

A9.A25 S9.SER.25	THE FIRST STEP PROGRAM PRIVACY AND CLIENT CONFIDENTIALITY POLICY
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Applies to: The First Step Program	Version: 6
Specific responsibility: Chief Executive Officer of the First Step Program	Date approved: 11/12/2021 Next review date: 11/12/2024

Policy context: This policy relates to The First Step Program providing complete confidentiality and privacy for all clients of the program	
Standards or other external requirements	RACGP 5th Edition Accreditation Standards 2017 CLC NACLC Accreditation Scheme 2019

POLICY STATEMENT

All First Step Program client information is private and confidentiality of client information must be maintained at all times. The rights of every client are to be respected. All information collected by this practice in providing a health service is deemed to be private and confidential.

This practice complies with Federal and State privacy regulations including the Privacy Act (1998), the Privacy Amendment (Private Sector) Act (2000) and Victorian Health Records Act (2001) as well as the standards set out in the RACGP Handbook for the Management of Health Information in Private Medical Practice 1st Edition (2002).

Client's medical records are medico-legal documents and are not to be left where they could be viewed by others. Client information is not to be discussed with or shown to staff members unless this is required for the reasonable provision of client care. Client conditions should not be discussed within the hearing of others.

Client information cannot be disclosed to the families of clients or any other party unless the client or their authorised representative has given consent.

Under no circumstances are employees of this practice to discuss or in any way reveal client conditions or documentation to unauthorised staff, colleagues, other clients, family or friends, whether at the practice or outside it, such as in the home or at social occasions. This includes client's accounts, referral letters or other clinical documentation.

First Step Program staff are aware of confidentiality requirements for all client encounters and recognises that significant breaches of confidentiality may provide grounds for disciplinary action or dismissal.

Every employee of this practice is aware of the privacy policy and has signed a privacy statement as part of their terms and conditions of employment. This privacy statement continues to be binding on employees even after their employment has terminated.

Each client has the right to access to their personal information kept by the practice, in accordance with the Commonwealth Privacy Act (1998) & Privacy Amendment (Private Sector) Act (2000).

PROCEDURES

First Step Program

All medical records are stored electronically using Medical Director and Pracsoft. All access to these programs is password protected. All computers that can access Medical Director or Pracsoft are themselves password protected and have automatic log-off procedures. Different levels of access are allowed for different members of staff depending on the kind of information they need to access.

All employees of this practice are issued with the privacy policy and sign a privacy statement as part of their terms and conditions of employment. The policies and procedures of the practice are further explained during the induction of new staff members, and the induction form is signed by the new employee as confirmation that they understand and accept their obligations in relation to client privacy and the confidentiality of medical information. Education and training will be provided to ensure that the staff are kept informed in relation to changes to the privacy laws.

The First Step Program staff (other than the staff of the First Step Legal Service) are not permitted access to any information regarding the legal proceedings of the clients of the First Step Legal Service, including the electronic or hard copy files, without the authority of both the staff of the First Step Legal Service and the client who is the subject of the request. To this end, the staff of the First Step Program must not have access to passwords or other forms of identification that would enable such access. The only exception is the Operations Manager for the purposes of complying with the FSP Computer Security Policy or, in the case of an emergency, and the staff of the First Step Legal Service are not available to provide such access.

The First Step Program staff (other than the staff of the First Step Legal Service) are not allowed to enter the physical premises of the First Step Legal Service office without being accompanied by a member of the First Step Legal Service staff.

First Step Legal Service

The First Step Legal Service staff are not permitted access any information regarding medical treatment and care of the clients of the First Step Program, including electronic files or hard copy files without the authority of both the staff of the First Step Program and the client who is the subject of the request. In the event that information is required, this must be requested in writing and a signed authority from the client must be attached to the written request. To this end, the staff of the First Step Legal Service must not have access to passwords or other forms of identification that would enable such access.

All First Step Legal Service clients must sign authorities allowing for provision of information prior to discussions, correspondence and communication occurring between the staff of the First Step Program and the staff of the First Step Legal Service.

The First Step Legal Service staff are not allowed to position themselves in a manner that will enable them to access information that they are not permitted to access. This includes occupying a desk or office where there is information that they are restricted from accessing.

In the event of ambiguity, the overriding privacy principle, governing all staff of the First Step Program and the First Step Legal Service in the provision of information pertaining to clients, is to ensure that the First Step Legal Service does not override any of the privacy constraints that would otherwise govern the provision of information by the First Step Program to an external legal service. There must always be strict adherence to the privacy laws.

Reviewing and approving this policy	
Review of policy	The First Step Program Board
Approving policy and policy changes	The First Step Program Board Chief Executive Officer
Frequency	Triennially