


<b>Title:</b>	Privacy, Confidentiality & Access to Patient, Resident and Client Records Policy	
<b>Department</b>	Corporate	
<b>Approved by</b>	Business and Operations	

### Policy

All staff, clinical and non-clinical, have a responsibility for maintaining the privacy and confidentiality of patient, resident and client information. Confidentiality includes the right to be treated by Castlemaine Health without the knowledge of unauthorised people.

Patients, residents and clients will have a right of access to personal health information in accordance with Acts, Regulations and guidelines.

Any alleged breach of confidentiality will be investigated. The Castlemaine Health formal disciplinary process will be utilized in cases where such breaches are substantiated.

All staff and contracted agents of the Castlemaine Health must sign a Statement of Confidentiality agreement form upon commencement of employment.

Castlemaine Health only collects personal information necessary to fulfil our functions and statutory reporting requirements. Information will be collected directly from the individual where possible.

Information is only used and disclosed for the primary purpose for which it was collected or for a purpose permitted under law. Patient consent is obtained for use or disclosure for any other purpose. Information will not be transferred outside Australia without individual consent, unless required by law.

Access to personal information is available via the Freedom of Information Act 1982.

The Castlemaine Health complaints process will be used to address concerns relating to the handling of personal information.

### Rationale

To ensure the privacy and confidentiality of patient, resident and client information, in all its forms, is protected in accordance with the Acts and Statutory Regulations.

To ensure patient, resident and client access to their health information in accordance with relevant Acts and Statutory Regulations.

### Legislative/Regulatory Framework/Reference


- Freedom of Information Act (1982)
- Mental Health Act (1986)
- Health Services Act (1988)
- Cancer (Reporting and Registration) Act (1981, 1988)
- Health Records Act (2001) "Privacy Principles"
- Privacy Act (1998) Commonwealth,
- Privacy Amendment (Enhancing Privacy Protection) Act 2012
- Medical Treatment Act (1988)
- Australian Privacy Principles

[www.oaic.gov.au/privacy/privacy-resources](http://www.oaic.gov.au/privacy/privacy-resources)

### Supporting Standard Operating Procedure(s), Guidelines or other documents

- Privacy, Confidentiality & Access to Patient, Resident and Client Records – Guidelines.
- Freedom of Information – Guidelines
- Consent Policy – Intranet
- Statement of Confidentiality, privacy Principles – Employment record, Staff information kit
- What Happens to Information about Me
- Privacy Principles Fact Sheet
- Statement of Confidentiality (Human Resources)

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### Responsibility

It is the responsibility of all Castlemaine Health Employees to be aware of and understand this policy. Department Heads and Supervisors are responsible for ensuring staff are aware of the policy and guidelines.

### Compliance

Information about the policy and guidelines will form part of staff orientation and annual in-service education. The Statement of Confidentiality is binding on all staff and contracted agents, and HR conducts audits of completion of statements.

### Author/Contributors

Name	Position	Review Date
Heather Paulet	Health Information Manager	June 2015
R Munari	Executive Director Corporate Services	01/06/2003, 30/08/2007, 25/08/2008, 30/06/2009, 27/06/2012