

Noarlunga Church of Christ Community Care Inc. (CareWorks Noarlunga) Privacy Policy	
Policy No.	04
Date	Xx 2017
Version	1.1
Originator	G Payne
Approved By	Board
Last Reviewed by staff	Xx 2017
Reviewed by	Board

1. Intent

This policy is intended to ensure the privacy and safe keeping of all personal information collected by CareWorks Noarlunga.

2. Preamble

CareWorks Noarlunga has an obligation to comply with privacy requirements. These requirements are outlined in the National Privacy Act 1988, the Privacy Amendment Act 2000, and the National Privacy Principles (NPP).

The collection and recording of client information must be undertaken in a sensitive way and only necessary, relevant details kept for lawful purposes. Confidential information will at all times be handled and stored in such a manner so that only those persons who have a legitimate reason may access it.

3. Risk

Unless appropriate guidelines are followed there is a risk that the privacy and integrity of information may be breached.

4. Scope

This Policy encompasses all client information obtained by CareWorks Noarlunga.

5. Policy

5.1 Australian Privacy Principles (APP)

CareWorks Noarlunga staff will adhere to the following Australian Privacy Principles relating to client information:-

- APP 1 — Open and transparent management of personal information
- APP 2 — Anonymity and pseudonymity
- APP 3 — Collection of solicited personal information
- APP 4 — Dealing with unsolicited personal information
- APP 5 — Notification of the collection of personal information
- APP 6 — Use or disclosure of personal information
- APP 7 — Direct marketing
- APP 8 — Cross-border disclosure of personal information
- APP 9 — Adoption, use or disclosure of government related identifiers
- APP 10 — Quality of personal information
- APP 11 — Security of personal information
- APP 12 — Access to personal information

- APP 13 — Correction of personal information

5.1.1 Open and transparent management of personal information

The CareWorks Noarlunga board will ensure that an up to date and relevant Privacy Policy is maintained. This includes annual review of the policy and the availability of the policy document on the website.

5.1.2 Anonymity and pseudonymity

Wherever it is practicable for CareWorks Noarlunga to deal with individuals who have not identified themselves, they shall be allowed to remain anonymous or use a pseudonym.

5.1.3 Collection of solicited personal information

CareWorks Noarlunga will only collect information that is necessary for the continued operation of its functions and activities.

Sensitive information is defined in the Privacy Act to mean information or an opinion about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices or criminal record.

CareWorks Noarlunga will generally not collect sensitive information. If, however such information is necessary for the continued operation of its functions and activities, it shall only be collected with the consent of the individual.

5.1.3 a. Privacy Statement

The following Privacy Statement will be printed and made available to clients before any personal information is requested:-

Your Privacy

Your privacy is respected by us. CareWorks Noarlunga abides by the **Australian Privacy Principles**. Personal information provided to us will be used for the purpose of identifying and providing assistance to you, and to comply where Government legislation or policy requires the release of such information.

Subject to this, all information will be treated as **confidential**. Should you wish to gain access to your information; a request may be made through the Director.

5.1.4 Dealing with unsolicited personal information

Should CareWorks Noarlunga be in receipt of unsolicited personal information, the manager of the program associated with the information will as soon as practicable notify the individual concerned, and/or destroy the information.

5.1.5 Notification of the collection of personal information

CareWorks' staff and volunteers will ensure that clients are informed that their information is being collected and the reasons for the collection of the information.

5.1.6 Use or disclosure of personal information

Client information identifying an individual shall not be disclosed to third parties without the express consent of the client unless such disclosure is required by Law.

5.1.7 Direct marketing

CareWorks Noarlunga will only use personal information for the purposes of direct marketing where it can be reasonably assumed that the individual would expect the information to be used for that purpose.

5.1.8 Cross-border disclosure of personal information

CareWorks Noarlunga will not disclose any personal information about an individual to an overseas recipient unless CareWorks Noarlunga reasonably believes that:

- (i) the recipient of the information is subject to a law, or binding scheme, or
- (ii) the individual consents to the disclosure of the information,

5.1.9 Adoption, use or disclosure of government related identifiers

CareWorks Noarlunga will not use or disclose a government related identifier of an individual

unless:

- (i) the use or disclosure of the identifier is reasonably necessary for CareWorks Noarlunga to verify the identity of the individual for the purposes of its activities, or
- (ii) the use or disclosure of the identifier is reasonably necessary for CareWorks Noarlunga to fulfil its obligations to an agency or a Government authority

5.1.10 - Quality of personal information

CareWorks Noarlunga will take such steps as are reasonable in the circumstances to ensure that all personal information that is collected is accurate, up to date and complete.

5.1.11 - Security of personal information

CareWorks Noarlunga will take all reasonable steps to protect all information from misuse, loss, unauthorized access, modification or disclosure

5.1.12 - Access to personal information

Clients may request access to and correction of personal information held. Such requests shall be referred to the Director.

5.1.13 - Correction of personal information

If CareWorks Noarlunga discovers that personal information held is inaccurate, out of date, incomplete, irrelevant or misleading it will take such steps as a reasonable in the circumstances to correct that information to ensure that, having regard to the purpose for which it is held, the information is accurate, up to date, complete, relevant and not misleading.

6. Procedures

6.1 Client Privacy

6.1.1 Acquisition of client information: –

a the client is to be informed of their rights and the Privacy Statement detailed in 5.1.3 a. made available to them;

b client information shall be acquired directly from the client and must be freely given without coercion or duress;

c client information shall be collected from third parties only with the express written consent of the client;

d the client must be informed as to the purpose of acquiring information.

6.1.2 Purpose

The main purposes for which information is collected are:-

- To clearly identify an individual;
- To determine whether a client or client-family is eligible for assistance;
- To determine a client or family's level of need;
- To ensure that clients are treated fairly and equitably and receive their reasonable entitlement;
- To ensure that there is no overlap or double-dipping;
- To negotiate an outcome on behalf of the client;
- To confirm, advise or receive information relating to a client;
- To collect non identifying statistics aimed at improving or better targeting our services.

6.1.3 Use and Disclosure - client information may:-

a only be used for the primary purpose for which it was acquired;

b be disclosed to a third party with the express consent of the client; such consent may be oral where the client is present during discourse with the third party but should be recorded on the client's record;

written consent is required when sending correspondence regarding the client to a third party;

information may be shared with a third party with their implied consent where it could reasonably be expected to be for the client's benefit.

6.1.4 Security

a Adequate security systems shall be put in place to ensure that electronic client records may only be accessed by authorized persons.

b Hard-copy records shall be stored in a locked filing cabinet and when in use client files are to be kept from public view and then placed in a folder until they can be returned to a locked filing cabinet.

6.1.5 Access and Correction

a Clients can request personal information we hold about them. All applications for access to personal information must be referred to the Director.

b In accordance with a client's request any necessary corrections will be made to their information.

c If access to client records is refused in accordance with Australian Privacy Principles the client will be advised of the reason for refusal.

6.1.6 Disposal of Records

a All records relating to Aboriginal and Torres Straight Islanders will be kept indefinitely.

b All other hard copy client records that have not had information added to them for more than [six] years shall be disposed of either by shredding or being placed in a Secure Disposal bin.

c All other electronic records of client information shall be deleted after a period of [six] years has elapsed from the date of the last entry being made, and from decommissioned laptops and mobile phones.

7. References [Relevant legislation, over-arching policy, related documents etc.]

Privacy Act 1988; the Privacy Amendment Act 2012 and the National Privacy Principles (NPP)

8. Change History

9. Policy Approval

Signed	Board Chair	Date
Signed	Chief Executive Officer	Date