

Introduction

The *Information Privacy Policy* (IPP) encapsulates RDNS' commitment to the privacy and security of client related personal and health information as required by privacy legislation and in line with Standards Australia/Standards New Zealand *Information Security Management* (AS/NZS 4444.2:2000).

Definitions

Personal information **Personal information** means information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in material form or not, about an individual whose identity is apparent, or can be reasonably ascertained, from the information or opinion.

Health information **Health information** includes Personal Information, and means:

- (a) Personal information or an opinion about:
 - the physical, mental or psychological health (at any time) of an individual
 - a disability (at any time) of an individual
 - an individual's expressed wishes about the future provision of health services to him or her
 - a health service provided, or to be provided, to an individual.
- (b) Other personal information collected to provide, or in providing, a health service;
- (c) Other personal information collected in connection with the donation, or intended donation, by the individual of his or her body parts, organs or body substances;
- (d) Other personal information that is genetic information about an individual in a form which is or could be predictive of the health (at any time) of the individual or of any of his or her descendants.

Policy

**Collection of
personal and
health information**

RDNS collects personal and health information that is needed to provide the best possible care to its clients and to be able to account for that care.

Health information is collected in various forms including paper records, computer databases and telephone recordings.

Health information is collected from clients and/or nominated persons and only with the client's **consent** (or that of their authorised representative). Some information is also collected about authorised representatives or carers of clients.

At the time of collection (on admission), clients are informed through the *health information & privacy* component of the *All about us* booklet of:

- the primary purpose for which the information is collected
- how it will be used
- to whom it may be disclosed
- how it is protected
- how they can access it, and
- when and how they can have it corrected.

Health information about a client that is collected from another person but given in confidence is clearly documented as such by RDNS and treated as confidential in line with the *Health Records Act*.

Anonymity

Clients are not obligated to identify themselves or disclose personal or health information about themselves when seeking care. If clients decline to give their identity, RDNS may not be able to provide them with the level of service required and expected.

**Use and disclosure
of personal and
health information**

Health information collected is used and disclosed primarily to provide a client with the best possible health care.

Information used for funding, planning, monitoring, improvement, service evaluation, training, research or statistical purposes is de-identified.

Health information may be disclosed to third parties involved in the client's health care **with** the consent of the client (or authorised representative).

Health information may be used or disclosed **without** the consent of the client:

- in an emergency situation involving a serious and imminent threat to the health, safety or welfare of an individual or the public
- if required, authorised or permitted by or under law
- where the client is incapable of giving consent and it is not reasonably practicable to obtain the consent of an authorised representative or there is no authorised representative
- for research or compilation and analysis of statistics either in the public interest or relevant to public health and safety in accordance with Guidelines issued either by the Federal or the Victorian Health Services Commissioner
- to an immediate family member on the grounds of necessity or compassion and limited to what is reasonable and necessary and the client is incapable of consenting, in line with Health Privacy Principles 2.4(a) to (e)
- where the use is for the purpose of RDNS providing further health services to the client and RDNS reasonably believes that the use is necessary to ensure the further health services are provided safely and effectively.

Data quality

Reasonable steps are taken by RDNS to ensure that once collected and during the episode of care, personal and health information is accurate, complete and kept up to date.

**Security of
personal and
health information**


Reasonable measures are taken by RDNS to protect personal and health information, in whatever form, from misuse, loss, and unauthorised access, modification or disclosure.

Access to and security of client care records left in the home is the responsibility of the client.

All client documentation held in custody by RDNS is at all times stored in secure and locked facilities.

Authorised staff have controlled access to computer systems, electronic databases and telephone recordings containing personal or health information.

RDNS approved encryption facilities are used when sending external emails containing personal or health information. Parties that receive or transmit client information are required to comply with RDNS encryption requirements.

<p>Retention and disposal of personal and health information</p>	<p>For adult clients, health information is retained for 7 years (up to 25 years for minors) after the last episode of care and disposed of in line with RDNS policy and procedure.</p>
<p>Openness</p>	<p>A booklet entitled <i>All about us</i> is given and explained to clients on admission. This booklet explains to our clients in general terms what information is collected, held, used, disclosed, how it is protected and how it can be accessed and corrected.</p> <p>Homeless persons instead receive the <i>Homeless Persons Program</i> brochure.</p> <p>This Information Privacy Policy Statement is located on the RDNS web site (www.rdns.com.au) and paper copies are available to clients and external organisations on request.</p> <p>For further information on RDNS privacy policies and procedures, contact the Privacy Officer, Royal District Nursing Service, 31 Alma Road, St Kilda 3182.</p>
<p>Access and correction</p>	<p>Access</p> <p>The client care record is the property of RDNS. Clients or their authorised representatives have a legal right to access health information contained in the record, unless statutory exceptions apply, for example:</p> <ul style="list-style-type: none"> • legal professional privilege applies • access would pose a serious threat to the life or health of the client or any other person • access would have an unreasonable impact on the privacy of others • information has been given in confidence by another person or non-health organisation • providing access would be unlawful • denying access is required by law • access would be prejudicial to law enforcement or legal proceedings, or • access has previously been provided or refused in the same way. <p>Clients can freely access their health information held in their client care record in the home (but may not remove the record). In all other cases, access requests are directed in writing to the Privacy Officer, Royal District Nursing Service, 31 Alma Road, St Kilda 3182, on a <i>Client information request</i> form. Evidence of the identity or authority of the applicant is required.</p> <p>Normally within 30 days (and up to 45 days in exceptional circumstances) after receiving all necessary details of the request the requestor will be notified in writing of either:</p> <ul style="list-style-type: none"> • the grant of access subject to payment of statutory fees, or • refusal of part or whole access and the reason/s for refusal. <p> If access is granted, clients (or their authorised representative) obtain access within 7 days after the fees are received.</p>

Correction

During an episode of care, a client may inform their nurse of any changes to their personal or health information. Minor clerical amendments such as a change of address or refinement to health information may be made on the spot by the nurse.

A client (or their authorised representative) who believes their health information is inaccurate, incomplete or misleading, may request a correction. The request for correction is made in writing to the Privacy Officer and forwarded to the Client Services Manager of the client's treating support site to action.

The applicant will be notified in writing of the decision on their request within 30 days after the request is received.

Privacy complaints

Privacy complaints should be directed in writing to the Privacy Officer, Royal District Nursing Service, 31 Alma Road, St Kilda 3182. They will be formally recorded and responded to promptly.

If not satisfied with the response, individuals are encouraged to take their complaint to the Health Services Commissioner of Victoria.