

LIFE INDEPENDENCE DISABILITY SERVICES

www.lifeindependence.com.au

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INFORMATION MANAGEMENT POLICY

Policy number	13	Version	1
Drafted by	Merryn Farnsworth	Approved by	20/11/2020 manager
Responsible person	Merryn Farnsworth	Scheduled review date	20/11/2020

INTRODUCTION

The protection of any and all personal information collected by Life Independence is of the utmost importance. Personal information is defined in this policy as any information which directly or indirectly identifies a person. Security and protection of privacy is achieved through effective management of that information. The aim of this policy is to outline how information is managed by Life Independence in the variety of forms that are received, held, shared and disposed of by the service.

PURPOSE OF POLICY

The intended purpose of this policy is to provide a guide for Life Independence staff relating to how information is managed. It is also available to outline to customers, supporters and relevant stakeholders how their information is managed and securely stored. The policy describes how individuals or organisations can access client information from Life Independence and various applicable procedures to be followed to ensure the effective management of the information.

Further detailed information relating to how the service protects privacy is available in the services Privacy Policy. This policy provides the steps that are to be taken to ensure security of information kept by Life Independence and when releasing it to an appropriate third party. This relates to how client information is handled by Life Independence in the following circumstances.

- When a client has provided consent for the handling of that information
- What security measures Life Independence will take to protect client information received
- What we will do with your information once the program is finished and/or the information is no longer required
- How Life Independence will deal with the security of electronic data flows received and stored in systems used by the service

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Any person, employee, stakeholder, customer or other interested party reading and working to the detail of this policy should be able to understand the following:

- The relevant state and federal legislation and its requirements that Life Independence works to meet and report on where required
- The peak government and other bodies mandated by law or other requirement that Life Independence answers to and frameworks held by those organisations that the service works to meet
- The principles of information management that Life Independence works to meet

Full understanding is best achieved with the understanding that the service protects private information under the rules, principles, practices and guidelines of several state and federal legislations and the requirements of applicable managing agencies.

SCOPE OF POLICY

This policy applies to any work practices carried out on behalf of Life Independence by any member of staff or any person acting in any capacity that can be taken to be representing Life Independence and its interests. The practices and intent of this policy also apply to any client or relevant stakeholder receiving services from Life Independence.

GUIDING LEGISLATION, RULES, REGULATIONS & GUIDELINES

Anyone that receives service from Life Independence can expect that the service delivered will comply with relevant legislation and guidelines including with the conditions and requirements of:

- National Disability Insurance Scheme Act, 2013
- National Disability Insurance Scheme (Registered Providers of Support) Rules, 2013
- National Disability Insurance Scheme (Procedural Fairness) Guidelines 2018
- National Disability Insurance Scheme (Code of Conduct) rules 2018
- National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018
- NDIS Terms of Business for Registered Providers, 2017
- National Disability Insurance Scheme (Protection and Disclosure of Information – Commissioner) Rules 2018

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- Freedom of Information Act, 1982 (Victoria)
- Health Records Act 2001 (Victoria)
- Privacy and Data Protection Act 2014 (Victoria)
- Privacy Act 1988 (Cwlth)
- Service Information Kit for Funded Agencies, Victorian Department of Health and Human Services, 2018.
- Guidelines to protecting the security of personal information: 'Reasonable steps' under Information Privacy Principle 4.1, Office of the Victorian Information Commissioner
- Privacy and information security guideline for funded agency staff, Victorian Department of Human Services, 2018.
- The Victorian Protective Data Security Framework, 2016, Office of the Victorian Information Commissioner

COMPLIANCE WITH THIS POLICY

As a condition of employment all staff must read and provide written receipt of this policy acknowledging their understanding and commitment to the principles of this policy.

CONSEQUENCES OF NON COMPLIANCE

Should any member of staff be found to be noncompliant with this policy they will be liable to disciplinary action. This may include but is not limited to immediate termination, counselling or other actions compatible with the services mandate and the law.

PROCEDURES

This policy is not designed to be used as a manual on procedures for performing duties on behalf of Life Independence. Should staff require procedural information various companion documents are available through the Life Independence website. Staff are expected to check with available sources for full information relating to policies, legislation and other standards impacting service delivery.

DECLARATION OF INTENT

This policy is intended to show the values of Life Independence in relation to service delivery. It is the intention of Life Independence to have a range of policies, procedures and practices proportional to the size and scope of the service to provide effective services to our clients. This policy codifies that intent into a set of principles that act as an overarching framework of best practice with individual elements that guide our services.

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POLICY PRINCIPLES

Any person receiving service from Life Independence can expect to receive services that address and achieve the following principles of service:

- Act with respect for individual rights to freedom of expression, self-determination and decision-making in accordance with applicable laws and conventions
- Respect the privacy of people with a disability
- Provide Supports and services in a safe and competent manner with care and skill
- Act with integrity, honesty and transparency
- Promptly take steps to raise and act on concerns about matters that may impact the quality and safety of supports and services provided to people with a disability
- Support people with disability to pursue their goals and maximise independence through social and economic participation
- Develop the capacity of people with disability to participate in the community and in employment
- Build a sustainable scheme that is based on insurance principles

COMPLIANCE WITH THIS POLICY

Any person receiving service can expect that Life Independence will have practices for service delivery in place that comply with each of the following:

- Relevant rules, guidelines and policies issued by the NDIA
- Life Independences own Code of Conduct and Customer Service Charter
- Any commonwealth, state or territory laws and any other requirements that are applicable to the registered provider.
- Life Independence will notify the NDIA if the service is in breach of any Commonwealth, State or Territory law, including any Commonwealth, State or Territory law and/or quality and safeguard arrangements
- Life Independence will notify the NDIA if they become subject to an investigation for breach of any of those laws and arrangements listed

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PRACTICE APPLICATIONS FOR USING THIS POLICY

- Personal information is defined as any information, opinion about a person whose identity is known, excluding health information. Examples could include a person's name, address or contact information, Privacy & Data Protection Act, 2014 (VIC).
- Information relating to health relates to a person's physical, psychological or mental health, Health Records Act, 2001 (VIC).

HOW INFORMATION IS USED

Life Independence administers information in a manner that can be reasonably expected while protecting the right of each individual – protected on one hand and made accessible to them on the other. Life Independence adopts the following minimum standards in relation to secure information handling and management:

- Collect only information which the organisation requires for its primary function i.e. delivering Support Services
- Ensure that stakeholders are informed as to why we collect the information and how we administer the information gathered
- Use and disclose personal information only for our primary functions or a directly related purpose, or for another purpose with the person's consent
- Store personal information securely, protecting it from unauthorised access
- Provide stakeholders with access to their own information, and the right to seek its correction
- Manage electronic data flows to ensure effective and secure management of information

INFORMATION HANDLING & CLIENT CONSENT

Staff members or any person representing Life Independence and its interests must not ask for or receive personal information from a client unless the following apply:

- It is legitimately required to facilitate providing a service to the client
- The client signs an information release form authorising receipt of the information
- The client is given access to a copy of the Informed Consent Disclosure Statement explaining the reasons for receiving information, handling and conditions for release of information

Life Independence will likely be required to collect personal and health related information from clients to effectively deliver services. This means we will receive information from you in the form of hard copy forms or electronically.

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INFORMATION HANDLING AND DISTRIBUTION TO OTHER SERVICES

Any staff member or person representing Life Independence and its interests must not disclose any person information or health related information of a client unless one of the following circumstances applies:

- It is legitimately required to facilitate providing a service to the client
- The client signs an information release form authorising receipt of the information
- Life Independence has received a written request from that agency or service on an official letterhead including; name, contact details and address of the client for whom the agency is seeking information, name and signature of the officer, date of the request, information required, specific purpose for which the information is required and legal power enabling receipt of the information

That information will only be transmitted to another agency by using a secure email communication to the recipient or by handing hard copy information to the intended recipient.

HOW INFORMATION IS SECURED

Client information is stored in a secure electronic file or lockable filing cabinet or case which is only accessible by authorised personnel. Client files can contain information such as name, address, contact details and details of provided services.

Hard copy files are only retained for the required amount of time to transfer information into an electronic format to be stored in password protected files. Hard copy client information will be destroyed once it has been electronically saved.

Data stored and/or transferred electronically is done so in accordance with the Victorian Protective Data Security Framework & Standards published by the Victorian Information Commissioner. Electronic data is to be stored in a password protected file accessible only by authorised personnel of Life Independence.

We will also comply with the provisions of the Privacy Amendment Act as it relates to notifiable data breaches in the Commonwealth Privacy Act of 1988. Should a data breach involving an unauthorised access to information meeting the criteria of the amended act occur, the Office of the Australian Information Commissioner (OAIC) will be notified.

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DISPOSAL OF INFORMATION

Record storage and disposal is done in compliance to the Public Records Office, Victoria, Document Destruction Guidelines. This requires that at the completion of service delivery all records will be destroyed if there is no administrative reason to maintain them.