

## 明愛青少年及社區服務

### 服務質素標準 14

#### 14. 尊重服務使用者保護私隱和保密的權利 保障個人私隱及尊嚴之政策

##### 政策

作為一個促進服務使用者的福祉的服務機構，香港明愛社會工作服務的職員，必須保障服務使用者之個人資料不得外泄。

惟此項原則不適用於下列情況：

1. 披露資料能防止嚴重、可預見及即將發生在服務使用者或其他人士身上的傷害；或
2. 法例或法律強制披露的資料。在此等情況下，職員應只披露最少且只直接與法律要求之資料。

##### 目的

1. 在提供服務時，職員以保障服務使用者的私隱及尊嚴為基本原則。
2. 所有職員均有責任保證上述政策能有效地執行。
3. 職員需確保服務使用者能清晰知道有關權利。

##### 服務使用者資料保密程序

為達致「個人資料(私隱)條例」所要求之個人資料保密，職員必須遵循以下程序：

1. 職員只可在服務使用者之個人資料可以保密之情況下，方可討論與服務使用者有關之個人隱密資料。故此，職員應避免於公開場合作出討論。
2. 當法律程序在進行時，在法律許可的情況下，職員應保持服務使用者個人資料之隱密。即使應法庭之要求，所披露的資料亦只符合法例之必須要求，職員不應披露多於與情況無關之資料。
3. 職員應採取步驟以確保個人資料不會通過電腦、電子郵件、電話、電話留言，與其他電子或電腦科技等途徑被外泄。並應避免披露可識別身份之資料。
4. 於教學、訓練及尋求顧問意見時，除非取得服務使用者之同意，職員應避免披露能識別其身份的資料。

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**Caritas Youth and Community Service**

**Service Quality Standards 14**

**14. Protection of Personal Data and Privacy of Service Users**

**Policy of Protection of Individual Privacy and Dignity**

**Policy**

As a charitable organization to promote welfare service for service users, Caritas – Hong Kong and its staffs are prohibited from disclosing any personal data of service users with the exception of the following circumstances:

- 1) Disclosure of personal data to help prevent any serious and foreseeable situation to be occurred.
- 2) Disclosure of relevant part(s) of personal data of service users obliged by the local legal authority.

**Mission**

- 1) At the time of providing services to service users, protection of their personal data and dignity is the fundamental obligations of staffs of individual service units.
- 2) Staffs of individual services units are required to acquaint themselves with this policy and execute it in effective manner.
- 3) Staffs are urged to clearly inform service users of their rights in this respect.

**Procedure for Protecting Personal Data of Service Users**

To comply with the requirements of the “Guidelines on Personal Data (Privacy) Ordinance, staffs are required to adhere to the following procedure:-

- 1) Under no circumstances may staffs discuss any personal data of service users unless such discussion is under a confidential mode.
- 2) When case is under legal proceedings, personal data of service user must be kept confidentially. Only appropriate and relevant personal data can be released to fulfill the requirements of Court order.

- 3) Staffs need to take every cautionary step to prevent leakage of personal data of service users during data transmission via personal computers, electronic emails, telephone calls, voice mails and/or any other electronic means or I.T. technologies. Staffs must avoid from disclosing personal identity of any particular service users.
  
- 4) At time of teaching, training and/or seeking opinions, staffs should not disclose information on personal data of individual service users, unless permission is sought from them.

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