

CONFIDENTIALITY POLICY AND PROCEDURE



Policy Statement

JPS Audit Specialists (JPS) is responsible for all information provided, obtained or created during the performance of any certification process. We treat all information provided to us securely and in confidence, whether it be from the client or from other sources. JPS ensures it does not disclose any information about a consumer of a client that is identifiable directly or indirectly to that consumer without the written consent of that person, unless required by law. If there is information about a client which is to be made publicly available, we will advise the client prior to this happening. Except, if this information is required by law or contractual agreement, we will, unless prevented by law, notify the client or person concerned.

This Confidentiality Policy and Procedure supports JPS's Privacy Policy which is a legislative requirement in accordance with the Australian Privacy Act 1988 (Cth).

Purpose

The purpose of the Confidentiality Policy and Procedure is to:

- Ensure proprietary client information (including personal information) is managed in an open and transparent way.
- Protect the confidentiality of personal information, including health information of participants and staff.
- Provide for the fair collection and handling of personal information.
- Ensure that personal information we collect is used and disclosed for legally permitted purposes only.
- Regulate the access to and correction of personal information.
- Ensure the confidentiality of personal information through appropriate storage and security.

Scope

The Confidentiality Policy and Procedure, supported by the Privacy Policy, ensures that all employees including directors, senior management, reception staff, finance/payroll staff, human resources staff, other administration staff, contractors and volunteers will be aware of and will adhere to the requirements of JPS management of the confidentiality of all client information.

All information and evidence gathered is only for the purposes of the audit and all information relating to the organisation, staff and the participants will be treated in confidence. All JPS personnel sign a confidentiality clause as part of employment contracts. Where JPS wishes to disclose information about a client (other than a notifiable issue) to its responsible body, JPS will first seek the client's permission. If permission is denied JPS will only disclose this information to the responsible body if it takes the view that to do so would be in the best interests of the client's consumers, or in accordance with any applicable legislation.

This Policy and Procedure also confirms for clients that their proprietary information, which is collected or created during certification activities, is maintained in a confidential way.

Exceptions to maintaining the confidentiality of client information are:

- When a client makes their information publicly available.

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- When there is agreement between JPS and the client to make information available that is pertinent to both parties, for example, for the purpose of responding to complaints.
- When JPS is required by law or through contractual arrangements to release confidential information, the client concerned will be notified of the information provided.

Definitions

Confidentiality:	The assurance that written and spoken information is protected from access and use by unauthorised persons.
Confidential Information:	Includes documents and records in both the form of hardcopy and softcopy, the disclosure of which will cause actual or potential commercial value losses to stakeholders.
Personal Information:	Refers to information or an opinion, whether true or not, about an individual whose identity is apparent or could be reasonably ascertained from that information or opinion.
Privacy:	Freedom from intrusion and public attention.
Sensitive Personal Information:	Includes ethnic or racial origin, political opinions, membership of a political association, religious or philosophical beliefs or affiliations, membership of a professional or trade association, health, sexual preferences, practices or activities and criminal record.

Procedure

All JPS staff (refer scope above) are required to follow this Confidentiality Policy and Procedure to ensure that all information gathered during the certification process will be treated as confidential:

- Every employee must sign a Confidentiality Agreement upon becoming a staff member, contractor or volunteer of JPS.
- Every employee must sign a Code of Conduct upon becoming a staff member, contractor or volunteer of JPS. There will be an annual requirement to read and sign the Code of Conduct.
- The confidential information gained through the certification process is used for the intent of the contract with the client only and cannot be disclosed without authorisation.
- Employees will not disclose or discuss confidential topics during audits, including but not limited to disclosure of clients' background, security data, participant details, non-conformities, policies etc.
- Employees who obtain information about a client from sources other than the client (e.g. through a complaint from the NDIS Commission), this information shall be treated as confidential.
- JPS ensures that all JPS employees who receive confidential information from JAS-ANZ or which JAS-ANZ has indicated is confidential, shall neither directly or indirectly communicate this information to any other person.
- JPS ensures that all personal information relating to their employees is maintained confidentially in a secure database, with security-controlled access.
- JPS ensures that all client proprietary information obtained through the certification process is maintained confidentially in a secure database, with security-controlled access.
- All notes taken through the certification process by auditors are within secured online system. Any hard copy notes to be shredded once audit report complete.
- JPS will provide access to appropriate and timely information about its evaluation and certification processes, including information relating to a client's certification status, as appropriate.

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- If another certification body is appointed to evaluate and certify an existing JPS client, JPS will provide all relevant information to the other certification body, however this will only occur at the request of the person or organisation who contracted JPS to undertake certification in the first instance.
- As the confidentiality responsibility sits with both JPS and the client, JPS requests the client to acknowledge this responsibility and work cooperatively with JPS staff.

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Related Documents

- Australian Privacy Act 1988 (Cth)
- Code of Conduct
- Confidentiality Agreement
- Privacy Policy

Reference Material

- ISO/IEC 17065:2012

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