



Aim:

To ensure staff understand and apply the principles of privacy and confidentiality and, understand their role in complying with this policy. To uphold the right to privacy as enacted in acts of parliament and supporting principles.

Rationale:

To ensure that the privacy of personal information is protected in accordance with Australian privacy principles and related legislation.

Definitions:

Patient / Client Information:

Refers to any information which may identify a patient / client or which relates to a patient / client's involvement with Albury Wodonga Health (AWH). This includes, but is not limited to, verbal information, the medical record or other service record and any documents held within it, attendances, patient / client lists, registers, appointment books, handover sheets, transfer documentation, patient / client accounts, electronic information, x-rays, images and other media, and any other information relating to an individual patient / client.

Confidentiality:

Refers to the trust and expectation that the content of any specific and/or identifying information will remain entrusted between the patient / client and AWH.

Staff:

Refers to Albury Wodonga employees, contractors, volunteers and students.

Policy:

1. Albury Wodonga Health will only collect personal information if it is relevant to a purpose connected with a function or activity of the organisation. Generally the collection and use of information will be for the purpose of providing care and treatment to the patient/client and for purposes directly related to providing such care and treatment. Personal information will be collected directly from the patient/client rather than from third parties.
2. Every patient / client who enters AWH has a right to confidentiality. AWH has an obligation to keep in confidence patient / client information. This obligation is shared by all staff.
3. At point of entry to AWH, every patient / client will be provided with information in regard to the use, collection, disclosure and access to their information.
4. Disclosure of information is confined to the following circumstances:
 - 4.1 For continuing care.
 - 4.2 To meet statutory / legislative requirements.
 - 4.3 When consent for information disclosure is provided by the patient.
 - 4.4 Where there is a serious threat to the life, health or safety of any individual, or to public health or safety.
5. The above points should be considered in the context of duty of care. Identification of the patient in the context of routine work procedures such as patient journey boards and bedside handover may be deemed to be reasonable and necessary so that patient care is not compromised.

PRIVACY

6. The transfer, release and security of information should be completed with reference to the Release of Patient - Client Information Procedure (PRO0168) and Access and Security of Patient / Client Information Procedure.
7. All staff will be orientated to privacy requirements at orientation. New employees will sign a Privacy and Confidentiality Agreement at the commencement of their employment.
8. AWH recognises that failure to comply with this policy can have serious implications for the organisation, staff and patients / clients. Staff are expected to bring non-compliance in confidentiality to the attention of their reporting manager, who will then refer the issue to the appropriate executive director or report it through RiskMan
9. The designated privacy officer is the Chief Health Information Manager.

Outcome Standards:

- There is documented evidence that staff are orientated on appointment about confidentiality and the Privacy Policy.
- There is evidence that any perceived failure to comply with the Privacy Policy is investigated.
- There is evidence that there is information provided to patients / clients in regard to the collection, use, disclosure and access to patient / client information.
- Compliance with the Privacy Policy is regularly monitored and a surveillance schedule is in place.

Annexes:

Related AWH Documents: Release of Patient / Client Information Procedure (PRO0168).
Access and Security of Patient / Client Information Procedure (PRO1465).
Retention and Destruction of Patient / Client Information Procedure (POL0096).
Patient Rights and Responsibility Policy (POL0226).
Clinical Photography Procedure (PRO1125)
Clinical Photography Policy (POL0547).

PRIVACY

Accreditation Standards: **1.19.2.** – Systems are in place to restrict inappropriate access to and dissemination of patient clinical information
14.6.1. – Implementing an information management plan and system that addresses the needs of the organisation

Other Relevant Information: Australian Charter of Healthcare Rights

References: Privacy Act 1988
 Privacy Amendment Act 2012 Clth (Enhancing Privacy Protection)
 Australian Privacy Principles Jan 2014
 Health Records Act 2001(Vic)
 Health Services Act 1988 (Vic) Section 141
 Health Records and Information Privacy Act 2002 (NSW)
 Government Information (Public Access) Act 2009 (NSW)
 Freedom of Information Act 1982 (Vic)
 Mental Health Act 2014 (Vic)
 Mental Health Act 2007 (NSW)
 Children’s and Young Persons Act 1998 (NSW)

Contact Point: Chief Health Information Manager

In consultation with:

TITLE / POSITION
<p>Privacy Working Party:</p> <ul style="list-style-type: none"> • Director of Nursing and Midwifery. • Operational Director of Critical Care and Emergency Services. • Operational Director of Primary Care and Community Services. • Operational Director of Women and Children’s Services. • Manager of Professional Development and Training. • Medical Administration Registrar. • Executive Director of Human Resources. • Health Information Manager Albury Campus. • Health Information Manager Wodonga Campus. • Consumer representatives x 2. • Mental Health representative. • Quality Coordinator.

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Approved by Executive / Delegate:	Date Approved:	SharePoint Location:
Executive Director Corporate and Financial Services	12 August 2015	Procedures...
Responsible Department:	Date for Review:	Linked Documents:
Health information	12 August 2018	
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7	1 October 1999	Same