

PRIVACY AND CONFIDENTIALITY POLICY AND PROCEDURE

Purpose and Scope

This policy and procedure sets out staff responsibilities relating to collecting, using, protecting and releasing personal information, in compliance with privacy legislation. It applies to all:

- Primacy Care Australia staff.
- aspects of Primacy Care Australia operations; and
- staff and participant personal information.

This policy and procedure should be read in conjunction with Primacy Care Australia *Records and Information Management Policy and Procedure*. It meets relevant legislation, regulations and Standards as set out in Schedule 1, Legislative References.

Applicable NDIS Practice Standards

Information Management

Outcome

Management of each participant's information ensures that it is identifiable, accurately recorded, current and confidential. Each participant's information is easily accessible to the participant and appropriately utilised by relevant workers.

Indicators

- Each participant's consent is obtained to collect, use and retain their information or to disclose their information (including assessments) to other parties, including details of the purpose of collection, use and disclosure. Each participant is informed in what circumstances the information could be disclosed, including that the information could be provided without their consent if required or authorised by law.
- Each participant is informed of how their information is stored and used, and when and how each participant can access or correct their information and withdraw or amend their prior consent.
- An information management system is maintained that is relevant and proportionate to the size and scale of the organisation and records each participant's information in an accurate and timely manner.
- Documents are stored with appropriate use, access, transfer, storage, security, retrieval, destruction and disposal processes relevant and proportionate to the scope of complexity of supports delivered.

Privacy and Dignity

Outcome

Each participant accesses supports that respect and protect their dignity and right to privacy.

Indicators

- Consistent processes and practices are in place that respect and protect the personal privacy and dignity of each participant.
- Each participant is advised of confidentiality policies using the language, mode of communication and terms that the participant is most likely to understand.
- Each participant understands and agrees to what personal information will be collected and why, including recorded material in audio and/or visual format.

Interaction of Applicable Legislation and Associated Definitions

Privacy Act 1988 (Cth) - regulates how personal information about individuals is handled. The Act includes thirteen Australian Privacy Principles (APPs). The APPs set out standards, rights, and obligations for the handling, holding, use, accessing and correction of personal information. The Act protects the privacy of an individual's information where it relates to Commonwealth agencies and private businesses (including not-for-profit organisations) with a turnover of more than \$3 million. **All** organisations that provide a health service and hold health information (other than in a staff record) are covered by the Act.

Health Information – personal information or an opinion about:

- the health, including an illness, disability, or injury, (at any time) of an individual.
- an individual's expressed wishes about the future provision of health services to the individual; or
- a health service provided, or to be provided, to an individual.

that is also:

- Personal Information.
- Other Personal Information collected to provide, or in providing, a health service to an individual.
- Other Personal Information collected in connection with the donation, or intended donation, by an individual of his or her body parts, organs, or body substances; or
- genetic information about an individual in a form that is, or could be, predictive of the health of the individual or a genetic relative of the individual.

Personal Information – information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- whether the information or opinion is true or not; and
- whether the information or opinion is recorded in a material form or not.

Sensitive Information – personal information or an opinion about an individual's:

- racial or ethnic origin.
- political opinions.
- membership of a political association.
- religious beliefs or affiliations.
- philosophical beliefs.
- membership of a professional or trade association.
- membership of a trade union.
- sexual orientation or practices.
- criminal record.

that is also:

- Personal Information.
- Health Information about an individual.
- genetic information about an individual that is not otherwise health information.
- biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or
- biometric templates.

National Disability Insurance Scheme Act 2013 (Cth) – regulates how personal information about NDIS participants is handled by the National Disability Insurance Agency. This limits how the Agency collects and uses personal information and when and to whom information can be disclosed. The Agency must also comply with the *Privacy Act 1988 (Cth)*.

Protected Information – information:

- about a person that is or was held in the records of the Agency; or
- to the effect that there is no information about a person held in the records of the Agency.

New South Wales

Privacy and Personal Information Protection Act 1998 (NSW) – regulates how personal information is handled by NSW public sector agencies including government agencies, local councils, State Owned Corporations, and universities.

Personal Information - information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion. It includes such things as an individual's fingerprints, retina prints, body samples or genetic characteristics. It does not include any of the following:

- information about an individual who has been dead for more than 30 years.
- information about an individual that is contained in a publicly available publication.
- information about a witness who is included in a witness protection program under the Witness Protection Act 1995 or who is subject to other witness protection arrangements made under an Act.
- information about an individual arising out of a warrant issued under the Telecommunications (Interception) Act 1979 of the Commonwealth.

- information about an individual that is contained in a public interest disclosure within the meaning of the Public Interest Disclosures Act 1994, or that has been collected in the course of an investigation arising out of a public interest disclosure.
- information about an individual arising out of, or in connection with, an authorised operation within the meaning of the Law Enforcement (Controlled Operations) Act 1997.
- information about an individual arising out of a Royal Commission or Special Commission of Inquiry.
- information about an individual arising out of a complaint made under Part 8A of the Police Act 1990.
- information about an individual that is contained in Cabinet information or Executive Council information under the Government Information (Public Access) Act 2009.
- information or an opinion about an individual's suitability for appointment or employment as a public sector official.
- information about an individual that is obtained about an individual under Chapter 8 (Adoption information) of the Adoption Act 2000.
- information about an individual that is of a class, or is contained in a document of a class, prescribed by the regulations.

Health Records and Information Privacy Act 2002 (NSW) – regulates how health information is handled by NSW public sector agencies, public sector health organisations, private sector organisations, health service providers and businesses with a turnover of more than \$3 million which hold health information.

Health information –

- personal information that is information or an opinion about:
- the physical or mental health or a disability (at any time) of an individual.
- an individual's express wishes about the future provision of health services to him or her.
- a health service provided, or to be provided, to an individual; or
- other personal information collected to provide, or in providing, a health service.
- other personal information about an individual collected in connection with the donation, or intended donation, of an individual's body parts, organs or body substances.
- other personal information that is genetic information about an individual arising from a health service provided to the individual in a form that is or could be predictive of the health (at any time) of the individual or of a genetic relative of the individual; or
- healthcare identifiers.

Private sector service providers in NSW must comply with the **Privacy Act 1988 (Cth)** and **Health Records and Information Privacy Act 2002 (NSW)** when handling health information.

The **NSW Information and Privacy Commission** administers the HRIP Act and accepts complaints about health information.

South Australia

There is no information privacy law in South Australia. South Australian government agencies are required to comply with a set of **Information Privacy Principles – PC012 Information Privacy Principles Instruction**.

Personal Information - information or an opinion, whether true or not, relating to a natural person or the affairs of a natural person whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

Private sector service providers must comply with the **Privacy Act 1988 (Cth)** when handling health information.

The **Privacy Committee of South Australia** oversees the implementation of the Information Privacy Principles by the South Australian public sector.

The **Health and Community Services Complaints Commissioner** receives complaints about government, private and non-government health and community services.

Victoria

Privacy and Data Protection Act 2014 (Vic) – regulates how personal information is handled by Victorian public sector agencies.

Personal Information – information or an opinion (including information or an opinion forming part of a database), that is recorded in any form and whether true or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion, but does not include information of a kind to which the Health Records Act 2001 applies.

Sensitive Information – personal information or an opinion about an individual's:

- racial or ethnic origin.
- political opinions.
- membership of a political association.
- religious beliefs or affiliations.
- philosophical beliefs.
- membership of a professional or trade association.
- membership of a trade union.
- sexual preferences or practices; or
- criminal record

that is also personal information.

Health Records Act 2001 (Vic) – regulates how health information is handled by the Victorian public and private sectors.

Health Information –

- personal information or an opinion about:
- the physical, mental, or psychological health (at any time) of an individual.
- a disability (at any time) of an individual.
- an individual's expressed wishes about the future provision of health services to them.
- a health service provided, or to be provided, to an individual;
- that is also personal information; or
 - other personal information collected to provide, or in providing, a health service.
 - other personal information about an individual collected in connection with the donation, or intended donation, by the individual of their body parts, organs, or body substances; or
 - other personal information that is genetic information about an individual in a form which is or could be predictive of the health (at any time) of the individual or of any of his or her descendants.

Health service –

- an activity performed in relation to an individual that is intended or claimed (expressly or otherwise) by the individual or the organisation performing it:
- to assess, maintain or improve the individual's health.
- to diagnose the individual's illness, injury, or disability.
- to treat the individual's illness, injury or disability or suspected illness, injury, or disability; or
- a disability service, palliative care service or aged care service.
- the dispensing on prescription of a drug or medicinal preparation by a pharmacist registered under the Health Practitioner Regulation National Law; or
- a service, or a class of service, provided in conjunction with an activity or service referred to above that is prescribed as a health service.

Private sector service providers must comply with the **Privacy Act 1988 (Cth)** and **Health Records Act 2001 (Vic)** when handling health information.

The **Office of the Health Services Commissioner** conciliates complaints between consumers and health care providers.

Queensland

Queensland has privacy legislation that applies only to its public sector, including public sector health service providers. The **Information Privacy Act 2009 (Qld)** regulates how personal information is handled by Queensland public sector agencies.

Health Information –

- personal information about an individual that includes any of the following:
- the individual's health at any time.
- a disability of the individual at any time.
- the individual's expressed wishes about the future provision of health services to the individual; or
- a health service that has been provided, or will be provided, to the individual; or
- personal information about the individual collected for the purpose of providing, or in providing, a health service; or
- personal information about the individual collected in connection with the donation, or intended donation, by the individual of any of the individual's body parts, organs or body substances.

Personal Information - information or an opinion, including information or an opinion forming part of a database, whether true or not and recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

Sensitive Information –

- personal information about the individual that includes any of the following:
- the individual's racial or ethnic origin.
- the individual's political opinions.
- the individual's membership of a political association.
- the individual's religious beliefs or affiliations.
- the individual's philosophical beliefs.
- the individual's membership of a professional or trade association.
- the individual's membership of a trade union.
- the individual's sexual preferences or practices.
- the individual's criminal record; or
- information that is health information about the individual.

Private sector service providers must comply with the **Privacy Act 1988 (Cth)** when handling health information.

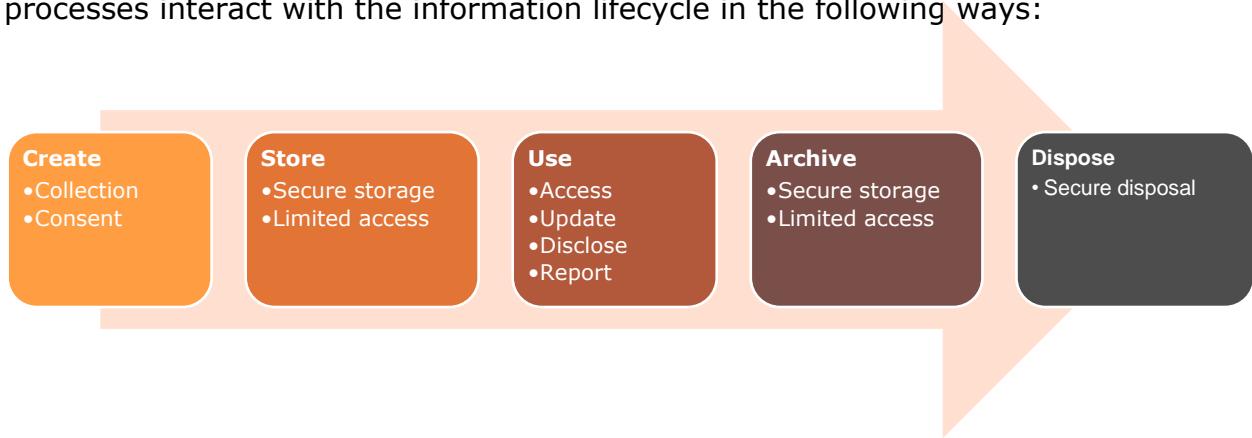
The **Queensland Office of the Information Commissioner** receives and conciliates complaints related to the privacy of health information.

The **Queensland Health Ombudsman** can receive and investigate complaints about health services and health service providers, including registered and unregistered health practitioners.

Policy

Primacy Care Australia recognises, respects, and protects everyone's right to privacy, including the privacy of its participants and staff. All individuals (or their legal representatives) have the right to decide who has access to their personal information.

Primacy Care Australia privacy and confidentiality practices support and are supported by its records and information management processes (see the *Records and Information Management Policy and Procedure*). Privacy and Confidentiality processes interact with the information lifecycle in the following ways:



All staff are responsible for maintaining the privacy and confidentiality of participants, other staff and Primacy Care Australia.

Procedures

General

The Executive Lead is responsible for ensuring Primacy Care Australia complies with the requirements of the *Privacy Act 1988 (Cth)* as well as:

- *Privacy and Personal Information Protection Act 1998 (NSW)*
- *Health Records and Information Privacy Act 2002 (NSW)*
- *Privacy Committee of South Australia Information Privacy Principles – PC012 Information Privacy Principles Instruction (SA)*.
- *Privacy and Data Protection Act 2014 (Vic)*
- *Health Records Act 2001 (Vic)*
- *Information Privacy Act 2009 (Qld)*

This includes developing, implementing, and reviewing processes that address:

- why and how Primacy Care Australia collects, uses, and discloses personal information.
- what information Primacy Care Australia collects about individuals and its source.
- who has access to the information.
- information collection, storage, access, use, disclosure, and disposal risks.
- how individuals can consent to personal information being collected, withdraw, or change their consent and change information about them held by Primacy Care Australia.
- how Primacy Care Australia safeguards and manages personal information, including how it manages privacy queries and complaints; and
- how information that needs to be updated, destroyed, or erased is managed.

The Executive Lead reviews these processes regularly, through annual Privacy Audits (see Primacy Care Australia *Privacy Audit Form* and *Schedule 2. External Audit and Internal Review Schedule*).

All staff are responsible for complying with this policy and procedure and their privacy, confidentiality, and information management responsibilities. Staff must keep personal information about participants, other staff, and other stakeholders confidential, in accordance with the confidentiality provisions in their employment or engagement contract.

As per Primacy Care Australia *Human Resources Policy and Procedure*, all staff must undergo Induction, which includes training in privacy, confidentiality, and information management. Staff knowledge and application of confidentiality, privacy and information management processes is monitored on a day-to-day basis and through annual Performance Reviews. Additional formal and on-the-job training is provided to staff where required.

The Primacy Care Australia *Privacy Statement* must be prominently displayed in the Primacy Care Australia premises and included in Primacy Care Australia *Participant Handbook* and website.

A full copy of this policy and procedure must be provided upon request.

Photos and Videos

Photos, videos and other recordings are a form of personal information. Staff must respect people's choices about being photographed or videoed and ensure images of people are used appropriately. This includes being aware of cultural sensitivities and the need for some images to be treated with special care.

Information Collection and Consent

Participant Information Collection and Consent

Primacy Care Australia will only request personal information that is necessary to:

- assess a potential participant's eligibility for a service.
- provide a safe and responsive service.
- monitor the services provided; and
- fulfil government requirements for non-identifying and statistical information.

Personal participant information that Primacy Care Australia collects includes, but is not limited to:

- contact details for participants and their representatives.
- details for emergency contacts and people authorised to act on behalf of participants
- Participants' health status and medical records
- medication records
- service delivery intake, assessment, monitoring and review information.
- assessments, reviews, and service delivery records
- external agency information
- feedback and complaints
- incident reports
- consent to photograph for marketing purposes.
- consent forms

Prior to collecting personal information from participants or their representatives, staff must explain:

- that Primacy Care Australia only collects personal information that is necessary for safe and effective service delivery.
- that personal information is only used for the purpose it is collected and is stored securely;
- what information is required.
- why the information is being collected and how it will be stored and used.
- the occasions when the information may need to be shared and who or where the information may be disclosed to.
- the participant's right to decline providing information.
- the participant's rights in terms of providing, accessing, updating, and using personal information, and giving and withdrawing their consent; and
- the consequences (if any) if all or part of the information required is not provided.

Meet and Greets should contain the following disclosure Primacy Care Australia will only request personal information that is relevant to the service they are providing. At any stage you can refuse this.

Participants must be provided with Primacy Care Australia *Privacy Statement* and informed that a copy of this policy and procedure is available on request.

Staff must provide privacy information to participants in ways that suit their individual communication needs. Written information can be provided in different languages and Easy English or explained verbally by staff. Staff can also help participants access interpreters or advocates where required.

After providing the above information, staff must use a *Consent Form* to:

- confirm the above information has been provided and explained; and
- obtain consent from participants or their legal representatives to collect, store, access, use, disclose and dispose of their personal information.

Participants and their representatives are responsible for:

- providing accurate information when requested.
- completing Consent Forms and returning them in a timely manner.
- being sensitive and respectful to other people who do not want to be photographed or videoed; and
- being sensitive and respectful of the privacy of other people in photographs and videos when using and disposing of them.

NDIS Audits

Primacy Care Australia complies with the requirements of the *National Disability Insurance Scheme (Approved Quality Auditors Scheme) Guidelines 2018* whereby participants are automatically included in audits against the NDIS Practice Standards. Participants may be contacted at any time by an NDIS Approved Quality Auditor for an interview, or for their participant file and plans to be reviewed.

Participants who do not wish to participate in these processes can notify any staff member, who must inform the relevant Service Delivery Coordinator in writing. Their decision will be respected by Primacy Care Australia and will be documented in their participant file. Upon commencement of any audit process, Primacy Care Australia notifies its Approved Quality Auditor of participants who have opted-out of the audit process.

Staff Information Collection and Consent

Personal staff information that Primacy Care Australia collects includes, but is not limited to:

- tax declaration forms
- superannuation details
- payroll details
- employment / engagement contracts
- personal details
- emergency contact details
- medical details
- NDIS Worker Screening Checks, Police Checks and Working with Children Checks
- qualifications
- First Aid, CPR, Anaphylaxis and other relevant certificates
- personal resumes

Where relevant, forms used to collect the above information will also obtain the staff member's consent to collect, store, access, use, disclose and dispose of their personal information.

Storage

Refer to the *Records and Information Management Policy and Procedure* for details on how Primacy Care Australia securely stores and protects staff and participant personal information.

Access

Staff personal information must only be accessed the Management Team, who may only access the information if it is required in order to perform their duties.

Staff must only access participants' personal information if it is required in order to perform their duties.

Staff and participants have the right to:

- request access to personal information Primacy Care Australia holds about them, without providing a reason for requesting access.
- access this information; and
- make corrections if they believe the information is not accurate, complete, or up to date.

All participant access or correction requests must be directed to a relevant staff member responsible for the maintenance of the participant's personal information. All staff access or correction requests must be directed to the Executive Lead. Within 5 working days of receiving an access or correction request, the responding staff member will:

- provide access, or explain the reasons for access being denied.
- correct the personal information, or provide reasons for not correcting it; or
- provide reasons for any anticipated delay in responding to the request.

An access or correction request may be denied in part or in whole where:

- the request is frivolous or vexatious.
- it would have an unreasonable impact on the privacy of other individuals.
- it would pose a serious threat to the life or health of any person; or
- it would prejudice any investigations being undertaken by Primacy Care Australia or any investigations it may be the subject of.

Any participant access or correction requests that are denied must be approved by the Executive Lead and documented on the participant's file.

Any staff access or correction requests that are denied must be approved by the Management Team and documented on the staff member's file.

Disclosure

Participant or staff personal information may only be disclosed:

- for emergency medical treatment.
- to outside agencies with the person's permission.
- with written consent from someone with lawful authority; or
- when required by law, or to fulfil legislative obligations such as mandatory reporting.

If a staff member is in a situation where they believe that they need to disclose information about a participant or other staff member that they ordinarily would not disclose, they must consult the Service Delivery Lead before making the disclosure.

International Disclosure

Under the *Privacy Act 1988*, before Primacy Care Australia discloses personal information to an overseas recipient, it must take reasonable steps to ensure the overseas recipient does not breach the Principle 8 of the Australian Privacy Principles (APPs).

The Executive Lead is responsible for undertaking these investigations.

This requirement does not apply if:

- the overseas recipient is subject to a law or binding scheme that has the effect of protecting the information in a way that is substantially similar to protection given under the APPs, and
- there are mechanisms available to enforce that protection.

Reporting

Notifiable Data Breaches Scheme

The Notifiable Data Breaches (NDB) Scheme is a national scheme that operates under the *Privacy Act 1988 (Cth)*. requires organisations to report certain data breaches to people impacted by the breach, as well as the Australian Information Commissioner.

A data breach occurs when personal information about others is lost or subject to unauthorised access. A data breach may be caused by malicious action, human error or a failure in information management or security systems.

Examples of data breaches include:

- loss or theft of devices (such as phones, laptops, and storage devices) or paper records that contain personal information.
- unauthorised access to personal information by a staff member.
- inadvertent disclosure of personal information due to 'human error', for example an email sent to the wrong person; and
- disclosure of an individual's personal information to a scammer, as a result of inadequate identity verification procedures.

In addition to harm caused to people who are the subject of data breaches, an incident like this may also cause Primacy Care Australia reputational and financial damage.

Further detail about the NDB Scheme is contained in the [Data Breach Preparation and Response – A Guide to Managing Data Breaches in Accordance with the Privacy Act 1988 \(Cth\)](#), published by the Office of the Australian Information Commissioner (OAIC).

Primacy Care Australia *Data Breach Response Plan* outlines its strategy for containing, assessing and managing data breach incidents.

Identifying a Notifiable Data Breach

A Notifiable Data Breach, also called an 'eligible data breach', occurs when:

- there is unauthorised access to or disclosure of personal information, or information is lost in circumstances where unauthorised access or disclosure is likely to occur.
- the disclosure or loss is likely to result in serious harm to any of the people that the information relates to. In the context of a data breach, serious harm may include serious physical, psychological, emotional, financial, or reputational harm; and
- Primacy Care Australia has been unable to prevent the likely risk of serious harm through remedial action.

All potential or actual data breaches must be reported to the Executive Lead, who will determine Primacy Care Australia response and whether the breach needs to be reported under the NDB Scheme.

If Primacy Care Australia acts quickly to remediate a data breach and as a result it is not likely to result in serious harm, it is not considered a Notifiable Data Breach.

Responding to a Data Breach

If the Primacy Care Australia suspects that a data breach is notifiable under the NDB Scheme, they must make an assessment to determine if this is the case.

If the Executive Lead believes that the data breach is notifiable under the NDB Scheme, they must notify Primacy Care Australia Data Breach Response Team. This team comprises the:

- Executive Lead as Team Leader, responsible for leading the response team and reporting to the Management Team.
- Executive Lead as Project Manager, to coordinate the team and provide support to its members.
- Team Leader (a senior staff member/privacy officer), to bring privacy expertise to the team.
- Law Path as legal support, to identify legal obligations and provide advice.
- Executive Lead as risk management support, to assess the risks from the breach.

- National Office Manager as Information and Communication Technology (ICT) or forensics support, to help establish the cause and impact of a data breach that involves ICT systems.
- Executive Lead to provide information and records management expertise, assist in reviewing security and monitoring controls related to the breach (for example, access, authentication, encryption, audit logs) and provide advice on recording the response to the data breach.
- National Office Manager as Human Resources support, if the breach was due to the actions of a staff member; and
- Executive Lead to provide media/communications expertise and assist in communicating with affected individuals and dealing with the media and external stakeholders.

The Data Breach Response Team must notify all impacted individuals of the breach as soon as is practicable.

All data breach incidents (whether notifiable or not) must be responded to in accordance with Primacy Care Australia *Data Breach Response Plan* and recorded in Primacy Care Australia *Incident Register*, with relevant actions tracked in its *Continuous Improvement Register* where appropriate.

Where a breach is referred to the Data Breach Response Team, its response will be based on the following steps:

- **Step 1:** Contain the data breach.
- **Step 2:** Assess the data breach and the associated risks.
- **Step 3:** Notify individuals and the Australian Information Commissioner; and
- **Step 4:** Prevent future breaches.

See Primacy Care Australia *Data Breach Response Plan* for further detail.

Notifiable Data Breaches Involving More Than One Entity

The NDB Scheme recognises that personal information is often held jointly by more than one entity. For example, one entity may have physical possession of the information, while another has legal control or ownership of it. Examples include:

- where information is held by a cloud service provider.
- subcontracting or brokering arrangements; and
- joint ventures.

In these circumstances, an eligible data breach is considered the responsibility of both entities under the NDB Scheme. However, only one entity needs to take the steps required by the NDB Scheme and this should be the entity with the most direct relationship with the people affected by the data breach. Where obligations under the Scheme (such as assessment or notification) are not carried out, both entities will be in breach of the Scheme's requirements.

Other Reporting Requirements

The Executive Lead must immediately notify the NDIS Commission if they become aware of a breach or possible breach of privacy legislation.

Data breaches may also trigger reporting obligations outside of the *Privacy Act 1988*, such as to:

- Primacy Care Australia financial services provider.
- police or other law enforcement bodies.
- the Australian Securities and Investments Commission (ASIC).
- the Australian Prudential Regulation Authority (APRA)
- the Australian Taxation Office (ATO).
- the Australian Transaction Reports and Analysis Centre (AUSTRAC).
- the Australian Cyber Security Centre (ACSC).
- the Australian Digital Health Agency (ADHA).
- NSW Information and Privacy Commission
- the NDIS Commission,
- Privacy Committee of South Australia Information Privacy Principles – PC012 Information Privacy Principles Instruction.
- Privacy Committee of South Australia
- Health and Community Services Complaints Commissioner
- Office of the Health Services Commissioner,
- Federal, State or Territory Government departments.
- Professional associations and regulatory bodies; and
- insurance providers.

Victorian Protective Data Security Standards (Relevant in Victoria)

The Victorian Protective Data Security Standards (VPDSS) form part of the Victorian Protective Data Security Framework (VPDSF) and establish 18 high level mandatory requirements to protect data security across the Victorian public sector, including service delivery organisations.

The standards cover information, personnel, ICT and physical security. Each standard is supported by four protocols. The Standards are regulated by the Office of the Victorian Information Commissioner (OVIC).

To ensure Primacy Care Australia full compliance with the Standards, the Executive Lead will:

- work with the Victorian Government with respect to the risk-based reporting arrangements it is developing to ensure Primacy Care Australia is taking suitable steps to protect participant data.
- to establish an initial cybersecurity baseline, consider implementing the Australian Signals Directorate's 'Essential Eight', which are a prioritised list of practical actions organisations can take to make their computers more secure. More detail can be found at: <https://www.asd.gov.au/publications/protect/essential-eight-explained.htm>;
- assess Primacy Care Australia compliance with the Essential Eight and remediate any identified gaps.
- subscribe to the 'Stay Smart Online' website at: <https://www.staysmartonline.gov.au>. This website provides advice about smart online behaviour and how to respond to online threats; and
- assess Primacy Care Australia against Question 13 of the Department of Health and Human Services' Organisation Compliance Checklist (regarding protective data security). The checklist can be found at <http://fac.dhhs.vic.gov.au/organisation-compliance-checklist>.

Archiving and Disposal

Refer to the *Records and Information Management Policy and Procedure* for details on how Primacy Care Australia archives and disposes of participants' personal information.

Supporting Documents

Documents relevant to this policy and procedure include:

- *Consent Form*
- *Records and Information Management Policy and Procedure*
- *Data Breach Response Plan*
- *Continuous Improvement Register*
- *participant Handbook*
- *Privacy Statement*
- *Privacy Audit Form*

Monitoring and Review

This policy and procedure will be reviewed at least every two years by the Executive Leadership Team. Reviews will incorporate staff, participant, and other stakeholder feedback.

Primacy Care Australia feedback collection mechanisms, such as staff and participant satisfaction surveys, will assess:

- satisfaction with Primacy Care Australia privacy and confidentiality processes.
- whether stakeholders have received adequate information about privacy and confidentiality; and
- the extent to which participants and their supporters feel their privacy and confidentiality has been protected.

Primacy Care Australia *Continuous Improvement Register* will be used to record improvements identified and monitor the progress of their implementation. Where relevant, this information will be considered as part of Primacy Care Australia service planning and delivery processes.

DOCUMENT CONTROL

Version No.	Issue Date	Document Owner
1	10/02/2023	Executive Lead
Version History		
Version No.	Review Date	Revision Description
1	February 2023	Policy and Procedure Created to meet Quality and Safeguard Commission Practice Standards.