

# Confidentiality & Privacy

---

Confidentiality and Privacy are terms that are often used interchangeably. However, confidentiality is a legal concept where information is given to a person under an obligation to keep the information confidential. Privacy refers to the expectation that one's personal details are not shared or made available to other parties or used for the purposes of marketing and promotions (i.e. phone numbers, emails etc.).

## *Confidentiality:*

In the event that a counsellor at Sonas Counselling deems a person at risk of harming themselves or others, the counsellor has a duty of care to act upon that information. Regulations and Acts that support the disclosure of information that may have been given in confidence include, but are not limited to, *The Children, Youth and Families Act (2005)*, *Commonwealth Privacy Act 1988* and *Mental Health Act (1983)*.

Instances where we would be required to disclose information are as follows:

- *it is evident that a crime and/or abuse against a child is being or will be committed;*
- *it is evident that harm to self or another is being or will be committed,*
- *it is revealed that a criminal act under the Commonwealth or State law has been or is intended to be committed;*
- *records are requested by subpoena, Court Order, Search Order;*
- *information is requested per condition of original service entry (for example: fee for service); or*
- *Information is required to attain referral to another service.*

In all instances you will be advised of the request for information before such information is released.

## *Privacy:*

### Your Personal Information and how we use your personal information

As part of providing a service to you, we need to collect personal information which may include your name, contact details such as address, phone numbers, date of birth, marital status, number of children you have, as well as details of issues which you have been discussing with your counsellor.

Clients' files are held in a secure location. The counsellor will be consulting with their supervisor and information about your counselling sessions may be discussed from time to time. These communications are confidential and the purpose of the supervisions is to enhance the quality of care you receive.

This information is gathered in order to document what happens during sessions, and enables the counsellor to provide a relevant and informed service.

Privacy in Australian law is 'the right of natural persons to protect their personal life from invasion and to control the flow of their personal information.' Privacy is not an absolute right and it differs in different contexts and is balanced against other competing rights and duties. At Sonas Counselling the following Laws may apply to the handling of your personal information and disclosure: *Information Privacy Act 2000 (Vic)*; *Health Records Act 2001 (Vic)*; *The Charter of Human Rights and Responsibilities Act 2006 (Vic)*. **SonaS Counselling does not share or sell any individual or group information to other parties. All information is kept in accordance with law. Personal details are not used for the purposes of marketing unless specifically requested or authorized.**