

### Objective:

To ensure that all personal information collected by CODA Inc. is used and stored in compliance with all legal, ethical and legislative requirements.

### Scope:

All CODA staff, Board members and volunteers.

### Policy Statement:

CODA Inc. are committed to protecting the privacy and confidentiality of personal information which we handle. Personal information is information which directly or indirectly identifies a person.

CODA Inc. collect and handle a range of personal information for the purposes of providing services, or to comply with our obligations to funding bodies.

CODA Inc. recognise that the nature of our services means that much of the information we collect and handle is particularly sensitive. We recognise that the Privacy Principles protect personal information both as a matter of individual right, and to support the public interest.

CODA Inc. recognise the essential right of individuals to have their information handled in ways which they would reasonably expect - protected on the one hand, and made accessible to them on the other.

CODA Inc. is bound by the Victorian privacy laws, the Information Privacy Act 2000 and the Health Records Act 2001, as well as other laws which impose specific obligations in regard to handling information.

In broad terms this means that we will:

- Only collect the personal information about individuals, their support needs, and sometimes their family and financial information, that we need to provide a quality service.
- Ensure that the individual and/or their family are aware of the information we collect and how it will be handled and stored.
- Only use or disclose the information we collect for it's primary purpose, or for another purpose with written consent, unless it is required by law.
- Ensure all information is either securely stored or destroyed, protecting it from unauthorised access.
- Only retain information while it is relevant to service delivery, or for the period authorised by the Public Records Act.
- Ensure that personal and health information is accurate, complete, up to date and relevant
- Ensure that individuals can access personal and health information and correct that information if it is inaccurate, incomplete or it is not current.
- Ensure that where an individual is unable to give consent, either verbally or in writing, that we request permission of that individual's nominated next of kin prior to obtaining or disclosing any personal or health information.

Personal and health information will not be used for other (secondary) purposes without the individuals consent unless the disclosure is:

- Authorised, permitted or required by law.
- Required for research and statistical use in the public interest (special conditions apply as

outlined in legislation)

- Needed to prevent or lesson a serious or imminent threat to life, health or welfare to you or another member of the public
- For a law enforcement function by a law enforcement agency or legal or equitable claim
- any other exceptions as outlined in the Information Privacy Act and the Health Records Act.

An individual has the right to obtain access to any personal information that CODA Inc. hold, and to advise of any perceived inaccuracy. Written request should be directed to the: Privacy Officer, PO Box 370 COLAC 3250. The CEO will act as the Privacy Officer for CODA Inc.

An individual who believes that his/her privacy has been breached may complain to the Health Services Commissioner or Privacy Commissioner, who will attempt to conciliate the complaint. If conciliation fails, the individual may take the complaint to the Victorian Civil and Administrative Tribunal (VCAT). VCAT can make binding determinations to resolve complaints.

### Internal Files/Links:

Copyright Acknowledgement	CO-Information
GEN - CODA Inc. Brochure	CO-Information
GEN - Consent for Use of Photographs	CO-Forms
GEN - Privacy Brochure	CO-Information

### Quality Document References:

- Complaints: Policy -(CO) Governance
- Privacy & Confidentiality: Policy -(CO) Governance
- (CO) CEO: Position Description -(CO) Human Resources
- Archiving of Records: Procedure -(CO) Finance and Admin
- Complaints: Procedure -(CO) Governance
- Privacy - Information: Procedure -(CO) Governance

### External Files/Links:

Privacy principles	DHS Privacy policy
Office of the Victorian Privacy Commissioner	Office of the Victorian Privacy Commissioner
Commonwealth Consolidated Acts	Privacy Act 1988

### References to Standards and Legislation:

- |                                                             |                                                                    |
|-------------------------------------------------------------|--------------------------------------------------------------------|
| <b>VDS Standard 1:</b> Service Access                       | <b>1.3:</b> Accurate and accessible information                    |
| <b>VDS Standard 3:</b> Decision-Making and Choice           | <b>3.4:</b> Accessible information                                 |
| <b>VDS Standard 3:</b> Decision-Making and Choice           | <b>3.5:</b> Personal networks considered                           |
| <b>VDS Standard 4:</b> Privacy, Dignity and Confidentiality | <b>4.1:</b> Pro-active practices                                   |
| <b>VDS Standard 4:</b> Privacy, Dignity and Confidentiality | <b>4.10:</b> Exercise privacy rights and responsibilities          |
| <b>VDS Standard 4:</b> Privacy, Dignity and Confidentiality | <b>4.2:</b> Information privacy & Health Records legislation       |
| <b>VDS Standard 4:</b> Privacy, Dignity and Confidentiality | <b>4.3:</b> Protect dignity, privacy where consent cannot be given |
| <b>VDS Standard 4:</b> Privacy, Dignity and Confidentiality | <b>4.4:</b> Storage of personal information                        |
| <b>VDS Standard 4:</b> Privacy, Dignity and Confidentiality | <b>4.5:</b> Accessible information.                                |
| <b>VDS Standard 4:</b> Privacy, Dignity and Confidentiality | <b>4.6:</b> Private space                                          |
| <b>VDS Standard 4:</b> Privacy, Dignity and Confidentiality | <b>4.7:</b> Provide accessible information about privacy rights    |
| <b>VDS Standard 4:</b> Privacy, Dignity and Confidentiality | <b>4.8:</b> Own space                                              |
| <b>VDS Standard 4:</b> Privacy, Dignity and Confidentiality | <b>4.9:</b> Treat with respect                                     |
| <b>VDS Standard 8:</b> Service Management                   | <b>8.11.4:</b> Privacy, dignity and confidentiality                |
| <b>VDS Standard 8:</b> Service Management                   | <b>8.4:</b> Policies consistent with legislation                   |

## Other Information:

Further information can be obtained from the Information Privacy Act and the Health Records Act.

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