



SECCA POLICY ON SERVICE DELIVERY

Privacy and Confidentiality

Date Adopted: 1998
Date Revised: 2016
Latest Date for Review: 2019



Privacy and Confidentiality

The Australian Privacy Principles (APP) Section 3.4(e) permits the collection of an individual's sensitive information by a not for profit organisation. The following policies and procedures are designed to ensure that details about clients are kept confidential, and only disclosed with the client's permission for the purposes of ensuring that clients are receiving the services they need.

Privacy and Confidentiality in the Psychotherapy Process

Psychotherapy should take place in an area, which provides privacy and confidentiality.

Psychotherapy should occur between the Psychotherapist and the client, and with the client's consent, his/her legal guardian or advocate only.

The Psychotherapist should note any particular privacy requirements of the client eg. the preference for a male and female carer; requests that specific information be withheld from family members etc.

Privacy and Confidentiality of Information

The only information held by **secca** about a client will be information necessary to provide the service. Information should be as non-obtrusive and objective as possible, yet relevant and up-to-date.

The client has the right to withhold information for privacy reasons. Information about a client will not be shared with another agency without the permission of the client or his/her legal guardian or advocate unless all identifying information is withheld. (In accordance with the Australian Privacy Principles (APPs) found in the *Privacy Amendment (Enhancing Privacy Protection) Act 2012*.)

Clients have the right to read any personal information kept about them by SECCA. Requests from clients to access files should be referred to the Manager who should ensure that assistance is provided for the client to access information on his/her file within two weeks.

A staff member should be made available to explain any terminology to the client. (see Personnel Information Consent below).

Information regarding clients will be stored in a filing cabinet, which is kept locked when the office is unattended. This information is only accessible to SECCA Administration, Psychotherapist and Manager.

Revised 2016

Client Records

The procedure for opening files and file movement involves:

- Procedures for the storage, retrieval and re-filing of client records should be developed with the Manager and maintained by the Administrative Assistant;
- File notes should be kept of client contact which involves:
 - referral
 - service provision
 - change in direction of services
 - change of staff working with the client
 - change in circumstances of the client
 - complaints
 - reports/information from other agencies
 - requests from the client for any change in service;
- it is only in circumstances where it is essential that a file be removed from the office that such is permissible. Files removed from the office must be kept such that identifying information is concealed and the file is kept in a secure position;
- files should be stored in the locked filing cabinet when not in use;
- all incoming correspondence relating to clients to be signed off by Manager or Psychotherapist before being filed;
- keys to the filing cabinet holding client records will be held by the Administrative Officer. Keys to the filing cabinet holding general administrative files, will also be held by the Administrative Officer.

Length of Time Records are Held

If a service to a client has stopped being provided, but may need to be resumed at a future date, information relating to the client will be kept in the filing cabinet. If the service will not need to be resumed, the client records will be archived at the end of the financial year.

secca
POLICY ON
SERVICE DELIVERY

Policy on Managing
Protection of Human Rights and
Freedom from Abuse & Neglect

Date Adopted: 1998
Date Revised: 2016
Latest Date for Review: 2018

Managing Protection of Human Rights & Freedom from Abuse & Neglect

Purpose and Scope

In the context of the 9th Disability Services Standard, the purpose of this policy is to uphold the legal and human rights of people with disabilities and to protect them from abuse and neglect. This policy seeks to increase awareness and responsibility in dealing with abuse and neglect promptly.

This policy applies to all paid and unpaid staff, Board of Management Members, students, volunteers and any other person who is directly or indirectly involved in the delivery of a service to the client.

This policy also applies to all clients who receive services from **secca**. Standard 9 only applies to the funded and provided services of the Commission (see correspondence overleaf, 5 May 2005 and 1 December 2006).

Definitions

The definition of abuse is the violation of an individual's human or civil rights by acts of commission or omission by another person or persons. This applies equally to physical, sexual, verbal, emotional or financial abuse.

The definition of neglect is failure to provide adequate guidance, shelter (commission or omission) by those who are responsible for the individual's care resulting in adverse consequences.

- The 9th Standard impacts on Standard 2-8 of the Disability Services Standard which deals with Critical Incidents. It is also supported by International, National and State Acts which legislate for the human and civil rights of individuals. An example of these Acts are:
 - United Nations Declaration of Rights of Disabled (1981)
 - United Nations Standard Rules on Equalisation of Opportunities for Persons with a Disability (1993)
 - Human Rights and Equal Opportunity Act (1986)
 - Disability Discrimination Act 1992
 - Equal Opportunities Act (1984)
 - Disability Services Act (1993)
 - Guardianship & Administration Act (1990)
 - Other laws (Child Welfare, Consumer Protection, Western Australian Criminal Code)

Policy Statement

secca is committed to ensuring the care and protection from abuse of clients who utilize the services provided by our agency. Our agency and staff members have a Duty of Care to ensure our clients will be protected from abuse and neglect. Our agency will take all measure necessary to protect and promote the rights of clients, and to assess and address any concerns about a client's rights to protection from abuse and neglect.

Where appropriate, we will adopt a collaborative framework by working with other agencies to protect and support clients who have been identified as being vulnerable or who are victims of abuse and neglect.

This will be done taking into account the therapeutic relationship and issues of confidentiality as well as the safety of the client.

Procedures

The following procedures will ensure that we meet our policy objective of protecting human rights of clients who use our services and ensure that they are free from abuse and neglect.

Preventing Abuse and Neglect

Introduction and orientation for all Board of Management Members, paid and unpaid staff, students and volunteers will include information on the intent and purpose of the 9th Standard and its supporting standards.

Training, supervision and appraisal procedures for staff and volunteers will reflect the requirements of the 9th Standard.

All staff members will be provided with information and education on the rights of clients.

All clients will be supported to access external advocacy and/or resources.

All staff members and clients will have access to a copy of this policy and its procedures in an appropriate format suitable to their needs.

Standards of care provided will be actively monitored.

Staff behaviour will reflect their understanding that part of their role in safeguarding clients is to monitor colleagues' practices and to raise concerns as appropriate.

Staff members are expected to report such concerns without fear of recrimination or victimization.

The nature of appropriate professional relationships between clients and Board of Management Members, paid and unpaid staff, students or volunteers will be clearly documented.

Opportunities will be provided for private access and communication by clients to social workers, advocates, guardians, and others who have legitimate interest in the client's safety and wellbeing.

Recruitment, selection and training will take into account the requirements of the 9th Standard.

Responding to Abuse and Neglect

Respond in this context means that staff would document the concern or allegation and implement the organisation's internal procedures and protocols. (see DSC correspondence dated December 01, 2006).

It is a personal responsibility of all Board of Management Members, paid and unpaid staff, volunteers and students to report any concerns or allegations of infringement of rights, abuse or neglect promptly to **secca's** Co-Manager at first available opportunity. Staff members will be informed of the supports available to them when they report such concerns.

The Manager will document the concerns and/or allegations in conjunction with the staff member. Documentation will be limited to factual information regarding observation, other information and statements made by the client.

The line manager will investigate the allegation and determine the appropriate course of action. In determining the course of action, they will take into account the information provided by the staff member, any other information available from the client or relevant sources. Appropriate action will depend upon the nature of the complaint or allegation and the level of expertise within the organisation to respond and may include (but not be limited to) the following:

- Documenting the matter and taking no further action at this time.
- Seeking further information from the client, family member, staff and/or others who have a role in the care and support of the client.
- Providing counselling to the client and/or relevant others.
- Engaging the support of an appropriate expert within the organization or externally.
- Formally reporting the matter to an external agency with the legislative power to take appropriate action (e.g.: Police, Department for Community Development or Office of the Public Advocate).
- Assessment should include consideration of the need and/or appropriateness of contacting carers and guardians.
- Information on process of disclosure will be explained to the client.

- Confidentiality will be preserved at all times.
- Staff will be supported with debriefing.
- Where the matter is assessed to be of a serious nature, the Manager will inform the Board of Management.
- Legal advice will be sought where relevant and appropriate.

Performance Standards

The following performance standards must be met to ensure that the procedures are implemented effectively:

All new employees and students have been provided with a copy of **secca's** policy on the Protection of Human Rights and Freedom from Abuse.

secca has responded to disclosures of abuse or violation of human rights within an appropriate timeframe having regard to the threats posed to the client and others behaviour.

Accurate, quantitative written records of the disclosure(s) are maintained and in accordance with **secca's** policy on Privacy and Confidentiality.

secca's Manager is kept informed at all times of disclosures of abuse and violation of human rights.

Review of the Policy

This policy will be reviewed regularly as determined by the Board of Management, or any time the legislative, policy or funding environment is so altered that the policy is no longer appropriate in its current form. The policy will be reviewed immediately and amended accordingly.