

# ECHO POLICY

## PRIVACY AND CONFIDENTIALITY

The application of this Policy is by adherence to:

**Related Aged Care Quality Standard**

**Standard 1.6** Each consumer's privacy is respected, and personal information is kept confidential.

**Related Documents**

Complaint and Feedback Policy  
Code of Conduct Policy  
Privacy and Confidentiality Procedure  
Client Service Agreement

### PURPOSE

This policy aims to ensure ECHO's commitment to protecting the right to privacy, confidentiality and dignity of clients, employees, volunteers and other stakeholders, and it is in line with relevant legislation and quality standards.

### POLICY STATEMENT

ECHO is bound by the *Privacy Act 1988*, which regulates how organisations may collect, use, disclose and store personal and sensitive information and how individuals can access and correct personal and sensitive information held about them. ECHO is also subject to *Aged Care Quality and Safety Commission Act 2018 (the Commission Act)*.

Guiding principles of privacy and confidentiality policy **for information management and record-keeping** are as below:

- Personal information is collected with consent and used when needed to provide services and meet compliance requirements;
- Information is protected from misuse, loss and unauthorised access;
- Reasonable steps are taken to ensure information is complete, current and accurate; and
- Personal information is only ever released if required by law, agreed to through the individual's informed consent or if a person requests to see their own personal file.

ECHO manages personal information per relevant legislation and disposal guidelines. **ECHO** needs certain personal information about the **clients** to:

- work with the **clients** in the context of **their** funding body's (HCP and CHSP) plan, budgets, and goals;
- Understand what the **clients** want and need from **ECHO**, and sometimes others, to provide clients with quality and safe services; and
- To meet the legal requirements.

#### Client Consent

When the clients' personal information is requested by any other person, service, or agency, **ECHO** requires each client's consent to share their information, except where the law otherwise allows.

ECHO will ensure that each client, employee, volunteer or other stakeholder understands and agrees to the type of information collected and the reason for the collection. If the material is to be recorded in an audio or visual format, the client, employee, volunteer or other stakeholder must agree to their involvement in writing before any material can be collected. The client employee, volunteer or other stakeholders must also be informed when the material is being recorded in an audio or visual format.

Clients can decline to give consent or limit their consent. If the **client** does so, it may be difficult for **ECHO** to provide the services that the **client** needs and wants from **ECHO**. Having relevant and vital information about **clients** to let **ECHO do our** job well is important. It directly affects the quality and safety of the services **ECHO** provides to **our clients**.

### Consent withdrawal

Consent is provided voluntarily, and the clients have the right to withdraw their consent. Clients can let their Client Advisor or Support Worker know if they would like to withdraw their consent from the particular or all the statements.

Complaints about perceived or suspected breaches of privacy and confidentiality are dealt with using the Complaints and Feedback Policy and Procedure. Breaches of this policy will be treated as serious offences, thoroughly investigated, and may result in disciplinary action. ECHO's Code of Conduct also outlines responsibilities relating to the treatment of confidential information and the confidentiality rights of others.

<b>Application:</b>	All employees and Volunteers (ECHO people)		
<b>Process Owner:</b>	Quality Manager	<b>Exceptions:</b>	Nil
<b>Author:</b>	Quality Manager	<b>Reviewed by:</b>	CEO
<b>Approved:</b>	Chief Executive Officer (CEO)	<b>Approved Date:</b>	21/04/2022
<b>Issue</b>	For review every two (2) years as a minimum	<b>Next Review Date:</b>	21/04/2024
<b>References:</b>	Aged Care Quality Standards <i>Aged Care Quality and Safety Commission Act 2018 (the Commission Act).</i> <i>Privacy Act 1988 (Commonwealth)</i> <i>Australian Privacy Principles (Commonwealth)</i> <i>Privacy Amendment (Notifiable Data Breaches) Act 2017 (Commonwealth)</i>		

Revision History		
Rev #	Date	Summary
01	19/08/2022	Added information about the consent and updated the related Standard list.
02	12/07/2023	Updated to the new policy template.