

GUIDE TO PRIVACY POLICY TEMPLATE

ABOUT THIS POLICY AREA

This policy guides how the organisation protects the privacy of clients.

A written privacy policy is required as part of meeting Standard 4 (Confidentiality and privacy).

Standard 4 — confidentiality and privacy

The organisation develops, implements and reviews policies and procedures for protecting the privacy of clients, consistent with privacy and other legislative requirements.

Policy checklist

The following checklist will help you check that an existing policy covers this area adequately.

The policy should:

- ☐ describe how the organisation ensures that it is compliant with relevant legislative requirements in relation to privacy
- ☐ describe how the organisation complies with the privacy requirements of the service agreement with respect to:
 - provision of a privacy notice to clients
 - processes for the safe, secure and systematic collection, use and storage of up-to-date client data (in hard copy and/or electronically), including information about limits to confidentiality and consent to the sharing of information
- ☐ explain how all dimensions of privacy are respected, including:
 - privacy of the body
 - privacy of the home (where applicable)
 - cultural issues relating to privacy
- ☐ indicate the ways that physical space is arranged for people using services to speak with employees and volunteers, and how privacy is organised when sensitive matters are being discussed
- ☐ describe how private information is requested, shared or used only when directly relevant to service delivery
- ☐ contain clear procedures and actions
- ☐ indicate the timing of any actions
- ☐ show when it was approved
- ☐ show when it was last reviewed.

COMPLETING YOUR PRIVACY POLICY

Using the policy template

The template provides some example statements. You can adapt these statements and include them in your policy or write your own statements to better suit the operations and services of your organisation.

To customise the policy template, click on the shaded sections <<Insert text>> and insert the information that is specific to your organisation.

When you have completed the policy template, delete the shaded instruction sections such as: [Refer to the privacy policy template guide for questions and/or examples to consider when customising this section.](#)

For further information on using the policy guides, refer to the information in *Using the policy templates and guides*.

Guidelines for each section of your policy

1. Purpose

When identifying the purpose of the policy, consider how it might apply to your client group/s, to all staff, volunteers, board or management committee members, anyone else who acts on behalf of the organisation (for example, contractors), and other agencies you work with. Do you need to make specific statements to ensure you are inclusive of particular groups, such as Aboriginal and Torres Strait Islander peoples, Australian South Sea Islanders, people from culturally and linguistically diverse backgrounds and people with a disability?

There is a legal requirement to protect client privacy, but your purpose statement should also express the importance of privacy for individuals.

2. Scope

To determine the scope of the policy, consider the following questions:

- Does this policy apply to all your organisation's services and to all clients and agencies?
- Are all staff, volunteers, board or management committee members and contractors bound by this policy?
- Is all client information, whether written, verbal or electronic covered?
- In what circumstances might your organisation be legally allowed or required to disclose information about a client?

3. Policy statement

If you are adopting the policy statement in the template, consider whether there are any additional commitments your organisation wants to make.

In identifying the actions your organisation will take to implement this policy, you should include the following:

- meeting legal and ethical obligations as employees, volunteers and managers in relation to protecting the privacy of clients
- providing clients with information about their rights regarding privacy
- ensuring privacy for clients when they are being interviewed or discussing matters of a personal or sensitive nature with staff or volunteers.

4. Procedures

The procedures describe how your organisation achieves the aims and goals you have outlined in your purpose, scope and policy statement.

4.1 Privacy

Summarise the key points in the legislation that relate specifically to your service:

- The federal *Privacy Act 1988* requires organisations to meet 10 privacy principles in relation to the way they provide services to clients. These can be found listed on the Privacy Commissioner's website at: <http://www.privacy.gov.au/act/index.html>
- The Queensland Privacy Scheme is not mandatory for NGOs, but elements of it that enhance the rights of your clients may be adopted as good practice. Information about the scheme can be found at: <http://www.justice.qld.gov.au/dept/privacy.htm>

Explain the information you provide to clients about their rights regarding privacy.

Describe the steps employees, volunteers and managers are required to take to protect the privacy of clients.

Give evidence of how physical space is arranged to provide privacy for clients, particularly when they are discussing sensitive or personal matters. Issues considered should include:

- the layout of the public spaces and the positions of desks where phone calls may be made by staff discussing clients, ensuring personal information about clients does not inadvertently become available to other clients
- private interview space on the organisation's or other agencies' premises
- undertaking home visits
- appointments outside opening hours etc.

Describe the options available for staff, volunteers and clients to use private spaces (such as interview rooms), to request a home visit, to make an appointment outside opening hours.

5. Other related policies and documents

List the other policies related to the privacy policy. The policy should be linked to:

- client records policy
- confidentiality policy
- access to confidential information policy.

6. Review processes

Consider how often the policy should be reviewed and the process for doing this:

- **frequency of review:** Most policies benefit from an annual review. The experience of implementing the policy is used to decide which changes are necessary. Consider reviewing your privacy policy as part of an annual review of your organisation's policies or, if your organisation is small, perhaps over a three-year period. Critical incidents may prompt you to review the policy ahead of schedule.
- **responsibility for the review:** In most organisations, the person accountable for client service would be responsible for reviewing this policy. In small organisations, this may be the coordinator or manager. In larger organisations, this may be a client service manager or an administration manager.
- **process for the review:** Decide which particular staff, volunteers, external people and organisations will provide input to the policy review, and how clients will be involved.

- **decision-making process:** Who will review draft changes to the policy and approve changes? What will be the timeframe for the review process?
- **documentation and communication:** What records of the policy review process are needed? How will changes to the policy be communicated to staff implementing the policy? In a small organisation, this may be as simple as noting the changes at a staff meeting. In a larger organisation, an email memo may be needed.
- **key questions for the review:** Have there been any significant changes to the Privacy Act? Is the policy being implemented? Are procedures being followed? Is the policy clear? What has changed that may prompt a change to the policy? Have particular stakeholders had difficulty with any aspect of the policy? Can their concerns be resolved? How does the policy compare with that of similar organisations?