



**Policy Title:** **Access to confidential information**

## Policy

Sunraysia Residential Services Inc. 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.

Sunraysia Residential Services Inc. 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 Sunraysia Residential Services Inc. documents and records will be limited to specified individuals and not be available to others for viewing.

This policy applies to the internal records, client records and unpublished materials of Sunraysia Residential Services Inc..

### Policy History

Version	Date Approved	Summary of changes	Date for Review
2020/01	02/10/2020	Policy is new. (Replaces Privacy and Information Policy)	01/09/2022

### Responsibilities and delegations

This policy applies to:	Client records; Board and Committee records; Sunraysia Residential Services Inc. Membership records; Personnel records; and Corporate records;
Specific Responsibilities	Chief Executive Officer Privacy Officer Executive Assistant
Policy Approval:	CEO

### Policy context

Standards	<a href="http://www.consumer.vic.gov.au">www.consumer.vic.gov.au</a>
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	Australian Privacy Principles
Legislation	Privacy Act 1988 (Cth) Health Records Act 2001 (Vic)
Contractual obligations	NDIS
Organisation policies	Privacy Policy
Forms, record keeping, other documents	Register – Access to Information Requests

## Details

### **Client records**

Client records will be confidential to clients and to staff of Sunraysia Residential Services Inc. who are required to access the records in order to provide services and support to the client.

Information about clients may only be made available to other parties with the consent of the client, or in the case of the client requiring medical treatment.

All client records will be kept securely and updated, archived and destroyed according to the organisation's client records policy.

### **SRS Board and sub-committee minutes**

The Annual General Meeting report is a public document and the current and past year reports are available on the SRS web site.

The minutes, papers and materials from any Sub-Committee or Board of Management meeting are made available to all financial voting members.

### **Sunraysia Residential Services Inc. membership records**

A list of current Sunraysia Residential Services Inc. Board Members (the financial members of the organisation) is publicly available information and is available on the SRS website. Personal information about members (including address and contact details) is confidential and may only be accessed by the CEO and the EO.

### **Personnel files**



A personnel file is held for each staff member 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 staff member accessing their own file
- staff who require access to information to carry out their role (eg Payroll staff for the purpose of processing payments to staff)

### **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 corporate regulators.
- The corporate key and other access or user name information
- Records of internal meetings
- Project management files
- Contracts between the organisation and other parties

Access to these records is granted by the Chief Executive Officer and is generally limited to Board Members, Auditors within the scope of the audit and management staff requiring access to carry out their role.

### **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 Chief Executive Officer, who will:

- make available to staff or Board Members information that they are entitled to access
- In considering a request, the Chief Executive Officer will take into consideration:
  - a general presumption in favour of transparency



- the relevant provisions of the Sunraysia Residential Services Inc. constitution regarding information to be made available to Sunraysia Residential Services Inc. members
- the business, legal, and administrative interests of Sunraysia Residential Services Inc., including commercial confidentiality and privacy obligations

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

### **Requests for access - client records**

Unless there is a lawful reason not to allow access, all clients have the right to access their records and advise the organisation about inaccuracies.

Requests to access personal information can be made:-

- By writing to:-  
The Privacy Officer  
Sunraysia Residential Services  
877 Fifteenth Street,  
MILDURA VIC 3500
- By sending your request via email to:-  
[srs@srsinc.com.au](mailto:srs@srsinc.com.au)

The Privacy Officer is responsible for:-

- Making fair and appropriate decisions about permitting or refusing access to personal information.
- Providing access for clients or former clients to access their own confidential information.
- Advising clients refused access to personal information how to appeal (if appropriate).
- Enabling clients to change records they believe to be inaccurate or misrepresenting, when appropriate.]
- In considering a request, the Privacy Officer will take into consideration:
  - a general presumption in favour of transparency



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- the relevant provisions of the Sunraysia Residential Services Inc. constitution regarding information to be made available to Sunraysia Residential Services Inc. members
- the business, legal, and administrative interests of Sunraysia Residential Services Inc., including commercial confidentiality and privacy obligations

Where an external party requests access to information that requires staff to devote time to collating, copying or otherwise making material accessible, the Chief Executive Officer may determine a fee to be charged. Before any information is released, the Client will be contact by an SRS Staff member to obtain consent.

In the absence of specific instructions to the contrary, Sunraysia Residential Services Inc. reserves the right to release Personal Information about a client to health professionals if it is required for the purposes of providing medical treatment.

## **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.

If you are unsatisfied with our response, you can make a complaint to the Office of the Australian Information Commissioner. Further information about this process can be accessed via <https://www.oaic.gov.au/privacy/privacy-complaints/>

## **Data Breaches**

Sunraysia Residential Services Inc. takes all reasonable steps to prevent data breaches

When there are reasonable grounds to believe an eligible data breach has occurred, we will promptly notify any individual at risk of serious harm. We will also notify the Office of the Australian Information Commissioner.

An eligible data breach occurs when the following criteria are met:

- There is unauthorised access to or disclosure of personal information held by an organisation or agency (or information is lost in circumstances where unauthorised access or disclosure is likely to occur).
- This is likely to result in serious harm to any of the individuals to whom the information relates.



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- The organisation or agency has been unable to prevent the likely risk of serious harm with remedial action.

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*End of document*

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