



Policy and Procedure Document

Privacy and Confidentiality - Clients

Applicable to: All Omni-Care Employees/Contractors

Last revision date: 30th of October 2024

Omni-Care is committed to ensuring that client's privacy and confidentiality is respected in every way, always. This requirement is detailed in legislation and through quality standards. Omni-Care's privacy policy is based on the Health Privacy Principles (HPP's) as detailed in the Health Records Act (VIC) 2001 and the Australian Privacy Principles (APPs) as detailed in the Privacy Amendment (Enhancing Privacy Protection) Act 2012 an amendment to the Privacy Act 1988. Further we are bound by privacy clauses in the service agreements we have in place with funding organisations, home care package clients and disability clients. The Aged Care Quality Standards and the NDIS Practice Standards both embody the requirement for privacy and dignity in all aspects of service provision.

This procedure outlines the process for the collection, use and disclosure of personal and health information as well as access and correction, data security and retention.

Collecting information

Omni-Care collects personal information from our clients, support workers, client representatives and the services that refer clients to Omni-Care. The personal information that is collected may include personal details, information about our client's health (medical information) and the services they may access or require, information about their family, primary carers, living arrangements, availability, lifestyle and other information relevant to their care.

It is necessary for us to collect and maintain this information to ensure that the services we provide are tailored to meet the client's individual preferences and needs and that service is safe and in line with best practice.

We only collect information to the extent that we have been provided documented consent directly from the client or via service agreement as detailed by program below.



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Program	Consent
Omni-Care Home Care Packages	HCP Consent Form\Home Care Agreement
NDIS	Disability Service Agreement
Brokered clients	Program level service agreements

Use and disclosure of personal information

Omni-Care provides support to clients who are either elderly, have a disability or a serious medical condition. Supports are provided in their home environment or in the wider community. We use the client's personal information to plan and co-ordinate these services and to inform support workers of the client's situation and support needs. We also use this information to process payment requests and monitor support usage where supports are provided according to budget or plan parameters.

Omni-Care may use personal information to inform the clients funding body or other services involved in the provision of their support, or for training purposes which are for the client's benefit eg upskilling for their program, and in disciplinary and counselling sessions. Clients or their representatives should contact the General Manager (contact details are at the end of this document) if they do not wish us to use their information for this purpose.

We will not provide the client's personal information to any other party or use this information for any other purpose than that for which it was originally intended, without the client's consent. The only exceptions are where we are legally obliged to do so or in an emergency where the client may be incapacitated and not able to provide consent.

Omni-Care employees must not reveal or use, either for their own benefit or that of anyone else, confidential information acquired during their employment either while they are employed, or once employment has ceased. Confidential information refers to any information (**written or oral**) not publicly available.

It is prohibited to share client information or discuss clients outside the scope of the employees work through any medium including person to person, by phone, email, or social media. All conversation regarding clients and co-



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workers must be appropriate, respectful and within the parameters of this procedure.

The requirement for confidentiality is embodied in employment contracts for all Omni-Care employees. Breaches of this procedure will be dealt with according to the Disciplinary and Counselling P&P.

Data Quality

Omni-Care strives to ensure the personal information we hold is accurate, complete and up to date and relevant to the support of clients. However, the accuracy of the information we hold depends largely on the information provided by client's and their representatives. If there is any information in our records, which is incorrect or with which client's do not agree, they have the right to request it be amended. We review client information as their situation changes (refer Feedback Policy and Procedure) and following client review meetings.

Data Security

Omni-Care maintains strict procedures regarding access to personal information. All staff employed by Omni-Care are bound by the aged care and disability code of conducts and are police checked a minimum of every three years if using a National Name Check or every five years if using an NDIS Worker Screening Check (refer Police Check Policy and Procedure).

Office Environment

Omni-Care commits to keeping client information secure and free from misuse, loss or unauthorised use, including restricting access to our offices and files and using secure electronic databases which have security access levels, are password protected and backed up hourly. Our client management system, Goldcare, is hosted by our IT provider, Premier, in a data center (NextDC). All other data is stored on site and backed up hourly to the cloud at two data centres located in Australia. On site hardcopy client and employee files are stored in metal cabinets which are locked outside of business hours.

Support workers are provided with the necessary information to ensure that service is delivered with respect for client dignity and choice and according to



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best practice. Information can be viewed on their mobile device using the mobility plus application which is password protected.

In the main client information is provided to us by people or organisations purchasing support via email and stored in our software system, but can also be received face to face, via fax, or alternatively over the telephone.

In the Field

Our support workers use the Mobility Plus application for attendance as well as service and client information. Data is available for 3 weeks back and two weeks forward. To set up the application a token is to be supplied to the worker to then be entered into the application to allow the device to point to our URL. A username and password are also required for access. The OC IT department has the ability to control access as required including if the phone is lost, when the SW has been terminated or suspended and during periods of leave greater than 3 weeks. There is no capability to print or transfer data from the application.

For the HGM (Home & Garden Maintenance) contractors, timesheets are emailed to them. The timesheet only contains demographic information, such as address or driving instructions. After the completion of each work week the contractor posts the printed timesheet to the office as proof of service or alternatively, scan it and send, and then shred the original document. During the week the contractor needs to store the timesheet in a secure, confidential place in their home.

Under no circumstances are contractors permitted to keep copies of client information after the week of service delivery is complete.

Home Care Package Team members, Support Worker Mentors, and most of the leadership team have laptops with password protected access to Omni-Care systems with Wi-Fi access. The level of access is dependent upon their security level.

Access

Clients have a right to access their personal information (either directly or through a representative) including formal records, registers, post-it and rough notes except where:

- Provision of information would pose a serious threat for others.



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- Information was given in confidence unless that person consents
- Unless it would have an impact on the privacy of others
- If the information relates to existing legal proceeding and would not be disclosable

Clients can access their information several ways as follows:

- See it and take notes.
- Take a copy of the information.
- Request an accurate summary.
- View records and have content explained.

Where information is found to be incorrect Omni-Care will correct information.

Omni-Care will abide by the legal requirement to provide information in the following situations:

- Where information is requested by judicial or quasi-judicial bodies.
- Where it pertains to family violence.
- Where it pertains to child wellbeing and safety.

If a client or member of staff would like to access their personal information, they need to contact the General Manager.

Requests for access to client records can be made in writing addressed to:

The General Manager, Omni-Care Pty Ltd, 110 Chifley Drive, Preston 3072, email - info@omni-care.com.au.

Complaints

All client and staff privacy complaints are recorded on a category 2 Complaint\Compliment Feedback (CCFB) in GoldCare and will be managed according to the Complaints Policy and Procedure.

Clients may escalate issues to the Health Complaints Commissioner at <https://hcc.vic.gov.au/contact> or on 1300 582 113.

All privacy breaches will be dealt with according to the Disciplinary and Counselling policy and procedure and may result in termination of employment.



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Archiving

Once services have ceased, we are required to retain data for 7 years on our premises at 110 Chifley Drive, Preston. Post the archive period documents are confidentially destroyed by a professional document destruction company.

Staff Training

All staff are trained on privacy and confidentiality during orientation or induction at the commencement of their employment (refer Employee Commencement P&P – Support Worker and Employee Commencement P&P – Office and On Call) and as changes are made to this policy and procedure.

Responsibility for procedure:

General Manager

Associated Forms:

[Home Care Agreements](#), [NDIS Service Agreements](#)

Associated Policy/Procedure:

[Police Check Policy and Procedure](#), [Disciplinary and Counselling Policy and Procedure](#), [Feedback Policy and Procedure](#), [SW Bond Agreement Policy and Procedure](#), [Complaints Policy and Procedure](#), [Employee Commencement – Support Worker and Contractor P&P](#), [Employee Commencement – Office and On Call P&P](#).

References:

Health Complaints Commissioner website <https://hcc.vic.gov.au/>

Guidance and Resources for Providers to support the Aged Care Quality Standards, Aged Care Quality and Safety Commission, December 2019.

NDIS Practice Standards and Quality Indicators, NDIS Quality and Safeguards Commission, January 2020.