

EMPLOYMENT PRIVACY AGREEMENT

Employees of Counties Manukau DHB have obligations under law to keep information confidential, including the following:

Every employee must comply with statutes, regulations and Clinical board policies, which relate to health information. In particular, employees must comply with the following statutes and regulations:

- a) the Privacy Act, 1993
- b) the Health Information Privacy Code, 1994
- c) the Health Act, 1956
- d) the Hospitals Act, 1957

Copies of these statutes and the Code of Practice are available from the Legal & Privacy website. Counties Manukau DHB encourages you to be familiar with them.

- ♦ An employee must not disclose any personal information or information concerning the health or disabilities or medical history of any patient (this includes paper and electronic records), unless the employee is disclosing the information in a manner authorised by Health Information Privacy Code 1994 or by an authorised supervisor.

The above Code is issued under the Privacy Act 1993. Any person who breaches the Privacy Act may be subject to investigation by the Privacy Commission.

- ♦ Counties Manukau DHB employees may have access to electronically and paper stored clinical or personal information for the purpose for which it was obtained. This may include the care, treatment and diagnoses, or administration, research, quality assurance, risk management and for statistical purposes. The requirements to ensure the security of this information, are set out in the Health Information Privacy Code, 1994 and in internal protocols. Access to clinical information is restricted to members of the Health Care Team. The responsibilities for employees are as follows:

- Employees must have the required authorisation for access to clinical information.
- Printed copies of electronically stored clinical information will be destroyed through confidential waste disposal system.
- Computer access will not be left open.
- Electronic files will not be e-mailed, or downloaded in any way, from the base system.
- Security of passwords or other identifiers are the responsibility of individual employees.
- All authorised staff are responsible for any use of their electronic signatures.
- Sharing of passwords is strictly prohibited.

Failure to comply with the above requirements, following investigation, may result in disciplinary action. CMDHB will from time to time undertake random and planned audits of access trails of staff and patient information.

As part of his or her employment contract with Counties Manukau Health Limited, an employee shall not, at any time, except so far as may be necessary for the proper performance of the employee's duties and responsibilities or as may be required by law:

- ♦ Disclose any personal or health information to any person other than those members of the health care team or authorised employees concerning current, potential or past patients or employees of Counties Manukau DHB.
- ♦ Use or attempt to use any of the information specified above for the employee's own personal benefit, or for the benefit of any other person or organisation, or in any manner whatsoever, other than in accordance with the employee's duties and consistent with the obligation of confidentiality expected for a person in the employee's position.

Breaches of any of the above obligations will be considered to be serious misconduct. Employees under no circumstances should look at information of patients who are not in their direct clinical care. Please note, however, that the above obligations are not intended to prevent free speech or speaking out on matters of professional or ethical concern (see whistleblowers policy).

If you have any inquiries about the above requirements, please contact your Manager,

I _____ have read and agree to comply with the above.
(Full Name)

Date: _____