

PRIVACY

PROCEDURE NUMBER: GOV.3-PR.2

INTENT

These procedures give effect to Policy *GOV.3 Ethics* to detail the processes for handling personal information, so enhancing the transparency of the Service's operations and providing 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.

PROCEDURES

- Lifestyle Connections Association Inc. is a Service that provides 1:1 community access and lifestyle support to people with a disability. The Service only collects 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 is 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 advises 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
 - 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.
- The Service only uses personal information in accordance with the purposes for which the information was collected.
- The Service obtains 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 has processes in place to ensure that personal information is updated regularly or as required.
- The Service takes 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.

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- Should the Service enter into an agreement with a third party for the provision of service, reasonable steps are taken to ensure that the relevant obligations under the Act are complied with.
- The Service manages a range of personal information to be able to provide support in line with the Association Service Principles from:
 - 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
 - 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 is collected but not limited to; in person, telephone, forms, emails, and the website. Individuals are 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, the Service allows 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 *SERV.2-PR.2 Privacy, Dignity and Confidentiality Procedure*)
- The Service ensures that privacy obligations remain on all personal information for the period that the information is managed by the Service.
- The Service does not allow personal information to be accessed by another individual unless required to by law.
- The Service does not transfer an individual's personal information outside of Australia as outlined in the Act, unless:

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- 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 are 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 NDIS Commission and/or Office of the Information Commissioner.
 - The Service reports all breaches of privacy to NDIS Commission, 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.

AMENDMENTS/REVIEWS: