

Privacy and Confidentiality Policy

4.1 Purpose and Scope

Staffing Options has a responsibility to ensure the privacy and confidentiality of each person receiving and directing support, employees and others.

This policy sets out how Staffing Options manages the information it collects and provides direction to all employees on how to uphold the privacy, confidentiality and dignity of all people connected to Staffing Options.

This policy applies to all records which contain personal and sensitive information about people receiving and directing support from Staffing Options, employees, volunteers, student placements and contractors and any discussions of a sensitive and personal nature.

For the purpose of this policy 'employees' refers to all paid staff, volunteers, student placements and contractors.

4.2 Policy Statement

Staffing Options is committed to maintaining an effective information management system to protect the privacy and confidential information of each person receiving and directing support, employees and others.

Staffing Options will meet its legal obligations and comply with the [Commonwealth Privacy Act 1988](#) and the [Australian Privacy Principles](#) which regulate how services collect, use, disclose and store personal information.

To uphold the Australian Privacy Principles Staffing Options will:

- be open and transparent in the way we collect, use, disclose and store personal and confidential information;
- provide employees with information and induction training on matters relating to upholding the privacy, confidentiality and dignity of all people connected with the organisation; and
- ensure all employees sign a confidentiality agreement prior to commencement with Staffing Options.

Staffing Options is also committed to ensuring appropriate systems are in place to protect the integrity and security of the information it uses and provides including:

- a document control register to maintain the currency of information; and
- ensure read-only policies and procedures are widely available to employees and others.

4.3 Procedures

4.3.1 Privacy Rights

Upon entry into a service with Staffing Options the relevant Coordinator will ensure:

1. the person receiving and directing support is assisted to understand their privacy rights, including their right to:
 - receive all privacy-related information about how Staffing Options will collect, use, disclose, store and destroy personal and confidential information in a mode of communication and terms the person is most likely to understand;
 - access and correct their information;
 - withdraw or change their privacy related consent;
 - involve a representative or independent advocate in relation to any privacy matters between the participant and Staffing Options;
 - lodge a complaint, if Staffing Options has breached its privacy obligations including to external complaint bodies if required.
2. consent is obtained from the person receiving and directing support or an authorised representative and this is documented in the Service Agreement to:
 - collect personal information;
 - disclose their personal information where required;
3. the person receiving and directing support is provided with a copy of Staffing Options' Privacy and Confidentiality Policy on request.

4.3.2 Anonymity and pseudo-anonymity

A person has the option of not identifying themselves or using a pseudonym when making a general inquiry or providing feedback to Staffing Options. However, if a person does not provide Staffing Options with relevant information when requested, the organisation will not be able to provide the supports and services they require.

4.3.3 Collecting personal information from each person receiving and directing support

Staffing Options will, from time to time, receive and store personal information entered onto our website, provided to us directly or given to us in other forms.

Staffing Options will only collect relevant information with a person's consent for the purpose of providing quality support, information and updates about our services. Staffing

Options will take reasonable steps to ensure that the personal information it collects is accurate, up-to-date and complete.

The purpose of collecting relevant personal information may include:

- to assess a person's support needs;
- to develop an individual profile, plan and or Service Agreement;
- to enable coordination between Staffing Options and other services providing support to the person;
- to keep a person's records up to date;
- to process transactions between the person and Staffing Options;
- to enable Staffing Options to comply with its financial and legal obligations.

Information collected is recorded on the relevant CRM Register and is reviewed annually, or earlier if required to ensure the information is accurate, up-to-date and complies with this policy.

4.3.4 Collecting employee's personal information

Staffing Options will only collect relevant information with an employee's consent for the purpose of administering their employment conditions or to comply with Government legislation. This information includes but is not limited to:

- information gathered during the recruitment process;
- information related to training, worker screening and checks, performance appraisals, disciplinary matters, resignations and terminations;
- payroll information.

When collecting employee's personal information Staffing Options will ensure:

- only the minimum required amount of personal information will be collected, used or disclosed;
- employee's personal information will be stored securely and will remain private and confidential and access to this information will be on a need to know basis;
- employee's personal information will not be disclosed to anyone unless required by law or with the employee's written consent;
- employees know they can access their information at any time.

4.3.5 How information is collected

Staffing Options will usually collect information directly from a person in a variety of ways, including when the person interacts with us electronically, via our website or in person. If Staffing Options needs to access personal information from a third party, we will first seek

written consent from the employee or the person receiving support or an authorised representative of the person.

4.3.6 Disclosure of personal information

Staffing Options will not disclose personal information to any third parties unless:

- it is necessary for the provision of support and if written consent has been given by the person or their authorised representative;
- it will prevent or lessen a serious threat to the health, wellbeing and safety of the person or others;
- it is required or authorised by law.

Where we disclose personal information to third parties, we will request that the third party follow this Policy regarding handling your personal information.

4.3.7 Storage and security of personal information

Staffing Options takes the security of personal information seriously and will ensure physical, managerial and electronic procedures are implemented to protect personal information from misuse, loss, unauthorised access, modification or disclosure.

Procedures include:

- hardcopy personal information and records are securely stored in lockable filing cabinets;
- electronic records are securely stored in password-protected electronic files which are protected by Firewalls and backed up regularly;
- only authorised persons have access to Staffing Options' IT systems;
- ensuring our IT and cyber security systems, policies and procedures are implemented and up to date;
- employees only have access to information necessary for them to carry out their professional duties;
- personal information and files are not left on desks or left open on desks or computers;
- computer monitors are kept out of public view;
- electronic data or written information no longer required is archived or destroyed offsite.

4.3.8 Access and correction

Staffing Options aims to ensure the personal information it collects, uses and holds is accurate, complete and up to date.

If a correction is sought, Staffing Options will take steps to correct the information if it is lawful to do so. When a correction has been made, Staffing Options will take all reasonable

steps to ensure the information is accurately documented and passed onto relevant stakeholders.

When a request to access or change personal information is denied a written notice outlining the grounds for denying the request will be sent within 5 days along with Staffing Options' Feedback and Complaints Management Policy.

4.3.9 Archiving and information destruction

Staffing Options will ensure appropriate systems are in place to ensure personal and sensitive information is destroyed or de-identified appropriately after the relevant time period.

Records are grouped as follows:

- service user records
- employee records
- administrative and operational records
- financial records.

The Administration Officer maintains the Archives Register. The register records the date of archiving, the file contents, the archive box name and number, and the file number and date of destruction.

All records after their active time will be kept in archive files ensuring archiving and information destruction processes meet the [Information Privacy Act 2009](#). Records in the archive must be identified and stored in a way that allows for easy access and retrieval when required. Hardcopy archives must be stored securely and in an environment that minimises any potential damage to the documents.

Records which may be required for the federal Royal Commission into Institutional Responses to Child Sexual Abuse must not be destroyed even if there is a disposal authorisation in place.

Record Type	Description	Retention
Audits	Reports	7 years
Business and Operational	Records	7 years
Complaints and Incidents	Forms/Register	7 years
Financial	Records	7 years
Management Meetings	Meeting Agendas and Minutes	2 years
Individuals' Files	Records	7 years NDIS participants 3 years Home Care Participants

	Correspondence/Progress notes	(after the 30th of June in the year in which the person ceased receiving services from SOS) 2 years
Staff Files	Records Correspondence	7 years 2 years

4.3.10 Responding to Privacy Complaints

If a person believes there has been a breach of their privacy and confidentiality, the person is encouraged to raise the issue or lodge a complaint with Staffing Options directly. Staffing Options' contact details can be found on Staffing Options' website at www.staffingoptions.com.au/contact/

Staffing Options will treat the complaint as an incident and if required undertake an investigation to determine the cause of the incident and apply the required corrective measures.

If the person is not satisfied with Staffing Options' response to their privacy complaint the person can complain directly to the Office of the Australian Information Commissioner (OAIC) using the online Privacy Complaint form or by mail, fax or email. https://forms.business.gov.au/smartforms/landing.htm?formCode=APC_PC

A referral to OAIC should be a last resort once all other avenues of resolution have been exhausted.

4.3.11 Data Breaches

Staffing Options will take appropriate, prompt action if we have reasonable grounds to believe that a data breach may have or is suspected to have occurred.

An eligible data breach occurs when the following criteria are met:

- There is unauthorised access to or disclosure of personal information held by an organisation or agency (or information is lost in circumstances where unauthorised access or disclosure is likely to occur).
- This is likely to result in serious harm to any of the individuals to whom the information relates.
- The organisation has been unable to prevent the likely risk of serious harm with remedial action.

Staffing Options will:

- take all reasonable steps to contain the breach;
- where possible, take action to remediate any risk of harm;
- notify individuals and the OAIC where an individual is likely to suffer serious harm (or if otherwise required by law); and
- review the incident and consider what actions can be taken to prevent future breaches.
 - (See the OAIC online [Notifiable Data Breach Form](#))

Further information on the Notifiable Data Breaches Scheme can be found here: <https://www.oaic.gov.au/privacy-law/privacy-act/notifiable-data-breaches-scheme>.

4.3.12 Website

Staffing Options' website uses cookies. Cookies are data that a server sends to a browser to remember information about the users' visits to the site and to store details about their use of the site.

Staffing Options' website also uses Google Analytics which captures website traffic and web page usage. Google Analytics does not identify individual users or associate IP addresses with other data held by Google.

Staffing Options website may contain links to other websites not owned or controlled by us. Staffing Options is not responsible for the privacy practices of other sites.

4.3.13 Monitoring Information Management processes and systems

Staffing Options will ensure regular reviews of information systems are undertaken as part of its Internal Audit Schedule. People receiving and directing support, employees and other stakeholders are encouraged to provide feedback on privacy issues and areas where improvements can be made.