

Policy 005

Privacy

Horizon SDA Care is committed to protecting and upholding the right to privacy of clients, staff, volunteers, organisational members and representatives of agencies we deal with. In particular Horizon SDA Care is committed to protecting and upholding the rights of our clients to privacy in the way we collect, store and use information about them, their needs and the services we provide to them.

Horizon SDA Care requires staff, volunteers and Managers to be consistent and careful in the way they manage what is written and said about individuals and how they decide who can see or hear this information.

Horizon SDA Care is subject to legislation applying to the organisation and/or its client group. The organisation will follow the guidelines of the *Australian Privacy Principles* in its information management practices.

Horizon SDA Care will ensure that:

- it meets its legal and ethical obligations as an employer and service provider in relation to protecting the privacy of clients and organisational personnel
- clients are provided with information about their rights regarding privacy
- clients and organisational personnel are provided with privacy when they are being interviewed or discussing matters of a personal or sensitive nature
- all staff, directors, and management understand what is required in meeting these obligations
- it will adhere to all requirements imposed under the *Privacy Act 1988*, including the requirements imposed by the *Privacy Amendment (Notifiable Data Breaches) Act 2017*, to strengthen the protection of personal information.

This policy conforms to the *Privacy Act (1988)* and the *Australian Privacy Principles* which govern the collection, use and storage of personal information.

(Note: The Privacy Act applies to organisations with an annual turnover over \$3m or organisations that are health service providers, operators of a residential tenancy database, a contractor that provides services under a Commonwealth contract, an organisation that is related to a larger organisation or one which trades in personal information.

Many funding contracts may require that funded organisations comply with the Australian Privacy Principles).

This policy will apply to all records, whether hard copy or electronic, containing personal information about individuals, and to interviews or discussions of a sensitive personal nature.

Record of policy development		
Version	Date approved	Date for review
001	19/07/2019	19/07/2020

Responsibilities and delegations	
This policy applies to	Company Directors, Management and Staff
Specific responsibilities	Directors to formulate the policy, Management to implement the policy, staff to follow and apply the policy
Policy approval	Directors and Senior Management

Policy context – this policy relates to:	
Standards	NDIS Practice Standards 2018
Legislation	[Privacy Act 1988, National Disability Insurance Scheme Act 2013 (the NDIS Act). Property Occupations Act 2014
Contractual obligations	NDIS Participants and Owners of SDA approved dwellings under management
Organisation policies	Clients Rights Policy, Complaints Resolution Policy
Forms, record keeping, other documents	Complaints Register Compliments and Feedback Form

Procedures

Dealing with personal information

In dealing with personal information, Horizon SDA Care staff will:

- ensure privacy for clients, staff, volunteers when they are being interviewed or discussing matters of a personal or sensitive nature
- only collect and store personal information that is necessary for the functioning of the organisation and its activities
- use fair and lawful ways to collect personal information
- collect personal information only by consent from an individual
- ensure that people know what sort of personal information is held, what purposes it is held for and how it is collected, used, disclosed and who will have access to it
- ensure that personal information collected or disclosed is accurate, complete and up-to-date, and provide access to any individual to review information or correct wrong information about themselves
- take reasonable steps to protect all personal information from misuse and loss and from unauthorised access, modification or disclosure
- destroy or permanently de-identify personal information no longer needed and/or after legal requirements for retaining documents have expired
- notify individuals and the Office of the Australian Information Commissioner (OAIC) when there has been a data breach (or suspected breach) of personal information, if it is likely to result in serious harm to individuals whose privacy has been breached

Responsibilities for managing privacy

- All staff are responsible for the management of personal information to which they have access, and in the conduct of research, consultation or advocacy work.
- The Senior Manager is responsible for content Horizon SDA Care publications, communications and web site and must ensure the following:
 - appropriate consent is obtained for the inclusion of any personal information about any individual including Horizon SDA Care personnel
 - information being provided by other agencies or external individuals conforms to privacy principles
 - that the website contains a Privacy statement that makes clear the conditions of any collection of personal information from the public through their visit to the website
- The Senior Manager is responsible for safeguarding personal information relating to Horizon SDA Care staff, members, volunteers, contractors and Horizon SDA Care members.
- **The Privacy Contact Officer:** The Privacy Contact Officer will be the Senior Manager. The Senior Manager will be responsible for:
 - ensuring that all staff are familiar with the Privacy Policy and administrative procedures for handling personal information
 - ensuring that clients and other relevant individuals are provided with information about their rights regarding privacy
 - handling any queries or complaint about a privacy issue

Privacy information for clients

During the initial interview and discussions with the Senior Manager clients will be told what information is being collected, how their privacy will be protected and their rights in relation to this information.

Privacy for interviews and personal discussions

To ensure privacy for clients or staff when discussing sensitive or personal matters, the organisation will:

That interviews are conducted in a private interview space

Participants in research projects

People being invited to participate in a research project must be:

- given a choice about participating or not
- given the right to withdraw at any time
- informed about the purpose of the research project, the information to be collected, and how information they provide will be used
- given copies of any subsequent publications

The collection of personal information will be limited to that which is required for the conduct of the project. Individual participants will not be identified.

Organisational participants in research projects will generally be identified in Horizon SDA Care research, unless the nature of a particular project requires anonymity or an organisation specifically requests it.

End of document
