

PRIVACY POLICY

PURPOSE

Yorgum is bound by the Privacy Act 1988 (Privacy Act). Any personal information collected will be handled in accordance with the Australian Privacy Principles (APPs) outlined in the Privacy Act

Yorgum is committed to protecting client and employee's information.

SCOPE

This policy must be followed by all Yorgum staff.

RELEVANT LEGISLATION AND STANDARDS

Privacy Act 1988

Australian Privacy Principles

Children and Community Services Act 2004

RELATED POLICIES AND DOCUMENTS

Records Management Policy

Data Breach Response Policy and Procedures

Client Charter

Request for Access of Information form

Consent to Release and Obtain Information form

Client Consent form

DEFINITIONS

Privacy - protects consumers from unfair or unauthorised use of personal or sensitive information.

Personal information - is any information that can lead to an individual being identified.

Sensitive information - any information about an individual's racial or ethnic origin, sexuality, health, religious/philosophical/political beliefs, criminal record.

Confidentiality relates to how information that has been disclosed in the course of a professional relationship is treated. The service and its staff have an obligation to take all reasonable measures to ensure all information disclosed in confidence, whether to a staff member or in a service group setting, is not disclosed without consumer consent or otherwise unfairly or inappropriately.

PERSONAL INFORMATION HANDLING PRACTICES

1. Collection of personal information.

Yorgum will only collect personal information necessary to deliver services and conduct the business activities that support this. The following types of personal information may be collected, but is not limited to:

- Contact and identification details.
- Personnel matters for staff and contractors.
- Information to meet funding and service agreement obligations.
- Information for quality improvement and accreditation purposes.

Personal information will only be released if required by law or requested by a client in relation to their own file.

Sensitive information will be collected if necessary for service provision and to meet funding body agreements. Sensitive information collected may include details of a complaint, racial or ethnic origin, and/or other health information or services sought by the individual.

Collecting personal information from children and young people

Personal information about children and young people may be collected either directly from them, through their parents or guardians, or from their education providers. If children and young people are over the age of 16, information will be collected directly from them as they are likely to have the capacity to understand any privacy notices provided to them and to give informed consent to collection. For children under the age of 16, or where capacity to provide consent is at issue, a parent or guardian will be notified and their consent sought.

2. Methods of collecting personal information

Personal information is collected directly from individuals or their authorised representatives and through referrals from other service providers. Methods used to collect this information include:

- Face to face interactions through client interviews and counselling sessions.
- Forms and documents completed by the client.
- Communication via telephone, mail, email, fax or SMS.

3. Storage and security of personal information

Yorgum will take all reasonable steps to protect personal information from misuse, interference and loss, unauthorised access, modification or disclosure.

- Personal information is stored in hard copy and electronically.
- Hard copy documents are stored in secure filing systems.
- Electronic records are stored in secure databases and are password protected.
- Only authorised Yorgum staff are provided with access to individuals' personal information.
- Where personal information is no longer required, Yorgum will take reasonable steps to securely destroy or de-identify information in accordance with legal requirements for retention and disposal.
- Regular audits are conducted to ensure compliance with record keeping practices.

4. Use of personal information

Yorgum uses personal information for the following reasons:

1. To provide services to clients, which may include:
 - a. The provision of counselling, support and advocacy
 - b. Undertake family tracing
 - c. Organising and managing reunions
2. Performing employment and personnel functions - Yorgum collects personal information from employees and job applicants. Yorgum may store information provided by job applicants who were unsuccessful for the purposes of future recruitment.
3. Meet regulatory and funding requirements - for the purposes of internal reporting and improvement of services.
4. Marketing purposes - Personal information may be used to communicate with individuals through newsletters or direct marketing to inform them about Yorgum events.

Yorgum will not use or disclose client's personal information to any other persons or organisations for any other purpose unless:

- Consent has been granted by the client to disclose their personal information to other organisations or persons.
- The use or disclosure is for a purpose directly related to providing care to the client.
- It is a legal requirement.

5. Accessing personal information and correction

Individuals may request access to the personal information that Yorgum holds about them. Requests to access personal information:

- Must be made in writing by completing a *Request for Access of Information form*
- Be addressed to the appropriate Manager.

All requests for access are processed in conjunction with privacy legislation, as soon as practicable and generally within 30 days.

Yorgum can refuse a client access to their personal information only if providing access would:

- Pose a serious threat to the life or health of any person.
- Have an unreasonable impact on the privacy of other people.
- Be unlawful.
- Be likely to prejudice an investigation of possible unlawful activity.

and if:

- The information relates to legal proceedings (existing or anticipated) between Yorgum and the person.
- Denying access is required or authorised under another law or has been requested by a law enforcement agency.
- The request for access has been made unsuccessfully on at least one previous occasion and there are no reasonable grounds for making the request again.
- The person has been provided with access to their information already and is making an unreasonable repeated request for access to the same information in the same manner.

If access to view a client file is refused, a written reason for the refusal (with the reason relating to the exemptions above) must be given.

If a client needs to change their personal information that is inaccurate, incomplete or out of date, they should advise Yorgum staff and all reasonable steps to correct the information will be taken.

6. Privacy Complaints

To lodge a complaint about a privacy issue, clients can complete a *Client Feedback form* or contact Yorgum directly by telephoning, faxing, emailing or speaking to a staff member.

Details on how to make a complaint are displayed in the foyer and on the client feedback form.

7. Disclose personal information to overseas recipients

Yorgum does not disclose personal information to overseas recipients.

HISTORY

Current Version	Effective Date	Notes/What changed?	Next Review Date
Version 1	August 2014	Incorporated Australian privacy principles.	July 2016
Version 2	November 2016	Language of document, job titles, procedures and titles of supporting policies and procedures.	July 2018
Version 3	June 2016	Changed the name of the Request for Access of Information form.	July 2018
Version 4	September 2018	Added in information about collecting information from children and young people. Other small changes to wording throughout the document.	September 2020
Version 5	August 2019	Inclusion of Data Breach Response Policy and client consent forms in related policies and documents.	Sept 2020
Version 6	Feb 2020	New logo added.	Sept 2020