

Owner: Operations

Policy Statement

Wathaurong Aboriginal Cooperative acknowledges and respects the privacy of all individuals. We support and endorse the Privacy Principles contained in the Commonwealth Privacy Amendment (Private Sector) Act 2000, the Health Records Act 2001 and the Children Youth and Families Act 2005. All employees are required to be aware of privacy legislation and to ensure that privacy principles are inherent in their program operations.

Definitions

Privacy is concerned with empowering individuals to manage, as far as possible, the collection, use and sharing of personal information about themselves. It incorporates safeguards for a range of personal information handling activities such as collection, storage, access, transmission, disclosure, use and disposal.

Guidelines

Clients

Personal information is collected and used by the Cooperative for the purposes of assisting clients to identify and choose the services they wish to receive and to receive those services in a way that most appropriately meets their needs. The data clients provide may be shared with other services but client consent will always be obtained before this occurs.

The Cooperative is required by the state and federal Departments to enter prescribed client data into specific data bases. Privacy law also applies to the management and use of these databases and separate information will be provided to clients about this.

Donors

Personal information is collected and used by employees involved in the management of the fundraising function of the agency for the purpose of eliciting, processing, receipting, and acknowledging donations and with the informed consent of the donor for the promotion of The Cooperative fundraising activities.

Employees

Information from employees is collected and used for the purposes of meeting the Cooperative's legal responsibilities as an employer under the Workplace Relations Act, Australian Taxation legislation and other legislation relating to the employment of staff.

The content of employee discussions with Supervisors concerning clients, other employees or service delivery issues may be passed on to other Supervisors or Managers should duty of care, organisational policies or ethical principles indicate the need for this course of action.

DOCUMENT CONTROL SUMMARY

Author	Approver	Last Updated	Replaces	Version
Tony Meagher Operations Manager	Rod Jackson CEO	January 2016	Update	2.00

Volunteers

Personal information is collected by staff managing and supporting Volunteers who contribute their time, expertise and skill to assisting the Cooperative with a range of tasks within programs.

Volunteer discussions with Supervisors concerning clients, other staff or service delivery issues may be passed on to other Supervisors or Managers should duty of care, organisational policies or ethical principles indicate the need for this course of action.

Contractors and Suppliers

Information from this group is collected and used solely for the purposes of purchasing defined services.

Access to personal information

Individuals have a right to seek access, and to correct, information about them. There is currently a transitional period between the placement of information on paper files and electronic files. This policy will be modified as required in relation to electronic and hard copy files.

Current Clients

Clients may access their information in electronic client information systems or in hard copy files by contacting their individual workers. Reasonable notice is expected.

In some circumstances as defined by the Commonwealth Privacy Amendment (Private Sector) Act 2000, information may be restricted.

If there are concerns about access to information clients are encouraged to contact the Cooperative's Privacy Officer or the Federal Privacy Commissioner.

Past clients

Past clients may access their client records within 30 days of receipt of a written request as long as appropriate identification is supplied (see Client File Request form)

Current hard copy client files legitimately requested by courts or DHS will be provided in original form but a copy will be made and retained by the Cooperative until the return of the original files. A record of such requests will be maintained by the Privacy Officer.

- **Donors:** May see their personal information at any time with reasonable notice.
- **Staff:** May see their personal information at any time with reasonable notice.
- **Volunteers:** May see their personal information at any time with reasonable notice.

Accuracy and Updating

All personal information will be recorded accurately at the time of collection and updated when necessary or requested on receipt of the written advice of individuals concerned.

Data Security

All information is stored securely with procedures for the physical security of information, operational security (different levels of access for information, changing of passwords) and security of the transmission of information between different sources (See **Error! Reference source not found.**).

Destruction of unnecessary personal information

The Cooperative will destroy client, staff and volunteer personal information records at the expiration of the statutory period of retention (7 years) following departure from the service (See **Error! Reference source not found.**). Personal client Information collected electronically for funding and compliance purposes may be retained by the funding body beyond this period.

Donor personal information will be removed from our records on receipt of the written request of the donor.

Anonymity

In some instances clients will have the option of not identifying themselves if this is lawful and feasible within specific program areas.

Information for clients

The Cooperative will provide a leaflet outlining the Privacy Policy to each client on assessment and entry to a service. Similar information will be given to staff and volunteers on commencement of employment and to potential volunteers and donors prior to collecting data.

Complaints

Complaints about privacy may be made to the Cooperative Privacy Officer.

Any employee, client, donor or contractor may also make a complaint to the Commonwealth Privacy Commissioner according to the nature of the complaint.

The Cooperative’s Complaints Policy and Procedure is readily available to anyone wishing to make a complaint (See **Error! Reference source not found.** and the Privacy Statement below).

Training

Privacy training will be provided to all employees and will be a part of the agency’s induction program.

Privacy Officer

The Cooperative’s Privacy Officer is the Operations Manager. The duties of the Privacy Officer are:

- To record and manage requests for past client files
- To mediate disputes concerning privacy
- To be an organisational resource concerning Commonwealth and State privacy legislation

References

Related legislation	Related documents
Privacy Act 1988	Client Files Closure Policy
Commonwealth Privacy Amendment (Private Sector) Act 2000	Staff Grievance Policy
	Client Complaints Policy
Health Records Act 2001	Client Case Notes Policy
Children Youth and Families Act 2005	Information Security Policy

PRIVACY STATEMENT

Wathaurong Aboriginal Cooperative acknowledges and respects the privacy of all individuals and is committed to managing and protecting personal information in accordance with the following legislation:

[Privacy Amendment \(Private Sector\) Act 2000 \(Commonwealth\)](#)

[Health Records Act 2001 \(Victoria\)](#)

and where appropriate (i.e. as part of our service agreements to public sector offices)

[Public Records Act 1973 \(Victoria\)](#)

All employees of the Cooperative are required to be aware of relevant privacy legislation and to ensure that the appropriate legislation is inherent in the programs and services being provided.

How we manage personal client information

We collect and manage personal information for the purposes of providing services to families and children. We recognise that the nature of these services means that much of the information we handle is sensitive.

We will collect personal information we need to provide you with services and will always explain the purpose of any personal data collection to you. Except when overarching legislation is in place or when personal safety is at risk, we will always seek your consent before passing on personal information to another party.

The information you give us may be used to provide and co-ordinate services for you if you need service from more than one Government or non-government agency but your consent will usually be obtained before this occurs.

We also collect personal information for the purposes of planning, fundraising, monitoring and evaluating our services. Where possible, we remove identifying details from information used for these purposes.

Personal information collected by us is stored and used in accordance with our obligations under relevant privacy legislation, and may include making disclosures that are necessary or advisable to monitor and evaluate the quality of the services provided to you.

We recognise your right to have your personal information protected and handled in ways you would reasonably expect – protected on the one hand and made accessible to you on the other.

We will ensure that the information collected is stored securely and is appropriately disposed of when our services to you conclude. Disposing may mean to archive, physically destroy, or to hold information for a fixed period before physically destroying it.

If you wish to change or update any personal information you have given us, please contact the Manager of the service responsible.

For further information concerning the privacy policy or regarding the privacy of your information please contact the Privacy Officer at Wathaurong, Lot 62 Morgan St, North Geelong Vic 3215, (03) 5277 0044. Alternatively, breaches of your privacy may be reported to the appropriate State or Commonwealth Privacy Commissioners.

PRIVACY PRINCIPLES

Summarised below are the nine privacy principles of the Commonwealth Privacy (Private Sector) Amendment Act 2000.

1. We will collect only personal information that is necessary for the provision of service and we will advise clients that they may obtain access to the information they provide.
2. We will use or disclose personal information only for the primary purpose for which it was collected. Clients will be asked for consent to any other use of personal information unless other legislation precludes this (such as required by quality auditors).
3. We will take all reasonable steps to ensure that personal information is accurate, complete and up-to-date.
4. We will take all reasonable steps to protect personal information from misuse, loss, unauthorised access, modification and disclosure.
5. We will document clearly expressed policies on management of personal information and provide them to anyone who asks.
6. We will provide access for clients to personal information and make corrections if they advise us of the necessity. Such access may not be provided if it places the life or safety of others at risk.
7. We will ensure that unique identifiers assigned to individuals are only shared with other agencies when required by legislation.
8. We will give clients the option of not identifying themselves when entering transactions with us where that option would be lawful and feasible.
9. We will not transfer your personal information outside the borders of Victoria without consent.