

**Q110**

**ACCESS TO CONFIDENTIAL INFORMATION POLICY**

**Policy statement**

Enhanced Lifestyles (EL) and Lifestyle Assistance and Accommodation Service (LAAS) is committed to transparency in its operations and to ensuring it is open to public scrutiny. It must also balance this with upholding the rights of individuals to privacy and of the organisation to confidentiality on sensitive corporate matters.

Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service will prevent unauthorised persons gaining access to an individual's confidential records and permit individuals access to their own records when this is reasonable and appropriate. Accordingly, access to some Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service documents and records will be limited to specified individuals only.

This policy applies to the internal records, Customer/Client records and unpublished materials of Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service.

This document complies with NDIS 2018, standard 1.3 Privacy and Dignity and ACIS 2013 standards, section 1.4 Confidentiality. This document is readily available to all Customers/Clients and employees of Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service including The Boards.

<b>Policy context:</b> This policy relates to	
Legislation or other requirements	Federal Privacy Act (1988) Australian Privacy Principles
Contractual obligations	Customer Service Agreements Confidentiality Agreements

**Information Management**

**Customer/Client records**

Customer/Client records will be confidential to Customers/Clients and to the Enhanced Lifestyles (EL) and Lifestyle Assistance and Accommodation Service (LAAS) operational team.

Information about Customers/Clients may only be made available to other parties with the consent of the customer, or in the case of authorised personnel undertaking investigations.

**Q110**

**ACCESS TO CONFIDENTIAL INFORMATION POLICY**

All Customer/Client records will be kept securely within the organisation's file management system and updated, archived and destroyed according to the organisation's Customer/Client records policy.

**Board/Management Committee**

Board/Management Committee minutes will only be open to Customers/Clients of the organisation once accepted by the Board/Management Committee only if and when called upon, except where the Board/Management Committee passes a motion to make any specific content confidential.

The minutes, papers and materials from any Sub-Committee meeting will be open to Board/Management Committee members and employees only if and when called upon, with the exception of information relating to any matter the Finance and Risk Sub-Committees deem confidential.

**Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service Customer/Client records**

Lists of current Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service Customers/Clients will be available on request to Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service Board/Management Committee members and relevant employees only. Personal information about Customers/Clients (including address and contact details) is confidential and may only be accessed by the Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service operational team.

**Personnel files**

A personnel file is held for each employee and contains:

- contact details and contact details in case of an emergency
- a copy of the employee's contract
- all correspondence relating to job description changes, salary changes, leave entitlements such as long service leave, continuous service leave, unpaid and parental leave.

Access to personnel information is restricted to:

- the individual employee accessing their own file upon request to People and Culture.
- the Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service management team and relevant People and Culture employees only.

## Q110

## ACCESS TO CONFIDENTIAL INFORMATION POLICY

An employee may not have access to information held about them when any disciplinary action investigation is being undertaken.

### Corporate records

Corporate records are those that contain confidential or commercially sensitive information about the organisation's business. They include:

- The financial accounts and records
- Taxation records
- Corporate correspondence with all regulating bodies and other relevant bodies.
- The corporate key and other access or user name information
- Records of staff or other internal meetings
- Project management files
- Contracts between the organisation and other parties

Access to these records is limited to the Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service management team and nominated Board/Management Committee members.

### Requests for access – general records

All records and materials not falling into the categories above may be released to the public at the discretion of the Chief Executive Officer.

Any request for access to information should be directed to the senior management, who will:

- make available to employees or Board/Management Committee members information that they are entitled to access
- refer any request from Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service Customers/Clients or the public for access to the organisation's records or materials to the Chief Executive Officer

Requests for access must be made by the Customer/Client in writing. If the Customer/Client is unable to make the request in writing a form will be made available for them to sign at the Enhanced Lifestyle's head office.

In considering a request, the management team will take into consideration:

- a general presumption in favour of transparency

**Q110**

## **ACCESS TO CONFIDENTIAL INFORMATION POLICY**

- the relevant provisions of the Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service constitution regarding information to be made available to Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service members
- the business, legal, and administrative interests of Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service, including commercial confidentiality and privacy obligations.

Where an external party requests access to information that requires employees to devote time to collating, copying or otherwise making material accessible, the management team may determine a fee to be charged.

### **Requests for access - Customer/Client records**

All Customers/Clients have the right to access their records and advise the organisation about inaccuracies.

Customers/Clients will be informed about their right to access or change their records during the process of initial engagement with the Customer/Client. Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service will make fair and appropriate decisions about permitting or refusing access to personal information. Customer/Client information will be retained in accordance by the Quality and Services team.

Requests for information about Customer/Clients/clients from outside agencies or individuals will be referred to the Chief Executive Officer. Before any information is released, the relevant manager or Chief Executive Officer will contact the Customer/Client concerned to obtain consent.

In the case where any type of criminal investigation is underway information may be released without the Customer/Client's consent.

### **Annual Plan Review**

During the Customer/Client's annual plan review the Customer/Client will be informed about how their information is stored and used by EL/LAAS. They will be advised of their rights and how they may request access to stored information or amend and withdraw prior consent to the collection, storage and sharing of information.

### **Appeals**

Individuals who are refused access to their own records or information files may appeal by contacting the Chief Executive Officer who will review the decision in the context of this policy.

<b>Q110</b>	<b>ACCESS TO CONFIDENTIAL INFORMATION POLICY</b>
-------------	--

**Documentation**

Documents related to this policy	
Related policies	Q108 - Privacy Q109 - Customer Records Q104 - Customer Safety and Security
Forms, record keeping or other organisational documents	ISG Appendix Media consent form Employee Confidentiality Agreement