Privacy check before disclosing information Policy v23.0

Summary

Objective
When providing personal information to a client, client advocate, client lawyer, provider, supplier or employer, you must take care to protect individual privacy at all times. See also Responding to a request for official or personal information.

Owner [Name withheld]

Expert

Policy

1.0 Rules

a You must check all incoming client documentation to ensure the information relates to the client and does not contain inappropriate or non-injury related information.

You must complete a content and privacy check before disclosing any personal information, even if we initiated the disclosure. A content check ensures we only give the information that was requested and is relevant. A privacy check ensures we only give information about the client who is requesting it.

You must also include an appropriate covering letter when providing requested information.

If sending information via email to an external email address make sure the email address has been verified in Eos first.

2.0 Privacy checking client information

a Before you provide a copy of a client's personal information or file you must complete a privacy check to ensure that no other person's information is included.

The case owner or Client Information Requests team (CIR) is responsible for privacy checking full client copy files that they prepare.

For anything other than a minor enclosure you must add a 'Contact' in Eos noting that documents have been privacy checked prior to disclosure.

In particular, you must ensure:

• the recipient's name and address is correct and, if appropriate, check the 'Verification and 'Valid Address' statuses
• information about people other than the client is removed
• any information that may negatively affect the client's physical or mental health is discussed with their medical practitioner (e.g. GP or Psychiatrist) prior to release. If the medical practitioner agrees it may be harmful, we can withhold that information
• any information you send to a supplier is fit for purpose. Only provide what is required, particularly in respect to non-injury conditions.

Before you do the privacy check, clear your work area. If possible, use the dedicated privacy desk in your unit or an available empty desk.

3.0 Printing client information

a Only print documents for one client at a time, unless you're batch printing and processing a bulk mailing of a standard letter. Make sure the number of letters matches the number of envelopes.

When you print client information you must:

• always use secure print or user box functionality to print enclosures

• always fasten documents using staples, not paper clips. When printing a multiple page letter use the Multi-functional Device (MFD) staple functionality, if available

• avoid using mail merge

• not put post-it notes on letters.

4.0 Enclosure types

a There are two types of enclosure, substantial and minor.

A substantial enclosure generally contains varied and potentially sensitive health information or multiple documents.

NOTE **Examples**
- independence allowance report
- vocational independence report
- home and community support assessment report
- medical case review report
- complex social rehabilitation assessment
- lump sum independence allowance (LSIA) assessment

b A minor enclosure is routine correspondence or one or two short documents.

NOTE **Examples**
- a 1 or 2 page letter, eg a letter approving home help
- a letter with a form or information sheet included
- a short report with limited medical information in it, eg a report about a simple injury such as a broken ankle that does not refer to pain issues or other medical conditions
- reimbursement claim forms

5.0 When to use the ACC6173 Information disclosure checklist

a Full or partial copy file

If you're providing a full copy file or partial copy file you must complete an ACC6173 information disclosure checklist when you do the privacy check.

b Substantial enclosure

If you're providing a substantial enclosure completing an ACC6173 information disclosure checklist is optional. You may still find it useful to follow the checklist to make sure you don't miss anything.

c Minor enclosure

If you're providing a minor enclosure completing an ACC6173 information disclosure checklist is optional. But you must make sure that:

- the recipient's name and address is correct and, if appropriate, check the 'Verification and 'Valid Address' statuses
- information about people other than the client is removed
- any information that may negatively affect the client's physical or mental health is discussed with their medical practitioner (e.g. GP or Psychiatrist) prior to release. If the medical practitioner agrees it may be harmful, we can withhold that information
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any information you send to a supplier is fit for purpose. Only provide what is required.

ACC6173 Information Disclosure Checklist

6.0 Client addresses

a You must check the 'Verification' and 'Valid Address' statuses of the client or authorised representative's physical address, and either verify or reverify by telephone or in person as needed.

Verify their address on first contact, and then either:

- at regular intervals
- before you provide any information by email, post or courier.

Only use a window envelope or labelope to display the address and make sure only the name and address are visible.

Always print the address from Eos using the CLI05 Address label and make sure Eos is set to default to the postal address.

7.0 Changes to a client's residential or mailing address

a Changes to a client's residential or mailing address must be requested by either:

• the client
• someone with authority to act on behalf of the client. There must be a signed ACC5937 Authority to act form on the client's file.

We'll accept written notification of a change of address by letter, on a signed ACC form such as an ACC250, or on an ACC210 Change of bank account or address form. We will also accept a scanned copy by email. See Communication using email.

We'll accept verbal notification of a change of address from the client, after they confirm their identity by providing the attached information.

ACC5937 Authority to act - Client

The client must supply their...	and either...
• full name, including middle names or any aliases • date of birth • full address, including suburb, town or city • home or mobile phone numbers	• the date of the accident • the type of injury sustained • how the injury was caused • their ACC number or ACC45 number

Changes to a client's residential or postal address.PNG

ACC210 Change of bank account or address

Communication using email (Clients)
https://au.promapp.com/accnz/Process/45278637-26cd-4f32-8f4e-aebf9f60b05b

b Any time the client provides information that we can verify in Eos, make sure that you check the 'Verification' status and verify or re-verify as appropriate.

c A current Home address in Eos should always be a residential address.

8.0 Temporary client addresses

a If the client has a temporary physical address, the client must specifically confirm that the temporary address is appropriate for ACC to send documents to. If they do, in Eos add the temporary address as the home address. Task to remember to update Eos once the client returns to their normal mailing address.

If the client does not request for mail to be sent to their temporary address, then do not change their home address to the temporary address. The client must collect the information from an ACC office.

You may send blank forms to a temporary address. They must not contain any client details.

9.0 Alternative address

a An alternative address should only be used as a mailing address IF the current home address does not receive mail.

For example,
- where the client uses a PO box instead of receiving mail to their home address
- where the client is deceased, we should keep the address as their last physical address and load the details of their representative as the alternative address.

Add or edit alternate address

10.0 Client email addresses

a Ensure you:

• only use a verified client email address in Eos
• create emails and attach documents from within Eos
• complete a privacy check
• have disabled auto population of email addressess in Outlook

The "ACC Privacy Check" tool will also support a targeted second check for emails sent externally which include any attachments, or client or customer identifiers.

11.0 Provider and supplier addresses

a If you're an Eos user you must use Eos when checking provider and vendor addresses. See Searching for provider or vendor addresses in Eos. Make sure you compare the provider or vendor's contact details with those in Eos. If they need updating you must:

• ask them to email you their new contact details
• email the new details to the Provider/Vendor Registrations (PVR) team at Registrations@acc.co.nz and put 'Change contact details' in the subject line.

Or, the provider or vendor may email the PVR team with a copy to you. Physical and email addresses, phone and fax numbers are automatically updated in Eos from the Medical Fees Processing (MFP) system.

See also Communication using email.

Communication using email (clients)
https://au.promapp.com/accnz/Process/45278637-26cd-4f32-8f4e-aebf9f60b05b

NOTE **What if a vendor/provider is no longer involved in a claim?**
Once a vendor or provider is no longer actively involved in the claim, remove them from the participants list. This reduces the chance of incorrectly selecting them and appropriately disclosing information later on

Manage Participants

12.0 Delivery options for clients, client advocates, client lawyers

a If a client, their advocate, or their lawyer requests a copy of the client's file, we prefer to provide an electronic copy on a password protected CD or USB. You may send the CD or USB by post with an appropriate covering letter. See Responding to a request for official or personal information.

If they want a printed copy we prefer that they collect it from us. We do this to ensure their information is secure and only accessed by authorised people.

Only consider sending personal information by courier if specifically requested. See 18.0 'When to send client information by courier' below.

Complete Client Information request

13.0 Exception – Clients in prison

a If a client is in prison and they don't have an advocate, we can only provide them with a printed copy of their file. Clients in prison generally don't have access to computers. You must send them an INP12 Personal info request - provide info - clients in prison letter, which includes suitable wording for clients in prison about the risks of using a courier. Do not use the ACC6181 information sheet.

Please note that in most cases we'll need to write to a client in prison as we'll be unable to contact them by telephone. However, if you're able to phone a client who's in prison, you can record their preferred delivery method as a Contact in Eos. Do not release the information until you receive the client's instructions.

If the client has not nominated a lawyer or advocate for us to send the information to, you must contact the client when their information is ready to advise that we will prepare a paper copy to be couriered to the prison. The client will need to be made aware that prison staff check all incoming packages, which may include their package.

Preparing client information in a CIT

14.0 Information for reviews and appeals

a If a full or partial copy file is required for a review or appeal, or a transcript of a review hearing, you may:

• ask the recipient to collect it from an ACC office
• send it to them by post on a password protected CD or USB
• send it to them by email within a password protected PDF if the file is small. This is not recommended for large files that need more than one email
• deliver it in person to the client if appropriate, after completing an identity check (eg. as part of a scheduled outreach visit).

Only send the information by courier if this is specifically requested. See 18.0 'When to send client information by courier' below.

Do not use post (if printed) to provide full or partial copy files, review transcripts or relevant documents that relate to a review or appeal.

15.0 Collecting from an ACC office

a A requestor may collect their information or file from an ACC office:

• If the information is prepared at a different office, you must courier it to the appropriate ACC branch or unit to be collected. Double envelope the information before you place it in the courier bag

• You must check the person's authorisation and identification before handing over the information. Complete the ACC6179 form and upload to the claim)

For more information see Responding to a request for official or personal information.

Complete Client Information request

16.0 Sending information by email

a If using email to send or receive client information ensure you:

• remember the "one email, one client" rule. Each email you send, with or without attachments, must only refer to a single client or recipient
• send your email and attachments to a verified email address
• complete a privacy check
• check all email threads and delete any information that is not relevant to the client
• ask another staff member to double check attachments if you have any doubts about sending the information
• never use a Multi-Functional Device (MFD) to send documents outside of ACC
• use the "ACC Privacy Check" email notification to check all attachments before sending your email.

When sending a verification email from Eos, remove the party name from the 'Subject' field and replace it with "Please confirm your email address"

The easy guide to email and messaging (ACC Sharepoint)

Communication using email (clients)
https://au.promapp.com/accnz/Process/45278637-26cd-4f32-8f4e-aebf9f60b05b

Risks associated with email communication (client)
https://au.promapp.com/accnz/Process/Minimode/Permalink/EO1xLRwZ3TZnOXjSpT0Ubf

What to include in emails to clients, providers and employers
https://au.promapp.com/accnz/Process/Minimode/Permalink/GLhB1JBrdpLc4GQrgfPdMi

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17.0 When to send client information by post

a You can use post to send client information if it's a minor enclosure or it's on a password protected CD.

You can send substantial enclosures by post, however, you must:

• obtain the client's agreement for it to be posted, especially if it contains sensitive personal information
• record this agreement in Eos and make the client aware of the nature of the material in the enclosure
• check with the client before sending each enclosure.

If the client has any concerns about the material being posted then you must use an alternative delivery method, such as a courier.

You must carefully check the items that you place in the envelope to make sure:

• they relate to the right client, the right claim(s) and the right request
• multi-page items are stapled and there are no missing pages or extra pages attached.

Ensure the envelope is securely sealed before sending.

NOTE **Envelope peer checks**
If you're sending more than one page, the Privacy Team highly recommend getting a colleague to check your letter before the envelope is sealed. This involves taking the documents out of the envelope and checking that they relate to the right client and are supposed to be included. Many privacy breaches have been prevented by a peer check!

18.0 When to send client information by courier

a You may only use a courier to provide information to a client, client advocate or client lawyer if you have the client's consent to use courier.

• You must reconfirm consent separately for each information request
• The client must specifically request delivery by courier
• You must let them know the risks of sending their information by courier. See the ACC6181 Receiving personal information by courier information sheet

Before providing any information by courier you must:

• check the recipient's address including, if appropriate, the 'Verification' and 'Valid Address' statuses and the recipient's authority to receive the information
• place the information in a clearly addressed envelope or package before you put it in the courier bag.

For more details see Responding to a request for official or personal information.

ACC6181 Receiving personal information by courier

Complete Client Information request

NOTE **Exception**
If the client is in prison, you must send them an INP12 Personal info request - provide info - clients in prison letter, which includes suitable wording for clients in prison about the risks of using a courier. Do not use the ACC6181 information sheet.

INP12 Personal info request - provide info - clients in prison

19.0 Clients that live overseas

a You may send personal information to a client if they live overseas.

You may only send client information to their advocate, insurer, representative or employer if you have the client's consent and the requestor has authority to act on behalf of the client. See the Privacy Act 2020, Principle 6, Subclause (1)(b).

The staff member preparing the password protected CD, eg case owner, is responsible for sending the disk overseas.

20.0 Delivery options for suppliers, providers, GPs and employers

a You may send documents by courier if requested by a supplier, provider, General Practitioner (GP) or employer. You must request a signature on delivery.

Only include information about one client in a package or envelope and make sure the package is clearly addressed before you place it in the courier bag.

If you need to send information about multiple clients, use a separate courier bag for each client. This applies to both printed information and password protected CDs.

21.0 What to do when client information is returned to us

a When someone returns client information to us, eg personal information that has been included with a referral to a provider or a copy file returned from a Review Hearing or Appeal, you must create a 'Contact' in Eos to record what's been received before you place the documents in the document destruction bin.

Create the 'Contact' at Claim level. If multiple claims are involved, create it at Party level.

Make sure you include:
• as much detail as possible about what was received, eg "Medical Case Review copy medical notes", "Appeal copy file" etc, and how it was received, eg sealed envelope, attached to provider report etc
• what you did with the documents, eg placed in secure document destruction bin, uploaded to claim file record etc, and any other relevant information.