

INFORMATION FOR CLIENTS

Privacy, Confidentiality  
and Access to Records

Feedback and Complaints



marymead  
children • families • community

## What you can expect from Marymead regarding your privacy and records?

You have a right to have your personal information kept private

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Marymead only collects information that helps us to provide a service to you

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All client information is stored securely

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Your information is only seen by those in Marymead working directly with you on a 'need to know' basis

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Your information will only be shared with other services with your permission

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You can request to see your information

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If you believe your right to privacy has been breached you can make a complaint.

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*Marymead respects the fundamental equality of all people and the right to live lives of dignity and value. Marymead incorporates human rights into the way we provide services to people. You have rights, including to privacy, freedom of expression, protection of family and children, and equality. We also have a responsibility to consider the rights of others. A person's individual rights are balanced with respecting the rights of other people. Marymead's privacy, access to records and complaints policies are in line with those rights.*

**Marymead Privacy, Confidentiality and Complaints Information**  
Last updated May 2013.

## Privacy, Confidentiality and Access to Records

Marymead aims to provide quality services for children, young people and families. Part of our service to you requires us to gather personal information about you and/or your child. Personal information collected will only be used for the purpose of providing a service to you and/or your child.

### Legal requirements

Marymead is required by law to abide by the *Privacy Act 1988*, the *Privacy Amendment (Private Sector) Act 2000*, and the *Health Records (Privacy and Access) Act 1997*. These Acts set out principles of privacy, and what Marymead needs to do to ensure your personal information is collected, used and disclosed in the proper way.

### What information does Marymead collect and record?

In accordance with the *Privacy Act 1998*, Marymead will only collect information about you and/or your child which is relevant for the direct provision of services.

This includes:

- name, age, contact details and other basic information
- notes from conversations, phone calls and meetings
- court orders and correspondence, including emails
- details about other services you or your child are using
- statistics and data in reporting to funders and to help evaluate services - this data is anonymous and cannot be linked back to you.



## Where is your information kept?

Client records are stored securely in lockable filing cabinets, and on a secure computer network. Marymead also uses secure archiving facilities.

## Who sees your information at Marymead?

Your information will only be seen by staff working directly with you and/or your child on a 'need to know' basis. Other staff who may 'need to know' your information include your Case Worker's supervisor or manager, and other staff working in the same program team.

Staff from other Marymead teams or programs will not have access to your information without your consent.

## Sharing of your personal information

If there is a need to share personal information with another service or another Marymead program, we will seek your consent. You have the right to withdraw your consent at any time.

## Exceptions to privacy and confidentiality

Privacy is very important but there are some limits to confidentiality. There may be times where Marymead receives information that a client is likely to harm themselves or others, a client is not safe or may be harmed in some way, or a child is at risk of harm. In these cases Marymead will need to make a report to child protection services or the police. Marymead is also legally obligated to provide any information regarding you and/or your family to the courts if we are ordered to do so.



## Access to your personal information held at Marymead

The personal information Marymead collects about you and/or your child will be made available to you on request as appropriate. It will not include personal information about other people.

Current Marymead clients can make a request to see their files by directly contacting their Case Worker or the relevant Program Manager. Past Marymead clients who wish to access past files are able to do so in writing, by phone, via email or via the Marymead website.

If you are or have been in Out Of Home Care (Residential or Foster Care), you can speak to your Case Worker or the Program Manager and we can assist you to access your file under Freedom of Information legislation.

## Breaches of confidentiality

If you believe your right to privacy has been breached, you can make a complaint through the Marymead complaints system.

## Not happy with a service provided by Marymead?

### Tell someone at Marymead

#### Who?

- Your Case Worker
- The Program Manager
- A Marymead Director
- The Chief Executive Officer

#### How?

- Talk to someone in person
- Talk to someone on the phone
- Send an email
- Write a letter
- Fill in a feedback or complaints form

#### Marymead will

- Listen to you
- Treat you with respect and courtesy
- Look into the matter
- Only tell people in Marymead who need to know

#### Who else can you talk to?

- A support person or advocate who can make the complaint for you
- An organisation that takes complaints
- The organisation that funds the service (see pages 10 and 11).

## Feedback and Complaints

If you have a complaint, or would like to suggest changes to the way Marymead delivers services to you, we want to hear from you. Marymead welcomes feedback, both positive and negative, and we are committed to resolving issues and improving services to the community.

Marymead recognises it is not always easy to tell people that you don't like the way they are doing things, however we need to know if there is a problem. You may wish to chat about something informally or complain more formally about something more serious. Making a complaint to Marymead will not affect your access to Marymead services, or prevent you from receiving services from Marymead in the future.

### How to make a complaint

You can make a complaint to any staff member at any time. Complaints can be made in person, over the phone, by email or by letter. A Complaints Form is available at reception, from your Case Worker or on our website [marymead.org.au](http://marymead.org.au). When you make a complaint in person or over the phone, the person you speak to will write down your complaint, and may ask you for further information.

1. The first person to contact is your Case Worker, who may be able to suggest ways to sort out the problem. Often the problem can be easily resolved.
2. If your complaint is about your Case Worker, or you feel more comfortable talking to someone else, you can contact the Program Manager or Director of the program.
3. After talking to these people, if there is no resolution, or the matter is serious, you can contact the Chief Executive Officer at Marymead.



Marymead staff can all be contacted by ringing Marymead on 02 6162 5800. If you wish, you can request a meeting at Marymead to discuss the complaint. You are welcome to invite a support person to be present at the meeting.

### How soon will Marymead respond to your complaint?

Marymead will keep you informed about the progress of your complaint, and seek to resolve the complaint as a priority. A simple complaint may be resolved within a week, but a more complex complaint will take longer. Marymead will endeavour to resolve all complaints within 20 working days.

### You have a right to an advocate

If you do not feel comfortable making a complaint to Marymead, you have a right to ask an advocate, or representative, to make a complaint on your behalf. This can be someone you know or someone from one of the advocate organisations listed over the page.

### You can remain anonymous

Your complaint can be anonymous if you would like it to be. The choice is yours, however, we will be able to respond more effectively and give you feedback and further support, if we know who you are. If you make an allegation against a staff member, this cannot be investigated unless you provide your name.



## Your complaint will be treated as confidential

Your complaint will be treated confidentially, with information only being shared with those who need to know in order to resolve the issue. However, if your complaint is about a staff member, they have a right to know about the complaint and be given time to respond.

If the matter you are complaining about involves an immediate threat of harm to anyone, or abuse or neglect of a child, action will need to be taken immediately to inform the police or your local care and protection services.

In this situation, if you require an urgent response, please call Marymead reception on 02 6162 5800 and ask to speak to any Program Manager, Director or the Chief Executive Officer, contact the police on 131 444, ACT Care and Protection Services on 1300 556 729, or NSW Child Protection Child Protection Helpline on 132 111.

## If you are not satisfied with the outcome of your complaint

You may take your complaint to an organisation or person outside of Marymead.

### ACT

Public Advocate of the ACT	<b>02 6207 0707</b> pa@act.gov.au
The ACT Ombudsman	<b>1300 362 072</b> ombudsman@ombudsman.gov.au
ADACAS (ACT Disability, Aged and Carer Advocacy Services)	<b>02 6242 5060</b> adacas@adacas.org.au
ACT Children and Young People's Commissioner	<b>02 6205 2222</b> human.rights@act.gov.au
ACT Human Rights and Discrimination Commissioner	<b>02 6205 2222</b> human.rights@act.gov.au
ACT Health Services Commissioner	<b>02 6205 2222</b> human.rights@act.gov.au
ACT Disability and Community Services Commissioner	<b>02 6205 2222</b> human.rights@act.gov.au
Foster Care Association of the ACT	<b>02 62321822</b> office@fcact.org.au
This e-mail address is being protected from spambots. You need JavaScript enabled to view it.	
Conflict Resolution Services	<b>02 6162 4050</b> mediation@crs.org.au

### NSW

Connecting Carers NSW	<b>1300 794 653</b> southern@connectingcarersnsw.com.au western@connectingcarersnsw.com.au
Foster Care Association of NSW	<b>02 4987 1847</b> admin@fcansw.org.au
NSW Children's Guardian	<b>02 8219 3600</b> kids@kidsguardian.nsw.gov.au
NSW Ombudsman	<b>1800 451 524</b> nswombo@ombo.nsw.gov.au
NSW Anti Discrimination Board	<b>9268 5555</b> adbcontact@agd.nsw.gov.au
Privacy NSW	<b>8019 1600</b> privacyinfo@privacy.nsw.gov.au

You may wish to make a complaint to the relevant funding body.

<p>Department of Families, Housing, Community Services, and Indigenous Affairs (FaHCSIA)</p> <p><b>Funded programs include:</b>            Centre of Early Life Matters (ELM)            Contact Program            (also funded by ACT CSD below)            Kids Companions            Indigenous Families Unit            Assisting Responsible Care for Kids (ARCK)            Kids and Youth are Kool post Separation (KAYAKS) Family Skills</p>	<p><b>1800 634 035</b>            fahcsiafeedback@fahcsia.gov.au</p>
<p>ACT Community Services Directorate (CSD)</p> <p><b>Funded programs include:</b>            ACT Foster Care Program            ACT Residential and Respite Care            Contact Program            (also funded by FaHCSIA above)</p>	<p><b>133 427</b>            CSD@act.gov.au</p>
<p>NSW Department of Family and Community Services</p> <p><b>Funded program:</b>            NSW Foster Care Programs</p>	<p><b>1800 000 164</b>            Complaints@community.nsw.gov.au</p>
<p>NSW Health</p> <p><b>Funded program:</b>            Southern NSW Family Referral Service (FRS)</p>	<p><b>02 9391 9000</b>  <a href="http://www.health.nsw.au/pages/feedback.aspx">www.health.nsw.au/pages/feedback.aspx</a></p>



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