# Privacy and Confidentiality Policy and Procedure

Optimise Health and Wellness gives utmost importance to the privacy, dignity, and confidentiality of information related to participants, employees, and services. Information collected is protected from possible breaches, and disclosure of information is governed through the Privacy and Confidentiality policy and procedure.

This policy and procedure also serve as the Optimise Health and Wellness APP privacy policy and is made available for the public through the Optimise Health and Wellness website.

## Policy

Optimise Health and Wellness is committed to protecting the privacy of the information of its participants. Optimise Health and Wellness strives to meet its regulatory and standard obligations regarding the collection, use, and disclosure of personal information. Company information that is considered proprietary and confidential is also protected by *Optimise Health and Wellness*

## Procedure

Optimise Health and Wellness has implemented this procedure to ensure that, all legislative and standard obligations related to privacy, dignity, and confidentiality of information are met. This policy and procedure apply to all employees and departments.

### Applicable Laws and Regulations

The following laws and regulations apply to Optimise Health and Wellness regarding the protection and privacy of information:

* Australian Privacy Principles
* Privacy Act 1988
* NDIS Quality and Safeguards Commission

Optimise Health and Wellness complies with the requirements laid out in the above-mentioned regulations. The director is responsible for staying up to date with the latest regulatory requirements as described in Optimise Health and Wellness *Compliance policy and* *procedure*.

### Personal Information

Optimise Health and Wellness only collects personal information that is necessary to perform its service provision and operational activities.

#### Participants:

Optimise Health and Wellness collects the following personal information from participants and/or their advocates:

* Name
* Address
* Contact Information (Phone number, email, social media)
* Date of Birth
* Health Care Information
	+ Medical Records if required from Local GPs, Specialists, and Allied Health Clinicians.
	+ Signature

#### Employees:

Optimise Health and Wellness collects the following information from employees and prospective candidates for employment:

* Name
* Address
* Contact Information (Phone number, email, social media)
* Date of Birth
* Employment Records
* Academic Records
* Signature
* Bank Account Information
* Professional yearly registrations
* Current Blue Card and NDIS Worker Screening Card (Disability)

Procedures for collection, consent for collection, use, and disclosure are described below.

### Information Collection and Consent

All information is collected through relevant online or computerized forms which are stored in the Optimise Health and Wellness database. Participant information is collected and managed by the Quality Improvement and Learning Manager. Employee information is collected and managed by the Human Resources department.

All information is collected and processed with the written consent of the information provider. Optimise Health and Wellness *Information Collection, Use, and Disclosure Consent Form* is used to obtain consent.

### Information Security

Optimise Health and Wellness ensures the protection of collected personal information along with company information that is deemed to be confidential through an Information Security system which is outlined below.

#### Storage and Access

Details of storage and access to information are described in detail in the Optimise Health and Wellness *Information Management policy and procedure*. The details relevant to privacy and confidentiality are summarised below.

All information is stored electronically in Optimise Health and Wellness’s cloud database.

Information is restricted to relevant personnel only. Access to personal information is controlled by the Director and relevant department managers. Company-owned electronic devices (PCs and laptops) are protected from malware, spyware, and viruses.

Access to all information is restricted and protected through individual login credentials and passwords assigned to all employees.

#### Breaches

Optimise Health and Wellness evaluates the risk of data breaches resulting in unintended disclosure of private or confidential information following the *Risk Management policy and procedure*.

All possible violations of the procedures implemented by Optimise Health and Wellness related to consent, collection, storage, or access restrictions of information, by employees or other individuals are reported to the Director. Such violations will be considered possible breaches. These violations may be monitored and investigated through internal or external reviews, complaints, and feedback. Possible breaches are investigated thoroughly by the Director and a written report is developed and discussed in the Governing Body meeting. The *Incident Investigation Form* template is used for this purpose.

If a breach of data is identified to have resulted in the unintended disclosure of information or any violation of the APP, all implicated individuals are notified of the details and potential harm of the breach. The Director is also responsible for accessing if the breach is notifiable to one or more of the following entities:

* Australian Information Commissioner
* Law Enforcement (Police, Cyber Security, etc.)

All breaches are recorded in the Optimise Health and Wellness *Incident Register* and following the *Incident Management* and *Continuous Improvement policies and procedures*, remedial actions are taken to avoid reoccurrence of similar breaches.

### Use and Disclosure of Information

Optimise Health and Wellness uses the personal information of participants to perform home-care provision activities. This includes identification of disability services, financial management including fees and payments, effective provision of disability services, proper communication, and identification of risks.

Optimise Health and Wellness uses the personal information of employees for effective human resource management which includes recruitment, competence assessment, background checks, assignments, rostering, training, and development.

All use of information is consented to by the individual through the *Information Collection, Use, and Disclosure Consent Form*.

Optimise Health and Wellness only disclose the personal information of individuals when required to comply with legislative obligations such as mandatory reporting to governing bodies or law enforcement.

#### Disclosure to Advisory Bodies

Optimise Health and Wellness is committed to providing the information requested by advisory bodies to assist them in evaluating the quality of care services provided. Participants and employees are informed of this disclosure through the *Information Collection, Use, and Disclosure Consent Form* and given the choice to opt out of disclosure.

#### Disclosure to Government or Regulatory Bodies

Optimise Health and Wellness is responsible for providing information requested by governing or regulatory bodies for audits, reviews, or compliance monitoring processes. This disclosure is communicated to individuals using the *Information Collection, Use, and Disclosure Consent Form* when collecting information.

### Training and Awareness

To ensure that Optimise Health and Wellness protocols and systems for protecting privacy and confidentiality are implemented effectively throughout the organization, all employees and staff are trained on the *Privacy and Confidentiality* and *Information Management policies and procedures* along with the relevant regulatory requirements laid out in the relevant regulations. This is further detailed in the *Staff Hiring and Induction policy and procedure*.

## Supporting Documents

Documents, forms, and templates referenced in or related to this policy and procedure are listed below:

* Information Collection, Use, and Disclosure Consent Form
* Risk Management policy and procedure.
* Incident Management policy and procedure
* Continuous Improvement policy and procedure
* Incident Register
* Incident Investigation Form
* Compliance Management policy and procedure
* Information Management policy and procedure
* Staff Hiring and Induction policy and procedure.

## Procedure Ownership and Revision

The Governing Body is responsible for ensuring the implementation of this policy and procedure. The individual responsibilities may be delegated to executive body members.

This procedure will be reviewed and approved by the Governing Body regularly (annually). If there are legislative or organizational changes, they will need to be reviewed more frequently. The current revision history is recorded in the table below: