

PRIVACY

POLICY NUMBER: SER DEL 1

INTENT

Real Living Options Association Inc. respects the privacy of all people including the people who use the Service, Employees, Volunteers, Members, Donors and business partners and is committed to safeguarding the personal information that is provided. Real Living Options Association Inc. adheres to the Australian Privacy Principles (APP) as set out in the Privacy Act 1988 and the Privacy Amendment Act 2000.

DEFINITION

Privacy is defined as a person's right to keep their personal matters and relationships a secret or known to only a small group of people.

Personal Information as defined in the Privacy Act 1988 means information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- (a) whether the information or opinion is true or not; and*
- (b) whether the information or opinion is recorded in a material form or not*

POLICY STATEMENTS

Real Living Options Association Inc. will only collect personal or health information with consent, except in specified circumstances including emergencies or as required or permitted by law.

Real Living Options Association Inc. collects information regarding the personal details and health history of Service Users to ensure the highest quality of service provision. Information regarding staff members is collected for administrative and workplace health and safety purposes.

All Employees, Volunteers and Contractors of Real Living Options Association Inc. have a responsibility to ensure as far as practicable that personal information is handled in a way that complies with this policy

PROCEDURES

Collection of Information

- The personal information that Real Living Options Association Inc. may request from a person will depend on the type of relationship the person has with them, for example, whether the person is supported by Real Living Options Association Inc., is an employee, volunteer or other stakeholder.

Date Adopted:	1996	Next Review Date	2019	Version:	5
File Path:	S:\PPD\SERVICE DELIVERY\Ser Del 7 Privacy.doc			NON-CONFIDENTIAL	Page 1 of 7

PRIVACY

- Real Living Options Association Inc. will collect personal information directly from the person where possible.
- Where a person is not able to provide the information, Real Living Options Association Inc. may collect the information from another person who has legal responsibility for the person or who acts as a recognised advocate for the person.
- Real Living Options Association Inc. only collects personal information for purposes directly related to our activities (APP3) such as:
 - Providing services and support;
 - Working with government and other non-government agencies;
 - Operating our businesses;
 - Responding to enquiries about our programs and services;
 - Administrative activities; and
 - Fundraising.
- Real Living Options Association Inc. may also collect personal information in its normal communications, including when a person:
 - Emails employees;
 - Phones Real Living Options Association Inc. as we may store their phone number;
 - Provides us with their business card.
- There are some circumstances where Real Living Options Association Inc. may receive personal information that it has not asked for. When this happens, Real Living Options Association Inc. will decide whether or not we could have collected the information from that person, if we had asked. Real Living Options Association Inc. may use or disclose that information to help us make that decision (APP4).
- Real Living Options Association Inc. does not sell, loan or give away any information that we collect.

Use and Disclosure of Information

- Real Living Options Association Inc. only holds personal information for the primary purpose it was given to us. It is not to be used or disclosed to anyone else for a secondary purpose unless one of the following applies:
 - the person has agreed;
 - the person would expect Real Living Options Association Inc. to use or disclose the personal information for the secondary purpose as it relates to the primary purpose;
 - it is required or authorised by law;
 - a permitted general situation exists (see s.16A of the Privacy Act);

Date Adopted:	1996	Next Review Date	2019	Version:	5
File Path:	S:\PPD\SERVICE DELIVERY\Ser Del 7 Privacy.doc			NON-CONFIDENTIAL	Page 2 of 7

PRIVACY

- a permitted health situation exists (see s.16B of the Privacy Act), in which case, steps must be taken to de-identify the information before it is disclosed.
- Real Living Options Association Inc. believes that the use or disclosure of the information is necessary for an enforcement related activity (e.g. Federal Police, Immigration, ATO) (APP6).
- Real Living Options Association Inc. takes steps to protect the personal information it holds against misuse, interference, loss, unauthorised access, modification or disclosure. These steps include password protection for electronic files and securing paper files in locked cabinets.
- When personal information is no longer required it is destroyed, deleted or de-identified in a secure manner, unless Real Living Options Association Inc. is required by law to keep the information (APP12).
- If a person asks for access to their personal information held by Real Living Options Association Inc., we will allow access unless there is a reason under the Privacy Act or any other law not to give access to the information. These reasons may include:
 - a serious threat to the life, health or safety of any individual, or to public health/safety;
 - it would impact on the privacy of other individuals;
 - the request is frivolous or vexatious;
 - the information relates to existing or anticipated legal proceedings;
 - it would prejudice negotiations with the individual;
 - it would be unlawful;
 - denying access is authorised by law;
- Real Living Options Association Inc. will respond to the request for access to the personal information within a reasonable time and will give access in the way requested by the person, if it is able to do so.

Confidentiality

- Employees, volunteers and contractors who may have access to personal and sensitive information in the course of their duties are bound by their commitment to confidentiality.
- Breaches of confidentiality by employees, volunteers and contractors will be dealt with in accordance with Real Living Options Association Inc.'s Policy on Confidentiality.

Date Adopted:	1996	Next Review Date	2019	Version:	5
File Path:	S:\PPD\SERVICE DELIVERY\Ser Del 7 Privacy.doc			NON-CONFIDENTIAL	Page 3 of 7

PRIVACY

Complaints of Concerns

- If you have a complaint in relation to privacy, it should be made in writing and directed to:

The Service Manager
Real Living Options Association Inc.
PO Box 562
Bungalow Qld 4870

- Your complaint or concern will be investigated by the Service Manager in consultation with the Management Committee of Real Living Options Association Inc.
- If you do not accept the response from Real Living Options Association Inc., you may seek conciliation or arbitration on the matter. You may also make a formal complaint to the Australian Information Commissioner by calling 1300 363 992 or by email: enquiries@oaic.gov.au

DELEGATIONS

Management Committee

- Ensure as far as practicable that the privacy and confidentiality relating to any information obtained during the course of their duties is maintained.

Service Manager

- Ensure as far as practicable that all staff receive training relating to privacy and confidentiality and the relevant legislation.
- Ensure as far as practicable that Service Users and Family/Advocates are aware of the practices of the Service for collection, storage and disposal of private and confidential information.

Support Coordinator

- Ensure as far as practicable that all staff receive training relating to privacy and confidentiality and the relevant legislation.
- Ensure as far as practicable that Service Users and Family/Advocates are aware of the practices of the Service for collection, storage and disposal of private and confidential information.

Lifestyle Assistants and other staff

- Must adhere as far as practicable to Real Living Options Association Inc. policy on Privacy and abide by all related legislation relating to Privacy.

RELATED DOCUMENTATION

Date Adopted:	1996	Next Review Date	2019	Version:	5
File Path:	S:\PPD\SERVICE DELIVERY\Ser Del 7 Privacy.doc			NON-CONFIDENTIAL	Page 4 of 7

PRIVACY

REFERENCES

Privacy Act 1988 (Cth)
Australian Privacy Principles
Disability Service Act 2006
Human Services Quality Standards

AMENDMENTS/REVIEWS

Amended 2007; Reviewed 05.03.12; Amended 12.07.12; Amended 26.03.15;
Amended 28.07.16

Date Adopted:	1996	Next Review Date	2019	Version:	5
File Path:	S:\PPD\SERVICE DELIVERY\Ser Del 7 Privacy.doc			NON-CONFIDENTIAL	Page 5 of 7

PRIVACY

Annexure: Australian Privacy Principles Quick Reference

APP 1 — Open and transparent management of personal information Ensures that APP entities manage personal information in an open and transparent way. This includes having a clearly expressed and up to date APP privacy policy.

APP 2 — Anonymity and pseudonymity Requires APP entities to give individuals the option of not identifying themselves, or of using a pseudonym. Limited exceptions apply.

APP 3 — Collection of solicited personal information Outlines when an APP entity can collect personal information that is solicited. It applies higher standards to the collection of 'sensitive' information.

APP 4 — Dealing with unsolicited personal information Outlines how APP entities must deal with unsolicited personal information.

APP 5 — Notification of the collection of personal information Outlines when and in what circumstances an APP entity that collects personal information must notify an individual of certain matters.

APP 6 — Use or disclosure of personal information Outlines the circumstances in which an APP entity may use or disclose personal information that it holds.

APP 7 — Direct marketing An organisation may only use or disclose personal information for direct marketing purposes if certain conditions are met.

APP 8 — Cross-border disclosure of personal information Outlines the steps an APP entity must take to protect personal information before it is disclosed overseas.

APP 9 — Adoption, use or disclosure of government related identifiers Outlines the limited circumstances when an organisation may adopt a government related identifier of an individual as its own identifier, or use or disclose a government related identifier of an individual.

APP 10 — Quality of personal information An APP entity must take reasonable steps to ensure the personal information it collects is accurate, up to date and complete. An entity must also take reasonable steps to ensure the personal information it uses or discloses is accurate, up to date, complete and relevant, having regard to the purpose of the use or disclosure.

APP 11 — Security of personal information An APP entity must take reasonable steps to protect personal information it holds from misuse, interference and loss, and from unauthorised access, modification or disclosure. An entity has obligations to destroy or de-identify personal information in certain circumstances.

APP 12 — Access to personal information Outlines an APP entity's obligations when an individual requests to be given access to personal information held about them by the entity. This includes a requirement to provide access unless a specific exception

Date Adopted:	1996	Next Review Date	2019	Version:	5
File Path:	S:\PPD\SERVICE DELIVERY\Ser Del 7 Privacy.doc			NON-CONFIDENTIAL	Page 6 of 7

PRIVACY

applies. APP 13 — Correction of personal information Outlines an APP entity's obligations in relation to correcting the personal information it holds about individuals.

Source: www.oaic.gov.au

Date Adopted:	1996	Next Review Date	2019	Version:	5
File Path:	S:\PPD\SERVICE DELIVERY\Ser Del 7 Privacy.doc			NON-CONFIDENTIAL	Page 7 of 7