



5. Privacy, Dignity and Confidentiality

This Privacy Policy outlines how Professional Care Services (PCS) complies with our obligations under the Australian Privacy Law. PCS is bound by the Australian Privacy Principles (APPs) that regulate how organisations may collect, use, disclose and store personal information. It also determines how individuals may access and correct personal information held about them.

PCS is committed to ensure that all families and clients understand their right to confidentiality and what the PCS confidential policy entails. During the intake meeting, the client and their family will be provided with information relating to what information is collected and what it will be used for. They will be provided with the directors email to address queries or concerns (sdunnprcs@gmail.com)

1. Our Information Handling Practices

1.1 Why we collect personal information?

Professional Care Services collect personal information to enable us to:

- Provide services, health support or help people access our service to meet their individual requirements;
- Bill clients or other service providers for services rendered;
- Assess, investigate, conciliate, determine or monitor privacy or other complaints;
- Respond to enquiries;
- Distribute information about our activities or publications to people who may have an interest in PCS;
- Employ and pay staff;
- Engage with organisational members;
- PCS will only collect information when required and will only share the information on a need to know basis.



1.2 What type of personal information do we collect?

The personal information we collect may include:

- Images and photographs;
- Date of birth;
- Contact details;
- Family details including family contact details;
- Companion Card Number;
- Medication information;
- Information needed to form a client's Support Plan or Person-Centred Plan;
- Previous employment information including qualifications; and
- Next of kin (where the person is a member of PCS staff).
- Details of amount of days in care to notify the Children's Guardian or designated agency

The type of information we collect includes health and other sensitive information, as well as government identifiers as per clause 1.6.

1.3 Who do we collect information from?

In most circumstances, we collect personal information from the individual to whom the information relates. Information may be collected from clients, their family, guardian or carer; PCS staff, PCS supported employees; PCS Directors and Government and non- Government agencies.

Sometimes we collect personal information from a third party or a publicly available source, but only if it is unreasonable or impracticable to collect it from the individual. In those circumstances, PCS will take reasonable steps, where practicable, to inform the individual that the information is being or has been collected. In some limited circumstances, we collect or obtain consent for the use or disclosure of personal information about an individual from an authorised representative (e.g. where the individual is incapable of providing the information or consent due to an illness or disability).



1.4 Information Use and exchange with other agencies

PCS only uses personal information for the purposes for which the information was collected (e.g. to provide services or support to a person), related purposes where the individual would reasonably expect us to use the information for that purpose, other purposes for which we received consent or otherwise as permitted by the Australian Privacy Principles (APPs). PCS does not give information about a person to other organisations, government agencies or anyone else unless one of the following applies:

- The person has consented;
- The request is in writing
- The person reasonably expects us;
- It is required or authorised by law under Chapter 16A Children and Young Persons (Care and Protection) Act 1998
- We believe the disclosure is necessary to prevent or lessen a serious threat to life, health or safety and it is unreasonable to obtain the person's consent; or
- In other circumstances permitted by the APPs (e.g. if the disclosure is reasonably necessary for law enforcement purposes).
- To meet VOOHC requirements in updating the VOOHC registry
- decide, assessment or plan relating to the safety, welfare or wellbeing of the child or young person, or
- initiate or conduct any investigation relating to the safety, welfare or wellbeing of the child or young person, or
- provide any service relating to the safety, welfare or wellbeing of the child or young person, or
- manage any risk to a child or young person that might arise in the recipient's capacity as an employer or designated agency.

Where we disclose your personal information to third parties for these purposes, we will request that the third party follow this Privacy Policy regarding handling of your personal information. Such third parties may include parties that store data outside of Australia.

Under Chapter 16A in the Children and Young Persons (Care and Protection) Act 1998 PCS will apply the following principles in the exchange of information:

- to share information relating to the safety, welfare or wellbeing of children or young people without consent, where necessary, and whether



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the child or young person is known to Community Services to other agencies

- exchange of information can occur irrespective of whether a report has been made to the Child Protection Helpline
- PCS will notify the child/young person and their guardian what information will be shared with other agencies and their rights to provide feedback
- PCS will provide the child/young person and their family with the brochure *NSW Voluntary Out-of-Home Care Legislation, Information for families* during the intake interview

Under Chapter 16A Children and Young Persons (Care and Protection) Act 1998 PCS may provide information if requested or without a request being made relating to a child or young person to assist another organisation to:

- a mandatory reporter that another organisation is involved with a child or young person and suggesting the mandatory reporter contact this organisation
- a mandatory reporter giving information about a family to a Family Referral Service
- a worker involved with a family who has concerns about a child or young person and believes that a service offered by another organisation would be beneficial
- providing information to support the assessment of a prospective foster carer by a designated out-of-home-care agency
- providing information to assist an organisation to investigate allegations against an employee under Part 3A of the Ombudsman Act 1974.

PCS will provide both written via letter and email and/or oral information when another agency requests information. Should the director, provide any information via telephone or in person, a record of this will be kept in the client's file. The below procedure will be implemented when information has been requested:



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Information exchange request has been done via email/letter or over the telephone.

Staff member

Record the details of the information requested

Inform/forward onto the director within 5 days of receipt of request

Director

Verify:

Ensure that the request for information is from a provider working with the client.

Assess:

Director will provide information if it reasonably believes providing the information will assist the client by:

- a) make a decision or undertake an assessment or plan relevant to the safety, welfare or wellbeing of a child or young person (or a class of children and young people)
- b) initiate or investigate relevant to the safety, welfare or wellbeing of a child or young person (or a class of children and young people)
- c) provide a service relating to the safety, welfare or wellbeing of a child or young person (or a class of children and young people)
- d) manage any risk to a child or young person (or a class of children and young people) that might arise in the agency's capacity as an employer or designated agency.

Declining a request for information: The following reasons outlined are the only reasons why PCS will decline to share information about a client.

- a) endanger a person's life or physical safety
- b) contravene any legal professional or client legal privilege
- c) prejudice the investigation of any contravention or possible contravention of a law, a coronial inquest or inquiry, or care proceedings
- d) enable the existence or identity of a confidential source of information in relation to the enforcement or administration of a law to be ascertained
- e) prejudice the effectiveness of a lawful method or procedure for preventing, detecting, investigating or dealing with a breach or possible breach of a law
- f) not be in the public interest.



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Should PCS director need additional information to support one of the clients and meet the permitted purposes of exchange of information under Chapter 16A, the following process will be implemented to request information:

PCS Director requires additional information related to a client and these meet the permitted purposes outlined under Chapter 16A of the Children and Young Persons (Care and Protection) Act 1998

Director

All requests for information will occur in writing via email after a phone call made to the agency.

Director will clearly identify who the child or young person is and how they are supported by PCS.

Explain how the information requested relates to the safety, welfare or wellbeing of the child

Explain why the information will assist PCS to support the client.

Provide detail so the other agency understands the request.

Inform the provider whether the family/guardian and client has been notified of the request for information.

Give the provider a timeframe of what you would like the information to capture.

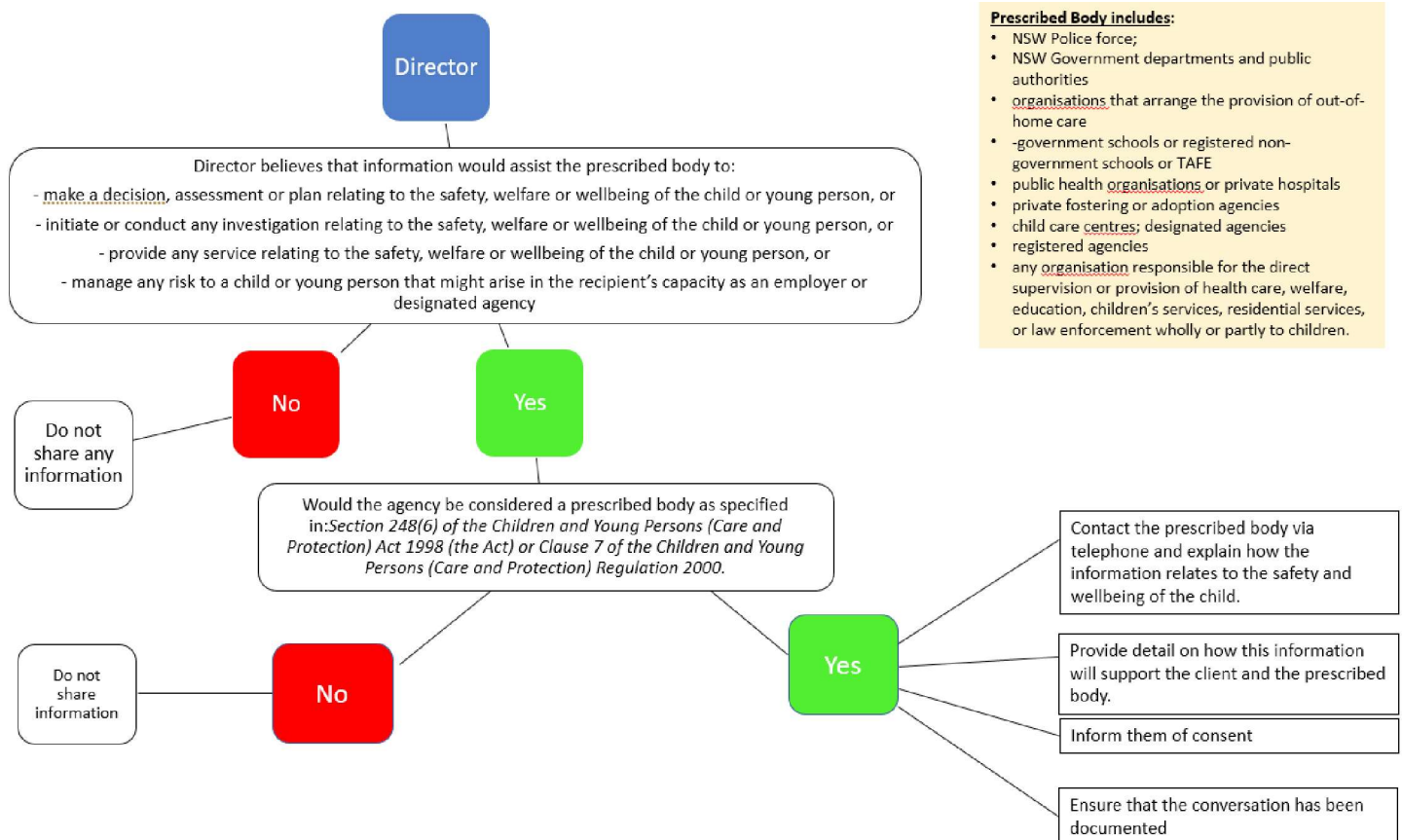
Provide a due date that is mutually convenient for both parties.



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Should the PCS Director feel that the safety, welfare or wellbeing of a child or young person is at risk, they may proactively share information utilising the following process:



- Prescribed Body includes:**
- NSW Police force;
 - NSW Government departments and public authorities
 - organisations that arrange the provision of out-of-home care
 - -government schools or registered non-government schools or TAFE
 - public health organisations or private hospitals
 - private fostering or adoption agencies
 - child care centres; designated agencies
 - registered agencies
 - any organisation responsible for the direct supervision or provision of health care, welfare, education, children's services, residential services, or law enforcement wholly or partly to children.



1.5 Unsolicited Personal Information

When PCS receives unsolicited personal information, we will decide within a reasonable time whether we could have received such information legitimately. If not, we will destroy or de-identify the information unless the information contained involves a Commonwealth record or destroying the information would be unlawful or unreasonable.

1.6 How we treat personal information that is also sensitive information

Sensitive information is a subset of personal information that is given a higher level of protection under the Australian Privacy Principles. In referring to 'sensitive information' it refers to information that relates to racial or ethnic origin, political opinions, religion, trade union or other professional associations or memberships, philosophical beliefs, sexual orientation or practice and criminal records, health information or biometric information.

The types of sensitive information we collect include:

- Disability Pension Number, Medicare Number and other government identifiers;
- Medical information;
- Health Care Support Plan;
- Contact details; and
- Other personal and sensitive information as needed to provide services.

Sensitive information may be used and disclosed for purposes identified in clause 1.1. Sensitive information may also be used or disclosed if required or authorised by law.

2. Quality and Security of Personal Information

2.1 Data quality

PCS takes reasonable steps to ensure that the personal information we collect, use or disclose (and our record of any consent in relation to that information) is relevant, accurate, up to date and complete. These steps include maintaining and updating personal information when individuals advise us that such information has changed.



2.2 Data Security

PCS takes reasonable steps to protect personal information/images we hold against misuse, loss, unauthorised access, modification and disclosure. These steps include password protection for electronic files, locked filing cabinets for paper files, physical access restrictions and taking reasonable steps to ensure that when no longer required personal information is securely destroyed or deleted. PCS adheres to the protocols for maintenance and storage of client and staff information in State and Federal legislation and in specific funding agreements between PCS and State and Federal agencies such as the Department of Family and Community Services and the Department of Social Services.

3. Our Files and You

3.1 Our Types of Files

PCS primarily maintains the following types of files:

- Client Files
- Staff files
- Complaints and feedback files
- Service Delivery and Financial Services
- Contact Lists

3.2 Your rights and controlling your personal information

Providing us with your personal information is optional. You can choose not to provide personal information. When you provide us with your personal information, you consent to the terms in this Privacy Policy, and to us disclosing or receiving such information for these purposes.

You may choose to restrict the collection or use of your personal information. If you have previously agreed to us using your personal information for direct marketing purposes, you may change your mind at any time by contacting us at the email address listed in this Privacy Policy.

3.3 Your provision of third-party information

If you provide us with third party personal information, then you warrant to use that you have the third party's consent to provide this.



4. Access and Correction

4.1 Access

You may request details of personal information that we hold about you, in certain circumstances set out in the Privacy Act. We may refuse to provide such information if unreasonable or if a legal exception applies. We may charge an administration fee for the provision of such information. In addition, PCS will provide the family/guardian with information on interagency communication and what information will be shared.

4.2 Correction

If you believe that any information, we hold about you is inaccurate, out of date, incomplete, irrelevant or misleading, please contact us by email. We rely in part on customers advising us when their personal information changes. We will respond to any request within a reasonable time and will endeavour to promptly correct any information found to be inaccurate, incomplete or out of date.

5. Complaints

If you believe that we have breached the APPs and wish to lodge a complaint, please contact us by email setting out details of the alleged breach. We will promptly investigate your complaint and respond to you in writing setting out the outcome of our investigation, the steps we propose to undertake to remedy the breach and any other follow up that will be implemented.

6. Amendments to Policy

This Privacy Policy may be amended from time to time at our sole discretion. Your continued use of our Site following any amendments indicates that you accept the amendments. You should check the Privacy Policy regularly, prior to providing personal information, to ensure you are aware of any changes, and only proceed to provide personal information if you accept the new Privacy Policy.

7. Contact Us



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If you would like further information about how we handle personal information or would like to lodge a complaint about a possible breach of privacy, please contact Samantha Dunn at Professional Care Services;

sdunnprcs@gmail.com

Alternatively, you can contact us using the details located below:

Phone: 0425819026

Address: 5 Betola Street, Ryde NSW 2112

PO Box 4275 Denistone East NSW 2112



6. Complaints and Feedback Management

Definition

A complaint is whereby an interested party in relation to Professional Care Services expresses dissatisfaction.

Position Statement

At PCS we are committed to providing quality services to individuals and their families. Our service is client and family focused and of a high quality, however in all human services there can be a discrepancy in the service provision. At these times PCS needs to ensure that people can raise their concerns in a safe and constructive way.

PCS staff are committed to responding to all feedback and complaints in a timely and transparent way in line with our policy and procedures and the requirements of the NDIS Quality and Safeguarding Framework

Complaints are integral to the continual improvement of our services. Effective complaint management seeks to improve our communication and working relationships with service users and their families.

During the Intake procedure, children and their parents are informed about the complaints handling policy and provided with a copy of the email address and direct number of Samantha Dunn.

Where a conflict of interest exists or where others may perceive that it does, Professional Care Services expects staff members to declare it to the director. Should the complaint be in relation to the director, an independent investigation will occur by a senior staff member within PCS.

Should the complaint relate to a criminal matter and pose a risk of significant harm to a child, PCS will report this to FACS and the police. If this matter has been referred to the police and FACS, PCS will ensure that a clearance will be obtained prior to undertaking an internal investigation into the matter.

Legislation and Standards