



2.10 Confidentiality and Privacy

Policy

All parents, carers and children accessing supports from PlayAbility, as well as staff and volunteers, have the right to privacy and the protection of their personal information.

This policy is to protect the privacy and confidentiality of individuals by ensuring that all records and personal information about individuals including children, parents and carers, volunteers, and staff is collected, stored, disclosed and disposed of in an open and transparent way in compliance with Australian privacy acts, codes and principals.

Procedures

PlayAbility will gather information from parents and carers for the purpose of delivering safe and effective supports and services. This will include contact information, the nature of a child's disability or developmental delay, health and medical details to protect and respond appropriately, cultural and religious preferences, other agencies involved, providers engaged in supporting the family, goals and progress towards goals, feedback and complaints, and referrals. Information directly related to the safe delivery of supports.

Consent for information will be sought either in the intake or the service agreement meeting indicating who will consent, or decline, by ticking a box on the form, or providing a signature. PlayAbility will explain to the individual the purpose information has been collected and how it may be used, accessed and disclosed. A copy of this policy will be available on our website.

PlayAbility will gather information from staff and volunteers for the primary purpose of recruitment, child safety, professional development, management and exit. This will include contact information, resume, qualifications and references, information required by legislation, training records, reportable incidents and OHS.

PlayAbility will take reasonable steps to protect personal information from misuse, interference and loss and from unauthorised access, modification and disclosure. When no longer needed PlayAbility will de-identify or destroy information that is not required by law to retain.

PlayAbility client data is stored on an external cloud-based system called Echidna Online which is maintained by subscription. Cloud based systems are secure and enable file sharing, signing and editing of documents without the need for hard copy or email. Echidna is operated by the Australian company InetSolutions, and has been specifically designed for the Early Childhood Intervention sector. InetSolutions are responsible for the backup and security of the data.

Echidna online also has a closed file function that restricts access to confidential information to the writer and administrators only.

Storage of registers and information such as client feedback, compliments and complaints are stored on Jotform, a cloud based system.

Storage of information pertaining to staff contact information, qualifications, training and registration is kept on Echidna. Personal information such as employment contracts are kept on Microsoft OneDrive, a secure cloud based system which is also used to store operational and program information. Emails are stored on Microsoft Outlook, which is cloud based.

Documents that have been generated on hard copy for the purpose of intake, registration or service agreements are kept no longer than 3 months in a locked file before being uploaded and the originals shredded.

Key points

- When contacting PlayAbility individuals have the option of not identifying themselves or using an made up name unless it is necessary under Australian law or required for the delivery of services
- All client and family personal and health information will only be collected, held, used, or disclosed for the purpose of safe and effective service delivery in compliance with the Privacy Act.
- PlayAbility will not collect information without consent unless required by law. Information received from another source without consent will be destroyed or de-identified.
- All client information that is stored on PlayAbility devices such as computers and smart phones, including emails, texts and contact information, will be password protected.
 - All PlayAbility provided mobile phones must be password protected.
 - All PlayAbility provided computers must be password protected.
 - All client based software must also be protected with the auto-fill function for the password disabled.
- Information will not be provided to other individuals, agencies, organisations, or Certification bodies without parent/carer consent, subject to applicable law.
- Parents/carers are provided the option to decline consent to their information being shared e.g. External audits.
- Hard copy documents of client personal and confidential information that staff use on a day to day basis for the purpose of planning and providing supports shall not be left visible on desks when not being used and shall be shredded when no longer required. Documents that need to be retained for up to a few weeks will be stored in a lockable drawer in the office when not in use.



- There may be times where PlayAbility is required by law to disclose that information without your consent under section 16A of the Child Protection Act. (see policy: 2.14 Information Sharing Protocols under Chapter 16A)
- PlayAbility will only disclose personal information to a public sector human services agency without consent in accordance with the Privacy Code of Practice 2003.
- PlayAbility will only disclose personal health information to a public sector human services agency without consent in accordance with the Health Records and Information Code of Practice 2005.
- Parents/carers may request their personal file or information contained on file. PlayAbility will provide this information within 24hrs or provide a written explanation.
- Individuals will be notified immediately if their personal information has been compromised.
- Individuals have the right to lodge a complaint if they believe PlayAbility has breached their privacy by contacting the Australian Privacy Commissioner on 1300 363 992.
- PlayAbility staff will ensure all confidential conversations are held in an appropriate space i.e. in a quiet area away from other children, parents, and staff.
- Only the CEO, team managers and administration have access to personnel files.
- Information about staff members is only accessed by the Manager and individual staff member concerned, on an as needed basis.
- Apart from the official minutes, all matters discussed at staff, team or committee meetings will be treated as confidential.
- Staff will protect the privacy and confidentiality of other staff members by not relaying personal information about another staff member to others, either within or outside the service.
- Volunteers will not discuss staff/children or families outside the workplace.
- Should PlayAbility be required by a court or other appropriate entity to provide information PlayAbility will abide by any statutory obligation.
- All staff sign a Confidentiality Agreement as part of their employment agreement.
- All volunteers must sign the **Confidentiality Agreement** in the binding of this document.
- When signing in the attendance sheet for school visits staff will not record any child's name with whom they are there to see.
- Any breach of this Confidentiality Policy is a breach of the Staff Code of Conduct and the NDIS Code of Conduct and will receive disciplinary action. (see policy 4.18 Code of Conduct).



Legislation, Regulations or Government Policy

Information Privacy Act 2002 (Federal)

The Australian Privacy Principles

Privacy and Personal Information Protection Act 1998

Health Records and Information Privacy Act 2002

Health Records and Information Privacy Code of Practice 2005 (NSW)

Privacy and Personal Information Protection Regulation 2014

Privacy Code of Practice (General) 2003

Useful Links

The Australian Privacy Principles

<https://www.oaic.gov.au/privacy/australian-privacy-principles/>

Privacy and Personal Information Protection Act 1998

<https://legislation.nsw.gov.au/view/html/inforce/current/act-1998-133>

Health Records and Information Privacy Act 2002

<https://legislation.nsw.gov.au/view/html/inforce/current/act-2002-071>

Health Records and Information Privacy Code of Practice 2005 (NSW)

<https://legislation.nsw.gov.au/view/html/inforce/current/sl-2005-0327>

Privacy and Personal Information Protection Regulation 2014

www.ipc.nsw.gov.au/privacy-laws#

Privacy Code of Practice (General) 2003

www.legislation.nsw.gov.au/#/view/regulation/2003/273



DOCUMENT HISTORY

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