

POLICIES AND PROCEDURES

WHAT IS PRIVACY?

The word privacy means different things to different people. Privacy is a human right. It applies only to human beings, not to governments or corporations. The *Privacy Act 1988* (Privacy Act) was created to provide for the fair collection and handing of personal information by both the public and private sectors.

WHAT IS PERSONAL INFORMATION?

Personal information as defined by the Privacy Act is information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether true or not, and whether recorded in a material form or not. Examples of personal information can include a person's name, address and date of birth, but can also include bank account details, photos, videos, and even information about what an individual likes, their opinions and where they work.

WHAT IS SENSITIVE INFORMATION?

Sensitive information as defined by the Privacy Act is information or opinion (that is also personal information) 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 or health, genetic, biometric information or biometric templates, that is also personal information.

PROCEDURE

Each CTC service/program has its own procedural requirements for Privacy to comply with the APPs laid out in the Privacy Act.

These APPs are structured to reflect the information life cycle:

- Consideration of personal information privacy
 - APP1 – open and transparent management of personal information
 - APP2 – anonymity and pseudonymity
- Collection of personal information
 - APP3 – collection of solicited personal information
 - APP4 – dealing with unsolicited personal information
 - APP5 – notification of the collection of personal information
- Dealing with personal information
 - APP6 – use of disclosure of personal information
 - APP7 – direct marketing
 - APP8 – cross-border disclosure of personal information
 - APP9 – adoption, use or disclosure of government related identifiers
- Integrity of personal information
 - APP10 – quality of information
 - APP11 – security of personal information
- Access to, and correction of, personal information
 - APP 12 – access to personal information
 - APP13 – correction of personal information

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CTC'S PERSONAL INFORMATION HANDLING PRACTICES

Collection of Personal and Sensitive Information

If anyone would like to access any CTC Services on an anonymous basis or using a pseudonym, they should tell us. If this is possible and lawful, we will take all reasonable steps to comply with the request. However, we may not be able to provide the services in question if we are not provided with the personal information requested.

The nature and extent of personal and sensitive information collected by CTC varies depending on the particular interaction with the organisation.

CTC collects personal and sensitive information from clients, business partners, CTC people and online users. Further information about the kind of information collected from each of these groups and the usage of such information is detailed below.

Clients

Kind of information collected:

- contact details
- personal details including: date of birth, gender, income
- employment details
- information on personal issues and experiences, relationships
- family background, supports clients may have in the community
- areas of interest
- sensitive information (eg. ethnic and racial origin, court orders/restrictions etc)
- health information

Primary purpose for which information is collected:

- To plan and provide services and supports
- To enable communication with emergency contacts, advocates, employers (if required), treating professionals, government departments
- To assess client needs
- To provide reporting to Government
- To determine eligibility to access service/s based on guidelines
- To develop an individual's support plan

Secondary purpose for which information may be used:

- To apply for funding
- To determine appropriate referrals and management to other services within or outside the organisation
- To determine billing and invoice requirements
- To develop a service and track progress and outcomes of each intervention
- To measure quality of service provision
- Data inputs for business, operational and resources
- To monitor and evaluate existing services and plan for future services
- To produce annual reports and for research purposes which may involve contracted organisations
- To comply with legal obligations

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Business Partners

Type of information collected:

- contact person's name, the name of the organisation which employs the person, telephone numbers, fax number, street and postal address, email address and position title
- bank details (if receive payment or make payment for services received)
- Australian Business Number (ABN)
- type of support (eg. workplace giving, goods in kind, program support, volunteering)

Primary purpose for which information collected:

- to provide services
- to pay for services
- to establish and manage partnerships
- to receive services

Secondary purpose for which information may be used:

- to manage the relationship with the business partner
- to provide information about the organisation's services

People (volunteers, employees, delegates) and applicants for volunteer work and prospective employees

Type of information collected:

- contact details
- personal details including personal details of emergency contact person(s)
- date of birth
- country of birth, citizenship, residency and/or visa details
- details of current/previous employment or volunteer involvement
- skills and experience
- qualifications, drivers licence details
- information and opinions from referees for prospective employees and applicants for volunteer work
- Suitability Checks as required under relevant legislation

Primary purpose for which information is collected:

- to provide services
- to process an application to become a member, volunteer or employee of our organisation
- to facilitate a placement in an appropriate service or position
- to assist with services whilst the individual is employed or engaged as a volunteer
- to provide feedback on performance as a volunteer or employee
- to meet legislative responsibilities to all volunteers and employees
- to obtain feedback from individuals about their experiences

Secondary purpose for which information may be used:

- to assist in reviewing and improving programs and services to keep individual informed about the organisation's developments and opportunities
- to provide information about the organisations services
- to facilitate further involvements with the organisation

Members

Type of information collected:

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- contact details
- date of birth
- areas of interest

Primary purpose for which information is collected:

- to provide services
- to provide communication updates and ensure transparency

Secondary purpose for which information may be used:

- to provide information about the organisation
- to receive invitations to upcoming events and activities
- to recognise your support of the organisation

Online Users

Type of information collected:

- contact details
- non-personal information eg. visitor navigation and statistics
- server address, browser type, date and time of visit
- personal information

Primary purpose for which information is collected:

- to analyse website usage and make improvements to the website

Additional Information

The website may from time to time contain links to other websites. CTC stresses that when an online user accesses a website that is not the CTC website, it may have a different privacy policy. To verify how that website collects and uses information, the user should check that particular website's policy.

How We Collect Information

Where possible, we collect personal and sensitive information directly from the individual. We collect information through various means, including telephone and in-person interviews, appointments, forms and questionnaires. If a person feels that the information that we are requesting, either on our forms or in our discussions, is not information that you wish to provide, they should raise this with us.

In some situations we may also obtain personal information from a third party source. If we collect information in this way, we will take reasonable steps to ensure the individual is aware of the purposes for which we are collecting personal information and the organisations to which we may disclose the information, subject to any exceptions under the Act. For example, we may collect information about from a health care professional, such as a doctor.

Health Information

As part of administering our services, CTC may collect health information. For example, CTC collects health information (such as medical history) from some clients participating in CTC programs. When collecting health information, CTC will obtain consent to such collection and explain how the information will be used and disclosed.

If health information is collected from a third party (such as a doctor), CTC will inform that this information has been collected and will explain how this information will be used and disclosed.

CTC will not use health information beyond the consent provided, unless further consent is obtained or in accordance with one of the exceptions under the Privacy Act or in compliance with another law. If CTC uses health information for research or statistical purposes, it will be de-identified if practicable to do so.

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Use and disclosure of Personal Information

CTC only uses personal information for the purposes for which it was given to us, or for purposes which are related to one of our functions or activities.

We may share personal information with our associated operational divisions.

For the purposes referred to in this Privacy Policy (discussed above under 'Collection of Personal and Sensitive Information'), we may also disclose personal information to other external organisations including:

- Government departments/agencies who provide funding for CTC services
- Contractors who manage some of the services we offer. Steps are taken to ensure they comply with the APPs when they handle personal information and are authorised only to use personal information in order to provide the services or to perform the functions required by CTC;
- Doctors and health care professionals, who assist us to deliver our services;
- Other regulatory bodies, such as WorkCover;
- Referees and former employers of CTC employees and volunteers, and applicants for CTC employee and volunteer positions; and
- Our professional advisors, including our accountants, auditors and lawyers.

Except as set out above, CTC will not disclose an individual's personal information to a third party unless one of the following applies:

- the individual has consented
- the individual would reasonably expect us to use or give that information for another purpose related to the purpose for which it was collected (or in the case of sensitive information – directly related to the purpose for which it was collected)
- it is otherwise required or authorised by law
- it will prevent or lessen a serious threat to somebody's life, health or safety or to public health or safety
- it is reasonably necessary for us to take appropriate action in relation to suspected unlawful activity, or misconduct of a serious nature that relates to our functions or activities
- it is reasonably necessary to assist in locating a missing person
- it is reasonably necessary to establish, exercise or defend a claim at law
- it is reasonably necessary for a confidential dispute resolution process
- it is necessary to provide a health service
- it is necessary for the management, funding or monitoring of a health service relevant to public health or public safety
- it is necessary for research or the compilation or analysis of statistics relevant to public health or public safety
- it is reasonably necessary for the enforcement of a law conducted by an enforcement body

We do not usually send personal information out of Australia. If we are otherwise required to send information overseas we will take measures to protect your personal information. We will protect your personal information either by ensuring that the country of destination has similar protections in relation to privacy or that we enter into contractual arrangements with the recipient of your personal information that safeguards your privacy.

Security of Personal and Sensitive Information

CTC takes reasonable steps to protect the personal and sensitive information we hold against misuse, interference, loss, unauthorised access, modification and disclosure.

These steps include password protection for accessing our electronic IT system, securing paper files in locked cabinets and physical access restrictions. Only authorised personnel are permitted to access these details.

When the personal information is no longer required, it is destroyed in a secure manner or deleted appropriately or otherwise treated in relation to legislation or contractual requirements.

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Access to and correction of personal information

If an individual requests access to the personal information we hold about them, or requests that we change that personal information, we will allow access or make the changes unless we consider that there is a sound reason under the Privacy Act or other relevant law to withhold the information, or not make the changes.

Requests for access and/or correction should be made to the Privacy Officer (details of which are set out below). For security reasons, requests must be in writing and provide proof of identity. This is necessary to ensure that personal information is provided only to the correct individuals and that the privacy of others is not undermined.

In the first instance, CTC will generally provide a summary of the information held about the individual. It will be assumed (unless told otherwise) that the request relates to current records. These current records will include personal information which is included in CTC databases and in paper files, and which may be used on a day to day basis.

We will provide access by allowing a person to inspect, take notes or print outs of personal information that we hold about them. If personal information (for example, name and address details) is duplicated across different databases, CTC will generally provide one printout of this information, rather than multiple printouts.

We will take all reasonable steps to provide access to the information requested within 14 days of a request. In situations where the request is complicated or requires access to a large volume of information, we will take all reasonable steps to provide access to the information requested within 30 days.

CTC may charge you reasonable fees to reimburse us for the cost we incur relating to your request for access to information, including in relation to photocopying and delivery cost of information stored off site. For current fees, please contact the Privacy Officer.

If an individual is able to establish that personal information CTC holds about her/him is not accurate, complete or up to date, CTC will take reasonable steps to correct our records.

Access will be denied if:

- the request does not relate to the personal information of the person making the request;
- providing access would pose a serious threat to the life, health or safety of a person or to public health or public safety;
- providing access would create an unreasonable impact on the privacy of others;
- the request is frivolous and vexatious;
- the request relates to existing or anticipated legal proceedings;
- providing access would prejudice negotiations with the individual making the request;
- access would be unlawful;
- denial of access is authorised or required by law;
- access would prejudice law enforcement activities;
- access would prejudice an action in relation to suspected unlawful activity, or misconduct of a serious nature relating to the functions or activities of NFP Organisation
- access discloses a 'commercially sensitive' decision making process or information; or
- any other reason that is provided for in the APP's or in the Privacy Act.

If we deny access to information we will set our reasons for denying access. Where there is a dispute about right of access to information or forms of access, this will be dealt with in accordance with the complaints procedure set out below.

Complaints Procedure

If someone has provided us with personal and sensitive information, or we have collected and hold personal and sensitive information, they have a right to make a complaint and have it investigated and dealt with under this complaints procedure.

If a person has a complaint about CTC's privacy practices or our handling of personal and sensitive information they should contact our Privacy Officer (details of which are set out below).

All complaints will be logged on our database.

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A privacy complaint relates to any concern that someone may have regarding CTC privacy practices or our handling of personal and sensitive information. This could include matters such as how information is collected or stored, how information is used or disclosed or how access is provided to personal and sensitive information.

The goal of this policy is to achieve an effective resolution of any complaint within a reasonable timeframe, usually 30 days or as soon as practicable.

However, in some cases, particularly if the matter is complex, the resolution may take longer.

Once the complaint has been made, we will try to resolve the matter in a number of ways such as:

- Request for further information.
- Discuss options: We will discuss options for resolution and suggestions about how the matter might be resolved
- Investigation: Where necessary, the complaint will be investigated. We will try to do so within a reasonable time frame. It may be necessary to contact others in order to proceed with the investigation. This may be necessary in order to progress a complaint.
- Conduct of our employees: If a complaint involves the conduct of our employees we will raise the matter with the employee concerned and seek their comment and input in the resolution of the complaint.
- The complaint is substantiated: If your complaint is found to be substantiated, you will be informed of this finding. We will then take appropriate agreed steps to resolve the complaint, address your concerns and prevent the problem from recurring.
- If the complaint is not substantiated, or cannot be resolved to the complainant's satisfaction, but this Privacy Policy has been followed, CTC may decide to refer the issue to an appropriate intermediary. For example, this may mean an appropriately qualified lawyer or an agreed third party, to act as a mediator.
- At the conclusion of the complaint, if the complainant is still not satisfied with the outcome they are free to take their complaint to the Office of the Australian Information Commissioner at www.oaic.gov.au.

We will keep a record of the complaint and the outcome.

We are unable to deal with anonymous complaints. This is because we are unable to investigate and follow-up such complaints. However, in the event that an anonymous complaint is received we will note the issues raised and, where appropriate, try and investigate and resolve them appropriately.

Changes to this Privacy Policy

CTC reserves the right to review, amend and/or update this policy from time to time.

We aim to comply with the APPs and other privacy requirements required to be observed under State or Commonwealth Government contracts.

If further privacy legislation and/or self-regulatory codes are introduced or our Privacy Policy is updated, we will summarise any substantial modifications or enhancements in this section of our Privacy Policy.

How to contact us

Individuals can obtain further information in relation to this privacy policy, or provide any comments, by contacting us:

Telephone – (07) 4162 9000

Post – PO Box 490, Kingaroy, 4610

Email – info@sbctc.com.au

Note: These calls can be made for a local call cost from fixed residential landlines anywhere in Australia, but calls from mobile and pay phones may incur higher charges. Check with the service provider for costings from mobile and pay phones.

RELATED DOCUMENTS:-

Office of the Australian Information Commissioner Privacy Fact Sheet 17 – Australian Privacy Principles

Your Privacy South Burnett CTC Inc Privacy Statement

Personal information collected by South Burnett CTC Inc (CTC) is protected by the *Privacy Act 1988* (Cth) (the 'Privacy Act'). Personal information is any information that can be used to identify you and includes sensitive health information.

CTC follows the Australian Privacy Principles contained in the Privacy Act in handling personal information from clients, business partners, members of the public and CTC People (including members, volunteers, employees, delegates, candidates for volunteer work and prospective employees).

CTC has developed a **Privacy Policy** to protect your privacy. The Policy is available in hard copy on request, or may be downloaded using the link below, and contains detailed information about CTC's responsibilities, your rights, and the information that may be collected by CTC and how it would be used.

The primary purpose for collecting personal information from you is dependent on the CTC Service you are in contact with. The kind of personal information we collect will depend on your relationship with CTC (eg. as a client, business partner, employee, volunteer or member, online user of the CTC website).

We usually collect personal information directly from you. However, we sometimes collect personal information from a third party such as your carer, trustee or authorised representative or from a publicly available source, but only if:

- You have consented to such collection or would reasonably expect us to collect your personal information in this way, or
- If it is necessary for a specific purpose.

We only collect personal information for purposes that are reasonably necessary for one or more of our functions or activities.

Your personal information may be used to:

- provide you with goods or a service
- report to government or other funding bodies how the funding is used
- respond to your feedback or complaints
- answer your queries.

It may also be used for:

- any other purpose for which it was requested and which was advised to you
- directly related purposes.

Please be assured that wherever possible CTC uses information in a de-identified form. Personal information will not be disclosed to third parties without your permission, except where permitted or required under the Privacy Act.

We take steps to protect all personal, sensitive and health information and government related identifiers held by CTC against misuse, interference, loss, unauthorised access, modification and disclosure.

You can access the personal information that we hold about you, and you can ask us to correct the personal information we hold about you. For more information, see our Privacy Policy – 'access to and correction of personal information'.

How to contact us

For further information contact us at info@sbctc.com.au or alternatively you can write to us at PO Box 490, Kingaroy, 4610. Assisted contact options are also available.