

# Privacy Policy

<b>Applies to:</b>	All Intereach employees, both paid and unpaid, and Family Day Care educators.				
<b>Definitions:</b>	Refer to Schedule of Definitions: <i>employees, confidential information, personal information, sensitive information</i>				
<b>Version:</b>	5	<b>Date approved:</b>	January 2018	<b>Next review date:</b>	March 2020

## 1. Policy Statement

Intereach is committed to maintaining a person's right to privacy by upholding the Australian Privacy Principles (APP) and complying with the Privacy Act 1988 (Cth) and other relevant regulation, legislation and contractual requirements.

## 2. Objective

The objective of this policy is to outline rights and responsibilities regarding the collection, handling, security, retention, accuracy and access to personal and sensitive information.

## 3. Responsibilities

It is the responsibility of the managers and nominated supervisors to ensure:

- employees and Family Day Care educators have signed the *Intereach Privacy and Confidentiality Agreement* prior to employment or registration;
- employees and Family Day Care educators are supported to understand and maintain privacy within and outside their professional roles; and
- personal and sensitive information, both electronic and physical, is kept confidential in line with regulation and accessible only by authorised employees.

It is the responsibility of employees and Family Day Care educators to:

- sign the *Intereach Privacy and Confidentiality Agreement* prior to employment or registration,
- only collect personal and sensitive information with the prior knowledge and consent of the person and for the purpose of performing their duties,
- protect personal, sensitive and confidential information from misuse, loss, unauthorised access, modification or disclosure during their employment or registration with Intereach and after this has ended;
- disclose personal, sensitive and confidential information to third parties only with consent and as authorised or in compliance with regulation or legislation;
- ensure that consents for service and information collection and exchange are renewed at least every two years and whenever there is a change to the service or relevant information; and
- maintain information in accordance with the Intereach *Records Policy*.

## 4. Guidelines

### 4.1. The kinds of personal information we collect

**Personal information** refers to information or an opinion that identifies an individual. This may include a person's name, address, photograph, contact details, date of birth, employment details or any information where the person is reasonably identifiable.

**Sensitive information** is a subset of personal information and may include a person's cultural or ethnic origin, health information (such as disability or use of health services), religious beliefs, political opinions, sexual orientation, or criminal record.

**Confidential information** refers to other information that Intereach informs employees and Family Day Care educators is to be kept private, or could reasonably be assumed to be. This may include organisational financial and governance information, pending tender applications, employee information and records and the intellectual property of the organisation.

Intereach primarily collects information about the people we work with for the purpose of conducting our usual activities and operations, including developing and delivering services, evaluating outcomes and conducting research.

We may collect information about you in a number of circumstances, including when you:

- consent to engage with us in a service, activity or event;
- provide feedback or request information from us;
- apply for a job or volunteer position;
- make a donation; or
- join a mailing or contact list.

The types of personal information that we collect will depend on the circumstances and may include information about your name, contact details, interests, family and other relationships, as well as any other personal information provided by you in forms and documents. If you are applying for a job with us, we will also collect information about your qualifications and experience and as a result of screening checks.

When interacting with us, you can choose to be anonymous or use a pseudonym except where we are required or authorised by law to deal with identified individuals, or it is impracticable for us to deal with individuals who have not identified themselves.

### 4.2. How we collect and hold personal information

We hold personal information electronically and in hard copy form at our offices and with the assistance of internet service providers. Our employees and Family Day Care educators understand that personal and sensitive information must be collected:

- with the prior knowledge and consent of the person (or their legal representative);
- in a fair, non-intrusive and lawful way;
- only if necessary for the function of the service or organisation;
- without intrusion into areas of a person's life that are irrelevant to the services provided;
- directly from the person, where practical and appropriate, rather than a third party;
- after informing the person why the information is being collected and how it will be used; and
- in an environment where confidentiality can be maintained.

We will seek consent before we take photographs and recordings of individuals using or participating in our services, programs or facilities and before publishing information that identifies an individual in any printed, electronic, video or audio publications.

### **4.3. How we use and disclose personal information**

We use the personal information we collect to help us provide services or support to you where you have explicitly consented, for example through the completion of a *Service Consent Form*, or implicitly consented, for example through an enquiry received by phone or email.

Except for the examples listed below, we disclose personal information with third parties, for example government agencies and other service providers, with the consent of the person (or their legal representative) and where necessary for the effective provision of service and/or as required by regulation, contract or legislation. Consent may be gained on enrolment or engagement with a service and/or through the completion of an *Information Exchange Consent Form*.

We will always try to obtain consent before disclosing information to a third party but we are permitted to share information with government agencies and non-government organisations without your consent if:

- there are concerns about the safety, welfare and wellbeing of children and young people, for example, as mandatory reporters, we are required by law to report to Child Protection in NSW and Victoria if we suspect, on reasonable grounds, that a child or young person is at risk of significant harm;
- you are an Intereach employee, volunteer or Family Day Care educator and there have been allegations against you of sexual offence or misconduct to, or in the presence of, a child or any other form of harm or neglect of a child; or
- it is essential to lessen or prevent a serious threat to the life, health or safety of any person, or to public health or safety, or to take appropriate action in relation to suspected unlawful activity or serious misconduct.

As a requirement of the funding of our services, we are sometimes required to share de-identified information (where personal identifiers such as name and address have been removed) about people receiving services with the government agency accountable for the service. Through contractual, regulatory and legislative requirements, we are obligated to report serious incidents and complaints, which may contain personal information, in some circumstances to regulatory authorities or government agencies.

### **4.4. How you can access and correct your personal information**

All individuals have the right to access information about themselves held by us that is considered personal or sensitive and can do so by contacting us by phone, email or in person and providing identification. We will take all reasonable steps to correct personal information if it is found to be inaccurate, incomplete, misleading or not current.

Personal information will only be withheld by us in exceptional circumstances, for example if we are authorised to refuse access under state or federal law or if access would undermine the privacy of another person.

### **4.5. How you can complain about a breach of privacy**

If you feel your privacy has not been maintained, please contact us directly. Refer to our *Complaint Handling Policy* (available on the Intereach website) for more information.

Breaches of privacy may result in disciplinary action and potential termination of employment or registration in line with the *Disciplinary and Dismissal Policy*.

#### 4.6. Disclosing personal information overseas

In order to ensure that any third party agencies who have access to your personal information, as outlined above, abide by the Australian Privacy Principles, your personal information will not be disclosed nor shared directly or indirectly with any agency based outside of Australia.

#### 4.7. How we keep personal information secure

Personal information is kept in a manner that reasonably protects it from misuse and loss and from unauthorised access, modification or disclosure. This includes keeping hard copy information in locked cabinets with restricted access and using security controls for electronic information that include authorised access, user authentication, email filtering, encryption, firewalls, virus protection and regular data back-up.

#### 4.8. How we dispose of personal information

We will retain personal information for as long as it is needed for the purpose for which it was obtained and in order to comply with legal, regulatory, financial and administrative requirements. Please request a copy of our *Records Policy* for more detail.

When your personal information is no longer needed for the purpose for which it was obtained, we will take reasonable steps to destroy or permanently de-identify it. This includes secure shredding and disposal of hard copy information and permanent deletion of electronic information.

5. Policy context: this policy relates to:	
5.1. Standards or other external requirements	Australian Privacy Principles Information Privacy Principles (VIC)
5.2. Legislation or other requirements	Privacy Act 1988 (Cth) Privacy and Data Protection Act 2014 (VIC) Freedom of Information Act 1989 (NSW) Children and Young Persons (Care and Protection) Act 1998 Chapter 16A
5.3. Internal documents	Code of Conduct Policy Records Policy Disciplinary and Dismissal Policy Complaint Handling Policy Electronic Data Management Policy Child Protection Reporting Policy Child Protection Reporting Factsheet Privacy and Confidentiality Agreement Media Consent Form Service Consent Form Information Exchange Consent Form

6. Document control			
Version	Date approved	Approved by	Next review date

1	2009	CEO	2012
2	January 2012	CEO	January 2015
3	December 2014	Combined Leadership Group	December 2017
4	March 2017	Combined Leadership Group	March 2020
5	January 2018	CEO (minor change re. consent renewal)	March 2020