

Privacy and Confidentiality Policy

Document Type:	Policy.	Department	YR Service Provision
Date of Last Review:	10.10.2022	Due for Review:	10.10.2025

1. Purpose

The purpose of this policy is to outline the personal information handling practices of Saints Care.

2. Scope

This policy applies to all staff, contractors and volunteers of Saints Care. Specifically within the Youth Rezolution services.

3. Definitions

Confidentiality – is about privacy and respecting someone's wishes about keeping information private. Confidentiality ensures that information is accessible only to those authorised to have access, and is protected throughout its lifecycle.

Consent – refers to consent that is clearly and unmistakably stated and can be obtained either in writing, orally or in other form where the consent is clearly communicated. Consent is permission for something to happen (such as gathering information) or agreement to do something (such as sharing information with another organisation or participating in an activity).

Client record - is the collection of information Saints Care holds about a client with their consent.

Personal information – means any information that can be used to personally identify a person. This may include their name, address, telephone number, email address and profession or occupation. Personal information also includes sensitive information about a person, such as health information.

Privacy Officer - is the first point of contact for advice on privacy matters within Saints Care including compliance with related legislation. This role is held by both the HR & Risk Manager and YR Compliance Worker.

Sensitive Information – refers to information that is classified as sensitive under legislation such as information on race, ethnicity, political opinions, religious or philosophical beliefs, trade union membership, health information or sexual preference.

4. Policy

Saints Care is bound to comply with the Privacy Act 1988 (Cth) and the Australian Privacy Principles (APPs) whenever we collect and handle personal information (including sensitive and health information).

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4.1 Collection of Personal Information

At all times Saints Care will try only to collect the information needed for the particular function being carried out.

The personal information Saints Care may collect, hold and use will depend on the service being delivered to the person. Examples of personal information that may be collected include, but are not limited to:

- Personal identification and contact details;
- Banking, payment and contribution details;
- Tax File and Medicare numbers;
- Records of service contacts;
- Financial status, needs and objectives;
- Employment details and history;
- Any other personal information which is either required or needed during the lifecycle of a service.

Saints Care only collects, uses and discloses personal information where it is necessary to adequately provide an individual or family with a product or service they have requested.

A person has the right not to disclose personal information to Saints Care. However, this may limit Saints Care's ability to provide them with the product or services they have requested.

Personal information records are held for a period considered appropriate to provide a person/family with the product/service the person requires and consistent with the Privacy Act and other applicable laws.

Should the person cease to be a client of Saints Care, any personal information held about them will be maintained for the relevant period required by law or until it is no longer required for the purpose related to the reason why it was collected.

4.2 Collection of Personal Information

Saints Care collects personal information from:

- Face to face interactions;
- Written forms;
- Correspondence;
- Contact over telephone/mobile or other messaging technology;
- Via the internet, including websites and social media;

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- Fundraising activities.

In most cases, personal information is collected directly from the person. However, if this is not practical, Saints Care may collect information about a person from another person who they have authorized to deal with us on their behalf. For example, an advocate and/or referrer.

4.3 Donors

Saints Care records the names, addresses, contact details and the donor history of people who make gifts to the organisation. Data files can only be accessed by staff that have a need to know.

Service providers (such as mail houses) who help Saints Care with its fundraising also maintain security over Saints Care data at the same level as the organisation.

If donors would like to see the information Saints Care holds, contact should be made with the Manager or Executive Officer.

4.4 Collection Through our Website

Saints Care has its own website. There are a number of ways Saints Care collects information through the website:

- Analytics – The site uses google analytics to collect data about people ‘s interaction with it. The purpose is to improve their experience when using the web site;
- Email lists, registrations and feedback – Saints Care collects information that people provide when signing up to a mailing list, registering for an event or when submitting feedback;
- Social Networking Services – Saints Care use social networking services such as Facebook to communicate with the public about our work. When people communicate with Saints Care using Facebook Saints Care may collect personal information, but it will only be used to help Saints Care to communicate information with them.

4.4 Disclosing Information

Saints Care may disclose personal information to third parties for the purpose of managing marketing, distributing, delivery and administration the product or services required, and otherwise in accordance with this Privacy and Confidentiality Policy and applicable laws.

For example, Saints Care may disclose personal information to:

- A person acting on a person’s behalf including a trustee or solicitor or person to whom they have granted a delegated authority;
- Services engaged to carry our functions on our behalf;

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- Medical or other service providers with whom we have a person’s consent to share. Information; and
- External dispute bodies as necessary to resolve a matter a person has raised.

4.5 Data Security

Saints Care takes steps to protect the personal information held against loss, unauthorised access, use, modification or disclosure and against other misuse. These steps include reasonable physical, technical and administrative security safeguards for electronic and hard copy paper records as identified below:

- Locking filing cabinets and unattended storage areas;
- Physically securing the areas in which the personal information is stored;
- Not storing personal information in public areas; and
- Positioning computer terminals so that they cannot be seen or accessed by unauthorised people or members of the public.
- Online data systems are secured with entry authorisation and regularly monitored online security.

Reasonable technical safeguards include:

- Using passwords to restrict computer access, and requiring regular changes to passwords;
- Establishing different access levels so that not all staff can view all information;
- Ensuring information is transferred securely (for example, not transmitting health information via non-secure email);
- Using electronic audit trails; and
- Installing virus protection and firewalls.

Reasonable administrative safeguards include not only the existence of policies and processes for guidance but also training to ensure staff, Board members, students and volunteers are competent in this area.

4.6 Accessing and Correcting Personal Information

Under the Privacy Act (Australian Privacy Principle 12 and 13) a person has the right to ask for access to personal information Saints Care is holding about them, and ask that Saints Care corrects that personal information. A person can ask for access or correction by contacting Saints Care and we must respond within 30 days. If a person asks, Saints Care must give them access to their personal information and take reasonable steps to correct it if the information is considered incorrect, unless there is a law that requires Saints Care not to.

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Saints Care will ask the person to verify their identity before giving them access to information or to correcting it and will try to make the process as simple as possible. If permission is not granted, Saints Care must notify them in writing setting out the reasons.

If Saints Care makes a correction and has disclosed the incorrect information to others, the person can ask us to tell the third party about the correction. Saints Care must do so unless there is a valid reason not to.

A person also has the right under the Freedom of Information Act to request access to documents Saints Care holds and to ask for information that we hold about them to be changed or annotated if it is incomplete, incorrect, out-of-date or misleading.

4.7 Privacy Enquiries and Complaints

If a person has an enquiry or complaint about Saints Care's information handling practices they should do this in writing. If they need help to lodge an enquiry or complaint, a person can contact us by calling 1300 889 855 alternatively write to

Privacy Officer

Saints Care – Youth Resolutions
12 Taylor St, West Pennant Hills NSW 2125
30/10-12 Old Castle Hill rd, Castle Hill NSW 2154

Saints Care nominated Privacy Officer is both the HR & Risk Manager and YR Compliance worker.

Saints Care is committed to resolving any enquiry or complaint as quickly as possible and to the person raising the issue's satisfaction. If they are unhappy with Saints Care's response to their enquiry or complaint they can refer their concerns to the Privacy Commissioner for further consideration.

Office of Australian Information Commissioner (OAIC)

Phone 1300 363 992

Email: enquiries@oaic.gov.au

Web: <https://www.oaic.gov.au>

4.8 Data Breach

Refer to Data Breach and Response Procedure.

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5. Owner

Manager, Youth Rezolutions

6. Related Documents

6.1 Legislation

Privacy Act 1988 (Cth)

Privacy Amendment (Private Sector) Act 2000 (Cth)

Privacy Amendment (Enhancing privacy Protection) 2012 (Cth)

6.2 Policy Documents

- Record Keeping Policy

6.3 Procedures

- Client Information and Consent
- Data Breach and Response Procedure

6.4 Instructions, Tools, Guidelines, Forms And Templates

- Client Consent Form
- Client 'Your Privacy' Brochure
- Data Breach Response Plan

7. Standard

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