

	<b>Privacy Policy</b>
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<b>Applies to: All HEIP staff</b>
<b>Specific responsibility: Director</b>

<b>Policy context:</b> This policy relates to	
Standards or other external requirements	NSW Disability Service Standards
Legislation or other requirements	Privacy Act 1988 Privacy Amendment (Enhancing Privacy Protection) Act 2012
Contractual obligations	NSW Family and Community Services ADHC “Standards in Action” Children(Education and Care Services) Supplementary Provision Regulation 2004

## POLICY STATEMENT

Hastings Early Intervention Program (HEIP) is committed to protecting and upholding the right to privacy of clients, staff, volunteers, Management Committee members and representatives of agencies we deal with. In particular HEIP 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.

HEIP requires staff, volunteers and Management Committee members 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.

HEIP is subject to Privacy Amendment (Enhancing Privacy Protection) Act 2012. The organisation will follow the guidelines of the *Australian Privacy Principles* in its information management practices.

HEIP 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, Management Committee members and volunteers understand what is required in meeting these obligations.

This policy conforms to the Privacy Amendment (Enhancing Privacy Protection) Act 2012 and *the Australian Privacy Principles* which govern the collection, use and storage of personal information.

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.

## **WHAT IS PERSONAL INFORMATION**

When used in this policy, the term “personal information” has the meaning given to it in the Act. In general terms, it is any information that can be used to personally identify clients. This may include (but is not limited to) name, age, gender, postcode and contact details (including phone numbers and email addresses) and possibly financial information, including credit card or bank account information. If the information we collect personally identifies clients, or clients are reasonably identifiable from it, the information will be considered personal information.

## **WHAT PERSONAL INFORMATION DO WE COLLECT AND HOLD**

We may collect the following types of personal information:

- names;
- mailing and/or street address;
- email address;
- telephone number;
- age or birth date;
- profession, occupation or job information/location;
- details of the client’s medical and educational status;
- information provided to us through our client surveys;
- financial information regarding bank accounts, credit cards, etc when paying fees via direct bank deposit or EFTPOS facilities.

## **HOW WE COLLECT AND HOLD PERSONAL INFORMATION**

We collect personal information directly from clients unless it is unreasonable or impractical to do so. We do this in ways including:

- through families or another agency providing information upon referral;
- through families completing enrolment forms; and
- during conversations between clients and our staff.

We may also collect personal information from third parties including referral agencies.

We hold personal information in the following ways:

- Child paper files that are locked in filing cabinets & only accessible to relevant HEIP staff.
- Computer files that are protected by firewalls, password access and secure servers.

## **WHY DO WE COLLECT, HOLD, USE AND DISCLOSE PERSONAL INFORMATION**

The primary purpose for which we collect information about clients is to enable us to perform our business activities and functions and to provide best possible quality of client service. We collect, hold, use and disclose personal information for the following purposes:

- to provide clients with news, information or advice about our existing and new services;
- to communicate with clients including by email, mail or telephone;
- to manage and enhance our services;
- to personalise and customise client services;
- to verify the identity of clients;
- for our administrative, promotional, planning, service development, quality control and research purposes;

- to provide client updated personal information to us;
- to investigate any complaints about or made by clients;
- as required or permitted by any law (including the Privacy Act).

Personal information will not be shared, sold, rented or disclosed other than as described in this Privacy Policy.

### **WHAT HAPPENS IF WE CAN'T COLLECT PERSONAL INFORMATION**

If clients do not provide us with the personal information described in this policy, some or all of the following may happen:

- We may not be able to provide clients with information about services that may be suitable to them; or
- We may not be able to provide clients with the services they requested, either to the same standard, or at all.

### **HOW DO WE DISCLOSE PERSONAL INFORMATION**

We may disclose client personal information to:

- our staff who provide a direct service to the client;
- specific third parties authorised by the client to receive information held by us (eg. Early childhood centre, therapist, school);
- Ageing, Disability & Home Care and Department of Education & Communities funding reporting requirements;
- as required or permitted by any law (including the Privacy Act).

### **PROMOTIONAL MATERIALS**

We may send clients communications and information about services that we consider may be of interest to them. These communications may be sent in various forms, including mail, SMS or email. If clients indicate a preference for a method of communication, we will endeavour to use that method whenever practical to do so.

In addition, at any time, clients may opt-out of receiving promotional communications from us by contacting us. We will then ensure that the client's name is removed from our mailing list. We do not provide client personal information to other organisations for the purposes of direct marketing.

If clients receive communications from us that they believe have been sent to them other than in accordance with this policy, or in breach of any law, they should contact us.

### **ACCESSING AND CORRECTING CLIENT PERSONAL INFORMATION**

Clients may request access to any personal information we hold about them at any time by contacting us. Where we hold information that clients are entitled to access, we will try to provide them with suitable means of accessing it (for example, by mailing or emailing it). We may need to refuse access if granting access would interfere with the privacy of others, or if it would result in a breach of confidentiality. If that happens, we will give clients written reasons for any refusal.

If clients believe that personal information we hold about them is incorrect, incomplete or inaccurate, then they may request us to amend it. We will consider if the information requires amendment. If we do not agree that there are grounds for amendment, then we will add a note to the personal information stating that they disagree with it.

## **'COOKIES'**

HEIP has a website that provides information regarding the organisation and the services it provides. HEIP does not collect personal information or anonymous data relating to activity on our website (including IP addresses) via 'cookies'.

## **HOW CLIENTS CAN COMPLAIN ABOUT A BREACH OF PRIVACY**

If clients believe their privacy has been breached by us, have any questions or concerns about our Privacy Policy they should contact us using the contact information below and provide details of the incident so that we can investigate it.

Complaints can be made:

Verbally - by speaking to a staff member or the Director in person or by phone.

In Writing - on the "*We Welcome Your Feedback*" form (found next to the Suggestion Box in the HEIP foyer and place it in box or hand it to a staff member), in a letter or via email to [heipinc@midcoast.com.au](mailto:heipinc@midcoast.com.au)

We have a formal procedure for investigating and dealing with privacy breaches. We will respond to a complaint within 1-5 days. We will:

- Record the complaint on our form.
- Seek clarification and investigate the complaint.
- Work with the client to identify solutions.
- Record these outcomes.
- Provide the client with a copy of this documentation
- Review the client's satisfaction with the outcomes after 10 days.

It will be decided at this review whether the complaint has been resolved to the client's satisfaction or if we need to seek other solutions or have the complaint reviewed by the Management Committee.

Please contact our Privacy Officer/Director at:

Hastings Early Intervention Program  
Munster Street  
(PO Box 5699)  
Port Macquarie NSW 2444  
Tel: 02 6583 8238  
Email: [heipinc@midcoast.com.au](mailto:heipinc@midcoast.com.au)

## **DISCLOSURE OF PERSONAL INFORMATION OUTSIDE AUSTRALIA**

We will not disclose client personal information to entities located outside of Australia.

## **SECURITY**

We will take all reasonable steps to protect the personal information that we hold from misuse, loss, or unauthorised access, including by means of firewalls, password access and secure servers.

If a client suspects any misuse or loss of, or unauthorised access to, their personal information, clients should let us know immediately.

## **LINKS**

Our website may contain links to other websites operated by third parties. We make no representations or warranties in relation to the privacy practices of any third party website and we are not responsible for the privacy policies or the content of any third party website. Third party websites are responsible for informing clients about their own privacy practices.

## **CHANGES TO OUR PRIVACY POLICY**

We may change this privacy policy from time to time. Any updated versions of this privacy policy will be posted on our website. This privacy policy was last updated in May 2014.

## **PROCEDURES**

### **Dealing with personal information**

In dealing with personal information, HEIP staff will:

- ensure privacy for clients, staff, volunteers or Management Committee members 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.

### **Responsibilities for managing privacy**

- All staff will sign a “Staff Privacy and Confidentiality Agreement” upon commencement of employment at HEIP.
- 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 Director is responsible for content in HEIP 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 HEIP 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 Director is responsible for safeguarding personal information relating to HEIP staff, Management Committee members, volunteers, contractors and HEIP members.
- **The Privacy Contact Officer:** The Privacy Contact Officer will be the Director. The Director 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

At enrolment HEIP staff will ensure that clients will be told what information is being collected, how their privacy will be protected and their rights in relation to this information. The “Your Information – It’s Private” brochure and “Client Files” flyer will be given to all new clients. The HEIP privacy information will also be included on the HEIP website.

### Privacy for interviews and personal discussions

To ensure privacy for clients or staff when discussing sensitive or personal matters, the organisation will provide the following relevant provisions, subject to HEIP policies and procedures:

- A private interview place (eg. Sensory Room)
- Private desk and phone where phone calls may be made by staff discussing clients.
- Home visits.

### Client 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 HEIP research, unless the nature of a particular project requires anonymity or an organisation specifically requests it.

## DOCUMENTATION

Documents related to this policy	
Related policies	Access to Confidential Information Client Records Confidentiality
Forms, record keeping or other organisational documents	“Your Information – It’s Private” brochure “Client Files” flyer

Reviewing and approving this policy		
Frequency	Person responsible	Approval
Reviewed yearly	Director	Management Committee

<b>Policy review and version tracking</b>			
<b>Review</b>	<b>Date Approved</b>	<b>Approved by</b>	<b>Next Review Due</b>
1	13-5-14	Management Committee	May 2015
2			
3			