

Confidentiality and Privacy

*This policy relates to the following standards of the NSW Standards for Statutory Out-of-Home Care:
Standard 7 – Confidentiality and Privacy*

Policy

Burrun Dalai respects and maintains the rights of children, young persons and their natural families to confidentiality and privacy.

Burrun Dalai will ensure that the agency's policy and procedures for confidentiality is maintained at all times.

This includes:

- Children, young people and their families have a right to confidentiality of information about them.
- Information is only to be collected regarding issues that are pertinent to Burrun Dalai's service.
- Information is only shared on a "need to know" basis within the Service or to carer/s.
- Information of a personal nature is kept in a secure place
- Protocols for sharing information with outside agencies/organisations
- In what circumstances informed consent of the young person will be sought for release of information within or without the Service
- The need for staff to be trained in confidentiality
- The right of children or young persons and their families to access personal information kept about them.

Burrun Dalai ensures that the Service also maintains its Staff Confidentiality and Security Policy.

Procedures

1. Burrun Dalai ensures that all staff have a clear understanding of their responsibilities to maintain confidentiality. Staff will participate in training or workshops on confidentiality. The Chief Executive Officer is to ensure that all staff sign Burrun Dalai's Code of Conduct which includes a confidentiality clause.
2. Burrun Dalai ensures that all information on children or young persons and their families is kept in a secure filing lockable cabinet or room, so that only those who need to access

it can do so. Staff are to ensure that files are stored in the correct place when they are not being used. Files are not to be left unattended around the office.

3. Burrun Dalai ensures that the agency's systems are secured to protect confidentiality of documents containing personal information about children or young persons and their families. Burrun Dalai ensures that when sending personal information by facsimile (fax) line, e-mail, registered mail and locked bag with couriers that confidentiality is maintained. When sending a confidential fax, the person sending it must phone the recipient and ensure that someone is able to pick up the fax immediately so that it is not left unattended. Personal information and documents must be posted by registered post.
4. Burrun Dalai ensures that when interviewing children or young persons and their families, that they have access to privacy at the office or within their foster carer's home and family's home. All staff members involved in interviews and conversations with children, young people and their families are responsible for ensuring privacy. Particular care is to be taken when conversations occur in a public place.
5. Burrun Dalai ensures that disruptions or intrusions into the privacy of children or young people in out-of-home care is minimised. Caseworkers are to keep a balance of sufficient contact to monitor the quality of care without intruding on their individual need for privacy. The caseworker must ask the child or young person about their privacy needs. Staff must listen and negotiate with children or young person's to establish a duty of care and lack of intrusiveness.
6. Burrun Dalai ensures that when promoting the Service, the dignity and privacy of children and young people is not compromised. When publications of children or young persons are used for promotional purposes, consent from the child or young person is to be obtained before any publication can be made. Staff do not have the authority to arrange publications without the approval of the Chief Executive Officer. The Chief Executive Officer is to authorise any proposed advertising or publication before it can proceed.
7. Caseworkers will only use assessment tools that are developed to gather information for the wellbeing of the child or young person and that is pertinent to Burrun Dalai's service delivery.
8. Burrun Dalai will not release any information, pictures or identifying material in regard to children, young people or their families that are engaged with the service. The names or other identifying information is not to be published. The authorisation of the Executive Officer is to be obtained before such material is released.

Attachments

- **Burrun Dalai Code of Conduct**