

# PRIVACY

**POLICY NUMBER:           GOV.18**

## INTENT

The intent of this Policy is to:

- clearly communicate the personal information handling practices of Lifestyle Connections Association Inc.
- enhance the transparency of the Service's operations
- provide Service Users, members, volunteers, employees and online users with a greater understanding of the sort of personal information that Lifestyle Connections Association Inc. collects and holds, and the way that we handle that information.

## DEFINITION

**Privacy** - *the establishment of rules governing the collection and handling of personal information by organisations.*

*Privacy is a human right.*

## POLICY STATEMENTS

- Lifestyle Connections Association Inc. respects the privacy of all stakeholders and is committed to safeguarding the personal information that is provided to us.
- Lifestyle Connections Association Inc. recognises that we are bound by privacy legislation that regulates how personal information is collected, used, disclosed and stored, and how individuals may access and correct personal information held about them.
- Lifestyle Connections Association Inc. will meet the obligations of the Information Privacy Principles (IPPs) in the Information Privacy Act 2009, along with any additional contractual obligations.

## PROCEDURES

- Lifestyle Connections Association Inc. is a Service that provides 1:1 community access and lifestyle support to people with a disability. The Service will only collect personal information which is relevant and necessary to an individual's involvement with the Service.
- Personal information is defined by the Information Privacy Act 2009 as information or an opinion, including information or an opinion forming part of a database, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.
- Personal information will be collected by the Service in a manner that is fair and lawful.
- Before the collection of personal information, or as soon as practicable after the information is collected the Service will advise all individuals in either writing or verbally:
  - why personal information is collected
  - the type of personal information that is collected and held
  - the purpose that the information is collected, held and used by the Service
  - how personal information is stored

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- if any law requires the collection of personal information
- any entities to which the information may be disclosed
- how an individual can access and amend their own personal information.
- Information may not always directly identify an individual, but if the identity of an individual is obtained through a series of steps, such as by piecing several pieces of information together, the information will still be regarded as private.
- Lifestyle Connections Association Inc. will only use personal information in accordance with the purposes for which the information was collected.
- The Service will obtain a person's consent to use or disclose personal information for a particular purpose other than what it was collected for, unless the purpose is exempt as outlined in the Information Privacy Act.
- The Service may be authorised or required by law to use or disclose personal information for a particular purpose, eg in the investigation of a criminal offence or in response to a court subpoena, and will advise individuals of this when collecting information.
- The Service will have processes in place to ensure that personal information is updated regularly or as required.
- The Service will take reasonable steps to protect personal information collected against loss, misuse, interference, unauthorised access, modification and disclosure. (Refer to the Information Management Policy)
- Personal information is generally stored by paper or electronically. The Service may use other means if identified as suitable, eg photographic, video, and audio.
- Should the Service enter into an agreement with a third party for the provision of service, reasonable steps will be taken to ensure that the relevant obligations under the Act are complied with.
- Lifestyle Connections Association Inc. manages a range of personal information to be able to provide support in line with the Service Principles, including:
  - Service Users and family members/advocates
  - Members of the Association
  - Employees, including prospective employees and contractors
  - Volunteers
  - Representatives of the Department and other Service Providers and organisations
  - Online Users and individuals making a general enquiry.
- The types of personal information that is collected includes:
  - name and contact details (including address, phone number, email etc)
  - date of birth
  - gender
  - signature
  - family/advocate details
  - emergency contact details
  - type of disability/s
  - medical/health information
  - support needs
  - cultural background, relationship details and family situation
  - funding and service provision
  - weekly schedule
  - skills and abilities

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- main source of income and/or employment status
- goals and dreams
- employment information, eg application, employment history details, referee checks, interview notes, country of birth/visa details
- personal information that is collected in the course of conducting human resource management functions, eg Tax File Number, Driver's License, bank details, criminal history screening.
- Information may be collected but not limited to the following means, in person, telephone, forms, emails, and the website. Individuals are to be advised that they may raise their concern if they do not want to provide any requested information, although the service provided will reflect the information that is provided.
- Except where access is restricted by law, Lifestyle Connections Association Inc. will allow access by an individual to their personal file.
- Individuals have the right to amend their personal information if it is not accurate, it is incomplete, out of date or misleading.
- Access to personal information may be made in writing at any time to the Service Manager. (Refer to the Privacy, Dignity and Confidentiality Policy)
- The Service will ensure that privacy obligations remain on all personal information for the period that the information is to be managed by the Service.
- The Service will not allow personal information to be accessed by another individual unless required to by law.
- The Service will not transfer an individual's personal information outside of Australia as outlined in the Act, unless:
  - the individual agrees to the transfer
  - the transfer is authorised or required by law
  - there are reasonable grounds to believe the transfer is necessary in order to prevent or lessen a serious threat to the life, health, safety or welfare of an individual, or to public health, safety or welfare
 OR
  - 2 or more of the following apply:
    - i. the recipient is subject to binding privacy obligations that are sustainably similar to the Information Privacy Principles
    - ii. the transfer is necessary to perform the functions of the Service in relation to the individual
    - iii. the transfer is for the benefit of the individual and it is not possible to seek their agreement, but if sought agreement would likely to be given
    - iv. the Service has taken reasonable steps to ensure the information is protected in line with the Information Privacy Principles.
- Complaints relating to the handling of an individual's personal information will be managed in line with the relevant Complaints and Grievances Policy. Although if after an internal investigation of a complaint an individual is not happy with the result, they may take the matter to the Office of the Information Commissioner.
- The Service will report all breaches of privacy to the Department, including a breach that has occurred to an individual, or for any general loss of data, eg computer systems has been hacked into, laptop lost or stolen.

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### DELEGATIONS

#### Management Committee

- To ensure the Privacy Policy meets the relevant Legislation
- To ensure that the Privacy Policy is updated in line with legislative changes
- To handle any relevant complaint made regarding personal information in line with the relating Complaints and Grievances Policy

#### Service Manager

- To ensure that a process is in place to advise individuals of the Service's privacy obligations
- To ensure that individuals are advised of the Service's privacy obligations
- To ensure that internal processes are in place to manage personal information in line with this Policy
- To ensure that personal information collected allows for service provision in line with the Service Principles
- To ensure that individuals are aware of the relevant complaints process should they have a complaint in regard to the management of their personal information
- To handle any relevant complaint made regarding personal information in line with the relating Complaints and Grievances Policy
- To advise the Department on any breach of personal information

#### Coordinators

- To ensure that individuals are advised of the Service's privacy obligations
- To ensure that individuals are aware of the relevant complaints process should they have a complaint in regard to the management of their personal information
- To handle any relevant complaint made under the direction of the Service Manager regarding personal information in line with the relating Complaints and Grievances Policy

### RELATED DOCUMENTATION

Complaints and Grievances Service Users Policy and Procedure  
 Complaints and Grievances, Staff and Volunteers Policy and Procedure  
 Information Management Policy and Procedure  
 Privacy, Dignity and Confidentiality Policy and Procedure

### REFERENCES

Information Privacy Act 2009 QLD  
 Privacy Act 1988  
 Right to Information Act 2009 QLD  
 Human Services Quality Framework – Standards 1 & 3  
 National Disability Insurance Scheme Act 2013  
 National Disability Insurance Scheme (Registered Providers of Supports) Rules 2013  
 NDIS Terms of Business

**AMENDMENTS/REVIEWS:** Reviewed 22/03/2018

Adopted Date: 24/03/2015	Next Review Date: March 2021	Version: 01
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