

Privacy and Confidentiality Policy

1. PURPOSE

The purpose of this policy is to provide an effective and high-quality service and to maintain appropriate accountability in the way we collect, store, and sometimes share relevant personal information about members of The Junction. It is important that we are consistent and careful in the way we manage what is written and said about a member and how we decide who can see or hear this information.

Legislatively, The Junction is bound by:

- The Privacy Act 1988 (C'Wlth)
- The Information Privacy Act 2009 (Qld)

People have legislated rights to privacy, it is essential that we protect and uphold these rights, and that we act correctly in those circumstances where the right to privacy may be overridden by other considerations, for example, safety of self and/or others.

To uphold the rights of members, employees and volunteers to privacy and confidentiality, each employee, member, and volunteer needs an appropriate level of understanding about how we meet our legal obligations and an appropriate level of understanding of:

- Confidentiality, limits to confidentiality and obtaining members, employees and volunteers consent to share information about them
- Our processes for providing information to people using, or working in The Junction

Related documents	
Related policies and procedures, how-to task lists, forms, registers, or other organisational documents of The Junction	<ul style="list-style-type: none"> • Information Management Policy • Consent to use Name and Image Form • Service Engagement Consent Privacy Form
Other standards	<ul style="list-style-type: none"> • National Mental Health Standards • NDIS Practice Standards • Human Services Quality Standards • The International Standards for Clubhouse Programs
Legislation or other requirements	<ul style="list-style-type: none"> • Human Rights Act 2019 (QLD) • The Privacy Act 1988 (C'Wlth) • The Information Privacy Act 2009 (Qld) • Australian Privacy Principles • Work Health and Safety Act 1988 • Freedom of Information Act 1982

2. Scope

This policy applies to all employees, members, contractors, volunteers, and visitors involved in the operations of The Junction Clubhouse.

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3. Policy Statement

The Junction recognises the essential right of members, employees, and volunteers to have their information administered in ways which they would reasonably expect – protected on one hand and made accessible to them on the other. These privacy values are reflected in and supported by our core values and reflected in this policy, which is compliant with the Privacy Act 1988 and the Information Privacy Act 2009.

The Junction has adopted the following principles contained as minimum standards in relation to handling personal information.

The Junction will:

- Collect only information which the organisation requires for its primary function
- Ensure that members, employees and volunteers are informed as to why we collect the information and how we administer the information gathered
- Use and disclose personal information only for our primary functions or a directly related purpose, or for another purpose with the person's consent
- Store personal information securely, protecting it from unauthorised access; and
- Provide members, employees and volunteers with access to their own information, and the right to seek its correction

4. Procedures

4.1 Privacy

We manage our obligations in relation to protecting the privacy of our members, employees, and volunteers by making sure that we meet the requirements of relevant legislation:

- The Junction acknowledges and respects the privacy of members, employees and volunteers
- The information provided by members, employees and volunteers includes personal and/or sensitive information as defined by the Privacy Act 1988
- Member information shall be collected for the purpose of providing services and assistance to the individual member. At no time will personal or sensitive information be collected unless it is reasonably necessary for, or directly related to, one or more of The Junction activities
- Information collected from employees prior to and during their employment with The Junction shall be for the purpose of processing their appointments, wages and other entitlements under relevant award and letter of appointment
- The Junction shall keep the collected information safe and in a secure place
- All members and employees have the right of access to, and alteration of, personal information maintained by The Junction
- The Junction will pass member or employee information when the law allows, when the member or employee has given consent, or when the member or employee has been advised of the other parties to whom the information may be given. The Junction shall advise the member or employee whom they give the information to and use the information only for the purposes it was obtained
- If the member is unwilling to provide The Junction with his/her personal and/or sensitive information, The Junction may not be able to assist the individual and/or sign him/her to commence receiving the appropriate Junction services/activities relevant to their needs
- All members and employees have the right to complain about a breach of their privacy using the grievance procedure. Please refer to the document JQS.F1.5 Grievance Complaints Form and the JQS.P5.2 Member Complaints for further information on how to lodge a grievance and the process that is taken to deal with a grievance

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In protecting the privacy of our members, employees, and volunteers we ensure they are well informed about their rights and that we take our responsibilities seriously.

4.2 Members

4.2.1 **Obtaining Information**

- Information shall be obtained from the member, subject to receipt of written consent from the member, any organisation/individual or professional (see document JQS.F1.32 Service Engagement, Consent & Privacy)
- Information pertaining to members shall be kept on our current platform
- Archived paper files are secured in designated filing cabinets. Filing cabinets shall be kept locked and accessed by employees when necessary
- The types of information to be maintained include personal information of the member and other information relevant to the service provision of The Junction
- Members shall be advised during sign up interview of the types of information to be collected and maintained, the purpose for retaining and releasing of such information. Members shall sign the identified privacy and confidentiality information documents relevant to The Junction
- Employees are to take reasonable steps to ensure that the information collected from members is accurate, up-to-date, complete, relevant, and not misleading

4.2.2 **Releasing Information**

- Written consent to collect and release information using the authorised form shall be obtained from the member upon sign up. The authorised form will be used to identify specific names of individuals, professionals, and organisations. The completed forms shall be filed in the member's file. Forms shall be renewed or updated as required, by asking the member to re-sign the original form if no changes are required or if the member wishes to make changes, complete these and ask them to sign a new form
- Information shall only be released to persons or organisations stated on the form unless other agreement is obtained from the member or in other circumstances such as:
 - The disclosure is necessary to prevent or lessen a serious and imminent threat to life, health or safety of the member or another person
 - The use or disclosure is required or authorised under law and reasonably necessary for the enforcement of the law

4.2.3 **Access to and Correction of Information**

- Members shall be advised during the sign-up interview that access to information contained in the member files shall be limited to the following individuals:
 - The relevant member
 - The Junction employee and
 - Any individual as consented to by the member in the ***Service Engagement Consent Privacy Form*** and in the presence of an employee
- A member may request to view their file at any time by speaking to The Junction Director of Operations and arranging a time for this to occur
- A member's request for any information requiring revision will be immediately acted upon by an employee, where such revision is considered to be reasonable and acceptable

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4.2.4 Security and Storage of Information

- Member information will be stored in individual files on our current platform
- All employees are required to set their computer systems up with an automated lock set at an interval of five minutes or less
- The Junction will take all reasonable steps to protect information from interference, in addition to protection against misuse, loss and from unauthorised access, modification or disclosure

4.2.5 Retention and Destruction of Information

- Member information is retained for seven years from the date of exit
- Member files and information will be archived in secure storage at The Junction
- After seven years, information and files no longer required are destroyed using confidential shredding equipment or deleted from IT System

4.2.6 Interviews and Meetings

- Interviews and meetings with members are to be held in a private area of The Junction
- Interview and meetings, when appropriate, may be held away from The Junction premises, if agreed by the member while ensuring complete privacy always

4.3 Employees

- Upon commencement of employment, The Junction's Director of Operations shall explain the privacy policies and procedures to the new employee and ensure that the new employee fully understands
- All employees are required to sign an agreement in relation to privacy and confidentiality upon commencement of employment contained in their letter of appointment

4.3.1 Obtaining Information

- Information collected from employees prior to and during their employment with The Junction shall be for processing their appointments, salaries and other entitlements under the relevant award and letter of appointment
- The Junction is to take reasonable steps to ensure that the information collected from employees is accurate, up-to-date, complete, relevant and not misleading

4.3.2 Releasing Information

- Information released to relevant organisations is only done so with written consent from the employee, unless:
 - The disclosure is necessary to prevent or lessen a serious and imminent threat to life, health or safety of the service user or another person
 - The use or disclosure is required or authorised under law and reasonably necessary for the enforcement of the law
 - In case of emergency, The Junction shall contact the person named by the employee in the employee file

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4.3.3 Access to and Correction of Information

- Employees shall be advised during the induction that access to information contained in an employees file shall be limited to the following individuals:
 - The relevant employee
 - The Director of Operations, Management or Senior Recovery Facilitator
- An employee may request to view their files by writing to the Director of Operations and arranging an appointment time for this to occur
- An employee's request for any information and/or changes will be immediately acted upon by the Director of Operations, where such revision is considered reasonable and acceptable. A response to the request for access must be completed within five days

4.3.4 Security and Storage of Information

- All employee information shall be kept electronically in their individual file in the Human Resources limited access folder on the shared drive
- The Junction will take all reasonable steps to protect information from interference, in addition to protection against misuse, loss and from unauthorised access, modification or disclosure

4.3.5 Retention and Destruction of Information

- Upon resignation or termination of employment, personnel files shall be archived for seven years, after which time the files shall be destroyed by deleting from the IT system

4.3.6 Interviews and Meetings

- Individual meetings held by the Director of Operations, or relevant supervisor with an employee, e.g., performance appraisal, shall be conducted privately and confidentially. Records emanating from such meetings shall be kept electronically in their individual file in the Human Resources limited access folder on the shared drive

4.3.7 Lost Client Personal Information

- The Director of Operations will act promptly in mitigating the loss, damage on compromised security of client personal information including notifying the client and external agencies as required.

The Junction Clubhouse Cairns Ltd (The Junction) – Privacy and Confidentiality		
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