

Privacy and Information Management Policy and Procedures

Policy Statement

Do it with Purpose Occupational Therapy is committed to protecting the privacy of clients. Do it with Purpose Occupational Therapy will comply with the *Privacy Act 1988* and the *Privacy Amendment Act 2012* to protect the privacy of individuals' personal information.

This includes having in place systems governing the appropriate collection, use, storage and disclosure of personal information, access to and correction and disposal of that information. Our policy is to respect and protect the privacy of all people connected with Do it with Purpose Occupational Therapy.

Our primary purpose for collecting information is to provide a quality service to our clients. This Privacy Policy applies to how Do it with Purpose Occupational Therapy collects, uses, holds and disposes of personal information and data.

This Privacy Policy also tells clients how they can access and amend their personal information and how they may make a complaint if they think that we have breached our privacy obligations.

Background

The [Privacy Act 1988](#) (Privacy Act) is an Australian law which regulates the handling of personal information about individuals by private sector organisations. Amendments were made to this legislation in 2012 (the *Privacy Amendment Act 2012*) which updates the [Australian Privacy Principles](#) (APP) and came into effect in March 2014. The amendment requires an organisation to explicitly state how they will adhere to the APP and inform their participants on how their privacy will be protected. The APP cover the collection, use, storage and disclosure of personal information, and access to and correction of that information. The APP are summarised in Appendix 1 of this document.

Privacy laws do not apply to the information of corporate entities, such as providers or community partners. However, the personal information of individuals connected with those entities (such as employees) will be protected by privacy laws.

Definitions

Personal information - means information (or an opinion) Do it with Purpose Occupational Therapy holds (whether written or not) from which a person's identity is either clear or can be reasonably determined.

Examples of personal information that we may collect includes:

- name, contact details date of birth and age
- gender, details about participants' physical or mental health, including disabilities
- information about participants' support requirements
- details of guardians and nominees, including names, addresses and contact details

Sensitive information - is a particular type of personal information - such as health, race, sexual orientation or religious information.

Health information - information about a person's health or disability, doctors they have seen or health services they have received.

Consent

For consent to be valid, the client must have the capacity to give consent. This means the client must:

- understand that they are being asked to decide to give or not give their consent
- understand the scope and purpose of the disclosure of information
- understand the consequences of giving or not giving consent
- base their decision on reason
- be able to communicate their decision
- be of the age and capacity to understand and give informed consent

Where the client is unable to give such consent Do it with Purpose Occupational Therapy will consider if someone can act on the individual's behalf, such as:

- a guardian
- someone with enduring power of attorney
- a person recognised by other relevant laws
- a person the individual nominated in writing when they were capable of giving consent

As far as practical, we will involve the individual who lacks capacity in the consent decision.

Procedures

Ensuring all Do it with Purpose Occupational Therapy Staff Understand Privacy and Confidentiality Requirements

A Director of Do it with Purpose Occupational Therapy will review their Privacy Policy annually and ensure they understand their responsibility to protect the privacy of individuals' personal information.

All Staff will undergo training related to Privacy and Confidentiality Requirements at the time of induction and then annually.

Managing Privacy of Participant Information Storage

Do it with Purpose Occupational Therapy secures personal information from unauthorised access, use or disclosure. Do it with Purpose Occupational Therapy secures the personally identifiable information provided on computers in a controlled, secure environment, protected from unauthorised access, use or disclosure. A Firewall is used in the Do it with Purpose Occupational Therapy computer system as a means of protecting information stored on the computer. Other security related procedures such as user access passwords, multi-factorial authentication also assist with the protection of information.

Participant information collected is kept in an individual participant record. Each participant record has a unique identification number. A participant record may include:

- personal information
- clinical notes investigations
- correspondence from other healthcare providers
- photographs
- video footage.

Paper records are kept in locked, fireproof cabinets.

Participant information is stored for seven years post the date of last discharge. In the case of participants aged under 18 years, information is kept until their 25th birthday and 7 years post discharge.

Participant related information, or any papers identifying a participant are destroyed by shredding and deleting from the computer and all databases.

User access to all computers and mobile devices holding participant information is managed by passwords and automatic inactive logouts.

Managing Privacy and Confidentiality Requirements of Participants

Do it with Purpose Occupational Therapy refers to their Privacy Policy on the participant's NDIS Service Agreement.

The NDIS Service Agreement includes 5 Consents plus other relevant consents as they apply:

1. Consent for sharing and obtaining Information

2. Consent for receiving services
3. Consent for photography
4. Consent to participate in Participant Satisfaction Surveys
5. Consent to participate in Quality Management Activities

These consents are discussed with the participant and /or their decision maker in a way they can understand prior to the commencement of service.

Persons contacting Do it with Purpose Occupational Therapy with an enquiry do not need to provide personal details. However, once a decision is made to progress to utilising Do it with Purpose Occupational Therapy's services, personal and sensitive information will need to be collected.

Do it with Purpose Occupational Therapy may need to share pertinent participant information with other professional Allied Health Professional at the time of case conferencing or when determining support plans. Information is only shared in order to provide the best service possible and is only shared with those people whose Professional Codes of Ethics include privacy and confidentiality. Permission to share information is sought from the participant prior to the delivery of services and as required at other points of intervention as / if required.

Personal information is not disclosed to third parties outside of Do it with Purpose Occupational Therapy, other than for a purpose made known to the participant and to which they have consented, or unless required by law.

Participants are informed there may be circumstances when the law requires Do it with Purpose Occupational Therapy to share information without their consent.

Methods of Collecting Information

Do it with Purpose Occupational Therapy collects personal information through a variety of methods including electronic or face-to-face interactions; interaction with our website; requests for information; and provision of goods and services. We may also collect personal information directly from individuals, or their authorised representatives, and through referrals from other service providers.

Website Visitors

Like most website operators, Do it with Purpose Occupational Therapy collects non-personally-identifying information of the sort that web browsers and servers typically make available, such as: the browser type; language preference; referring site; and the date and time of each visitor request. Do it with Purpose Occupational Therapy's purpose in collecting non-personally identifying information is to better understand how Do it with Purpose Occupational Therapy's visitors use its website.

Users of Do it with Purpose Occupational Therapy website, consent to the info / data practices described in this statement.

A cookie is a string of information that a website stores on a visitor's computer, and that the visitor's browser provides to the website each time the visitor returns. Do it with Purpose Occupational Therapy uses cookies to help Do it with Purpose Occupational Therapy identify and track visitors, their usage of the website, and their website access preferences. Do it with Purpose Occupational Therapy visitors who do not wish to have cookies placed on their computers should set their browsers to refuse cookies before using Do it with Purpose Occupational Therapy's websites, with the drawback that certain features of Do it with Purpose Occupational Therapy's websites may not function properly without the aid of cookies.

Do it with Purpose Occupational Therapy encourages website users to review the privacy statements of websites they choose to link to from Do it with Purpose Occupational Therapy so that they can understand how those websites collect, use and share information. Do it with Purpose Occupational Therapy is not

responsible for the privacy statements or other content on websites outside of the Do it with Purpose Occupational Therapy website.

Referrals

Do it with Purpose Occupational Therapy may collect the following types of personal information when sent a message or referral: contact details; details for next of kin or emergency contact; and other information relevant to the relationship of the individual with Do it with Purpose Occupational Therapy. We may also collect sensitive information such as details of a complaint; racial or ethnic origin; medical condition; and/or other health information where relevant to the medical condition and/or services sought by the individual or referring party.

Keeping Accurate Participant Information

Participants are informed of the need to provide Do it with Purpose Occupational Therapy with up to date, accurate and complete information.

Do it with Purpose Occupational Therapy staff update information on the participant record at the time of reviews or when they become aware of change in information.

Clinical staff at Do it with Purpose Occupational Therapy update the participant record as soon as practical after the delivery of services to ensure information is accurate and correct.

Using Personal Information

Do it with Purpose Occupational Therapy collects and uses personal information to deliver the services. Do it with Purpose Occupational Therapy may also use personally identifiable information to inform clients of other products or services available from Do it with Purpose Occupational Therapy. Do it with Purpose Occupational Therapy may also contact you via surveys to conduct research about your opinion of current services or of potential new services that may be offered.

Do it with Purpose Occupational Therapy does not sell, rent or lease its customer lists to third parties. Where services are provided by Do it with Purpose Occupational Therapy on behalf of a third-party personal information may be provided back to the third party where the person receiving the service provides informed consent; or where the disclosure is authorised or required under law. Such third parties are required to maintain the confidentiality of your information.

Do it with Purpose Occupational Therapy will disclose your personal information, without notice, only if required to do so by law or in the good faith belief that such action is necessary to:

- Conform to the edicts of the law or comply with legal process served on Do it with Purpose Occupational Therapy.
- In compliance with industry regulatory disclosure requirements.
- Protect and defend the rights or property of Do it with Purpose Occupational Therapy and,
- Act under exigent circumstances to protect the personal safety of users Do it with Purpose Occupational Therapy, or the public.

Do it with Purpose Occupational Therapy does not disclose your personal information to overseas recipients.

Using Participant Information for Other Purposes

Under no circumstances will Do it with Purpose Occupational Therapy use personal details for purposes other than stated above, unless specific written consent is given by the participant or their representative.

Participant Access to Their Information

Participants have the right to access the personal information Do it with Purpose Occupational Therapy holds about them. To do this, participants must contact a Director of Do it with Purpose Occupational Therapy.

Management of a Privacy Complaint

If a person has a complaint regarding the way in which their personal information is being handled by Do it with Purpose Occupational Therapy, in the first instance they are to contact a Director. The complaint will be dealt with as per the *Complaints Management Policy*. If the parties are unable to reach a satisfactory solution through negotiation, the person may request an independent person (such as the [Office of the Australian Privacy Commissioner](#)) or the [NDIS Quality and Safeguards Commission](#) to investigate the complaint. Do it with Purpose Occupational Therapy will provide every cooperation with this process.

Access and Corrections

Individuals may request access to the personal information Do it with Purpose Occupational Therapy holds about them. Where reasonable and practicable to do so, and in accordance with the provisions of the *Privacy Act*, Do it with Purpose Occupational Therapy will provide supervised access to an individual's personal information. Requests to access personal information must be made in writing, either by email or hard copy.

In the event access to records requires a significant allocation of resources, Do it with Purpose Occupational Therapy may charge a reasonable administration fee to cover associated costs. Corrections or updates to personal information supplied by clients or their authorised representatives must be made by the individual or their authorised representative. Clients can also request that Do it with Purpose Occupational Therapy erase any personal data held about them. This does not include any data Do it with Purpose Occupational Therapy are obliged to keep for administrative, legal, or security purposes. In all cases, Do it with Purpose Occupational Therapy must be satisfied changes are authorised by the individual in question.

Changes to this Statement

Do it with Purpose Occupational Therapy will occasionally update this Privacy and Information Management Policy to reflect company and customer feedback. Do it with Purpose Occupational Therapy encourages clients to periodically review this statement to be informed of how Do it with Purpose Occupational Therapy is protecting their information.

Customer Feedback

Do it with Purpose Occupational Therapy welcomes comments regarding this Privacy Policy. Concerns or complaints about adherence of Do it with Purpose Occupational Therapy to this statement, are welcomed. Please contact Do it with Purpose Occupational Therapy. We will use reasonable efforts to promptly determine and remedy the problem.

Contact Information

Should a participant need to contact Do it with Purpose Occupational Therapy, details are available on the Contacts web page or within the participant's Support Plan.

See Also

- ['Guidelines on Privacy in the Private Health Sector', Office of the Australian Information Commissioner](#)
- [Privacy Act 1988](#) and [Privacy Amendment Act 2012](#)
- Feedback and Complaints Policy
- Consent to Disclose Information
- Incident and Complaint Report Form
- NDIS Support Plan
- Do it with Purpose Occupational Therapy Website

Next Review Date
June 2023

Appendix 1: Summary of the 13 Australian Privacy Principles (APP)

APP 1 — Open and transparent management of personal information

Ensures that APP entities manage personal information in an open and transparent way. This includes having a clearly expressed and up to date APP privacy policy.

APP 2 — Anonymity and pseudonymity

Requires APP entities to give individuals the option of not identifying themselves, or of using a pseudonym. Limited exceptions apply.

APP 3 — Collection of solicited personal information

Outlines when an APP entity can collect personal information that is solicited. It applies higher standards to the collection of 'sensitive' information.

APP 4 — Dealing with unsolicited personal information

Outlines how APP entities must deal with unsolicited personal information.

APP 5 — Notification of the collection of personal information

Outlines when and in what circumstances an APP entity that collects personal information must notify an individual of certain matters.

APP 6 — Use or disclosure of personal information

Outlines the circumstances in which an APP entity may use or disclose personal information that it holds.

APP 7 — Direct marketing

An organisation may only use or disclose personal information for direct marketing purposes if certain conditions are met.

APP 8 — Cross-border disclosure of personal information

Outlines the steps an APP entity must take to protect personal information before it is disclosed overseas.

APP 9 — Adoption, use or disclosure of government related identifiers

Outlines the limited circumstances when an organisation may adopt a government related identifier of an individual as its own identifier, or use or disclose a government related identifier of an individual.

APP 10 — Quality of personal information

An APP entity must take reasonable steps to ensure the personal information it collects is accurate, up to date and complete. An entity must also take reasonable steps to ensure the personal information it uses or discloses is accurate, up to date, complete and relevant, having regard to the purpose of the use or disclosure.

APP 11 — Security of personal information

An APP entity must take reasonable steps to protect personal information it holds from misuse, interference and loss, and from unauthorised access, modification or disclosure. An entity has obligations to destroy or de-identify personal information in certain circumstances.

APP 12 — Access to personal information

Outlines an APP entity's obligations when an individual requests to be given access to personal information held about them by the entity. This includes a requirement to provide access unless a specific exception applies.

APP 13 — Correction of personal information

Outlines an APP entity's obligations in relation to correcting the personal information it holds about individuals.