Information \(Access Charges\) \(Amendment\) Regulations 2002](#)

[Charter of Human Rights and Responsibilities Act 2006](#)

[Statutory Guidelines on Research 2002](#)

[Statutory Guidelines on Transfer or Closure of the Practice or Business of a Health Service Provider 2002](#)

HUMAN SERVICES STANDARDS

1. Empowerment	1.1	People understand their rights and responsibilities	Y
	1.2	People exercise their rights and responsibilities	Y
2. Access & Engagement	2.1	Services have a clear and accessible point of contact	
	2.2	Services are delivered in a fair, equitable and transparent manner	
	2.3	People access services most appropriate to their needs through timely, responsive service integration and referral	
3. Wellbeing	3.1	Services Adopt a strengths-based and early intervention approach to service delivery that enhances peoples wellbeing	
	3.2	People actively participate in an assessment of their strengths, risks, wants and needs	
	3.3	All people have a goal-orientated plan documented and implemented	

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	3.4	Each person's assessment and plans are regularly reviewed, evaluated and updated. Exit/transition planning occurs as appropriate	
	3.5	Services are provided in a safe environment for all people, free from abuse, neglect, violence and/or preventable injury	
4. Participation	4.1	People exercise choice and control in service delivery and life decisions	
	4.2	People actively participate in their community by identifying goals and pursuing opportunities including those related to health, education, training and employment	
	4.3	People maintain connections with family and friends, as appropriate	
	4.4	People maintain and strengthen connection to their Aboriginal or Torres Strait Islander culture and community	
	4.5	People maintain and strengthen their cultural, spiritual and language connections	
	4.6	People develop, sustain and strengthen independent skills	

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1. Clinical	1.1	Consumers/patients are provided with safe, high quality care throughout the care delivery process	
	1.2	Consumers/patients and communities have access to health services and care appropriate to their needs	
	1.3	Appropriate care and services are provided to consumers/patients	
	1.4	The organisation provides care and services that achieve effective outcomes	
	1.5	The organisation provides safe care and services	
	1.6	The governing body is committed to consumer/patient participation	
2. Support	2.1	The governing body leads the organisation in its commitment to improving performance and ensures the effective management of corporate and clinical risks	
	2.2	Human resources management supports high quality health care, a competent workforce and a satisfying working environment for staff	
	2.3	Information management systems enable the organisations goals to be met	
	2.4	The organisation promotes the health of the population	
	2.5	The organisation encourages and adequately governs the conduct of research to improve the safety and quality of health care within organisations	

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3. Corporate	3.1	The governing body leads the organisations strategic direction to ensure the provision of quality, safe services	
	3.2	The organisation maintains a safe environment for employees, consumers/patients and visitors	Y

CHILD SAFE STANDARDS

1	Strategies to embed an organisational culture of child safety, including through effective leadership arrangements	
2	A child safe policy or statement of commitment to child safety	
3	A code of conduct that establishes clear expectations for appropriate behaviour with children	
4	Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel	
5	Processes for responding to and reporting suspected child abuse	
6	Strategies to identify and reduce or remove risks of child abuse	
7	Strategies to promote the participation and empowerment of children	

Appendix One - Victorian Health Privacy Principles

HPP 1 - Collection

QEC will not collect personal or health information about an individual unless it is necessary for client care, and:

- The individual has provided consent; or
- The information is necessary to providing care and the person is unable to provide consent; or
- The information is necessary to prevent or lessen a serious and imminent threat to the life, health, safety or welfare of any individual; or a serious threat to public health, public safety or public welfare; or
- QEC is required to collect the information by law.

When QEC collects health information from an individual, staff must take reasonable steps to ensure that the individual is aware of:

- the identity of QEC and how to contact us; and
- the fact that he or she is able to gain access to the information; and
- the purposes for which the information is collected; and
- to whom QEC usually discloses information of that kind; and
- the main consequences (if any) for the individual if all or part of the information is not provided.

HPP 2 Use and disclosure

QEC will not use or disclose personal or health information for a purpose other than the primary purpose. Exceptions include instances where:

- The client has provided consent to share information; or
- If required by law; or
- Sharing information will prevent or minimise serious and imminent harm to the individual or others.

HPP 3 Data quality

QEC will take reasonable steps to ensure that the personal or health information it collects, uses or discloses is accurate, complete and up to date.

HPP 4 Data security

QEC will take reasonable steps to protect the information it holds from misuse, loss, unauthorised access, modification or disclosure.

HPP 5 Openness

QEC will, in this and other documents, set out a clearly expressed method of managing of personal or health information, which will be available to anyone who asks for it.

HPP 6 Access and correction

QEC will provide individuals with access to their information except in certain circumstances (e.g. providing access would pose a serious threat to life or health, or it would have an unreasonable impact on privacy). If the individual is able to establish that the information held about them is not accurate, complete or up to date, the QEC will take reasonable steps to correct the information. QEC may correct health information about an individual so that it is accurate, however will not delete the information in accordance with the Victorian Health Records Act, even if it is inaccurate.

HPP 7 Unique identifiers

QEC may assign unique identifiers to individuals if the assignment of identifiers is reasonably necessary to enable that QEC to carry out any of its functions efficiently.

HPP 8 Anonymity

Wherever lawful and practicable, individuals must have the option of not identifying themselves.

HPP 9 Trans border data flows

When health information travels outside Victoria, QEC has a responsibility to ensure that the privacy of the information is safeguarded.

HPP 10 Transfer or closure of a health service provider

If a health services closes, providers must comply with certain requirements outlined in the Victorian Health Records Act.

HPP 11 Making information available to another health service provider

QEC will comply if an individual requests their health information to be made available to another health services provider, in accordance with the principles outlines above.