

---

## PRIVACY

PWS 02  
Endorsed 8.2.2013

---

### POLICY

The Palm Island Community Company (PICC) collects and administers a range of personal information. The company is committed to protecting the privacy and confidentiality of the personal information that it collects, holds and administers.

PICC recognises the essential right of individuals to have their information administered in ways which they would reasonably expect: protected on one hand, and made accessible to them on the other. These privacy values are reflected in and supported by the company's core values and philosophies.

PICC is bound by the National Privacy Principles in the Privacy Amendment (Private Sector) Act 2000, the Privacy Act 1988, as well as other laws, which impose specific obligations when it comes to handling information. The company recognises the respective privacy principles contained in privacy law as minimum standards in relation to handling personal information.

### SCOPE

This policy applies to all programs and services of the Palm Island Community Company.

For PICC Disability and Residential Services, a Privacy Notice is to be included on service delivery and client forms.

PICC Disability Services employees should also refer to the following part of the PICC Disability Services Staff Handbook

- 9 (Confidentiality and Privacy).

PICC Residential Service employees should also refer to the following part of the PICC Residential Service Staff Handbook:

- 11 (Confidentiality and Privacy).

PICC Residential Service employees should also refer to the following part of the PICC Residential Service Policy and Procedures:

- 21 (Confidentiality).

### 1 DEFINITIONS

<b>Non-profit Organisation</b>	<i>means:</i> a non-profit organisation that has only racial, ethnic, political, religious, philosophical, professional, trade, or trade union aims.
<b>Employee Record</b>	<i>means:</i> a record of personal information relating to the employment of an employee. It includes health information about an employee and personal information.
<b>Personal Information</b>	<i>means:</i> information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about a client

whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

<b>Sensitive information</b>	<i>means information or an opinion about a client's:</i> racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association or trade union, sexual preferences or practices, criminal record, health information about a client.
<b>Health Information</b>	<i>means information or an opinion about:</i> the health or disability (at any time) of a client, a client's expressed wishes about the future provision of health services to him or her, a health service provided, or to be provided, to a client that is also personal information.
<b>Record</b>	<i>means:</i> a document, a database (however kept), a photograph or other pictorial representation of a person.
<b>Unlawful Activity</b>	<i>means:</i> acts or omissions that are expressly prohibited by Commonwealth, State and Territory law.
<b>Government Contract</b>	<i>means:</i> a Commonwealth contract or a State contract.
<b>Law</b>	<i>means:</i> Commonwealth, State and Territory Legislation, as well as Common law.
<b>Required by Law</b>	<i>means:</i> that an organisation <i>must deny</i> access to personal information.
<b>Authorised by Law</b>	<i>means:</i> a law that gives an organisation the <i>discretion</i> to deny access to personal information.
<b>Identifier</b>	<i>means:</i> a number assigned by an organisation to a client to identify uniquely the client for the purposes of the organisation's operations.

## 2 OVERVIEW OF THE PRIVATE SECTOR PROVISIONS OF THE PRIVACY ACT 1988

The private sector provisions in the *Privacy Act 1988* regulate the way in which the Palm Island Community Company collects, uses, keeps secure and discloses personal information. It gives clients the right to know what information we hold about them and a right to ensure that their information is corrected if it is wrong. The private sector provisions aim to give people greater control over the way information about them is handled in the private sector and ensures compliance by organisations with the ten National Privacy Principles. These may be viewed at: [www.privacy.gov.au/materials/types/infosheets/view/6583](http://www.privacy.gov.au/materials/types/infosheets/view/6583).

PICC must take reasonable steps to make clients aware that it is collecting personal information about them, the purposes for which it is collecting the information, and who it might pass the information on to. There are some restrictions on the uses we can make of personal information and when we can disclose personal information or transfer it overseas. PICC must not collect personal information unless the information is necessary for one or more of our functions or activities and only by lawful and fair means and not in an unreasonably intrusive way.

Except for some special circumstances, clients have a right to get access to personal information we hold about them and to have the information corrected or annotated if the information is incorrect, out-of-date or incomplete. Clients can also make a complaint if they think information about them is not being handled properly.

### **3 PURPOSE OF THIS POLICY AND PROCEDURES**

The purpose of this policy is to offer information and guidance to PICC staff and clients regarding the obligations under the ten National Privacy Principles. This policy is to make up part of the staff induction process and is to be made freely available to any person requesting it.

Please note: this policy refers only to people seeking information held regarding them. It does not refer to third party requests. Third party requests for information are not permitted without the knowledge and consent of the client. PICC will not release personal information to any person other than the person the information directly refers to, unless PICC has obtained written consent from the subject of the information, or receives a warrant, order or notice issued by a Court or Government.

### **4 APPOINTMENT OF PRIVACY OFFICER**

If required, the General Manager is authorised to appoint a Privacy Officer to ensure that the Palm Island Community Company has a first point of contact when privacy issues arise either internally or from outside the company. The privacy officer's responsibilities would include:

- Action any privacy matters which cannot be resolved through normal business practice.
- Offer advice to management, staff and clients on matters pertaining to privacy.
- Ensure that PICC privacy policy and procedures are fully implemented, maintained and that the plan is promoted to all relevant parties.
- Expediently and openly deal with client complaints regarding privacy matters.
- Ensure that PICC complies with the relevant law.

### **5 ANONYMITY**

Persons entering into transactions with PICC may have the option not to identify themselves when entering into those transactions. Should this occur staff should point out to the person concerned that this may have an adverse effect on the company's capacity to offer the full range of our services to them.

However, some PICC services cannot offer an option of anonymity, such as those services funded to work with a specific client group where identification of the client is a prerequisite (for example, some State and Federal Government funded programs). In these cases, the persons entering into transactions with PICC must be informed prior to any transactions of the type and specificity of their information that will be collected and reported to other parties (as per paragraph 7 below).

### **6 OPENNESS**

National Privacy Principles state that we are to be open about our handling of personal information. Our documentation (where applicable) contains relevant privacy information for the information of our clients. Staff are to take reasonable steps to let people know:

- what sort of personal information we hold

- for what purpose we hold the information
- how the information is collected
- how we store and use the information
- to whom the information is disclosed (where applicable)

At assessment, clients are to be informed of their rights and assured that records regarding their situation are kept confidential and private.

For evidentiary purposes and where considered necessary, a form of consent should be completed to record that a client has consented to multi-providers of the relevant PICC service accessing his/her file (rather than relying on a notation on the file). A consent form provides evidence that a valid consent was obtained, when it was obtained and by whom.

## **7 HANDLING PRIVATE AND CONFIDENTIAL INFORMATION**

Protecting the privacy of service users is very important and the following procedures are designed to ensure that details about service users are kept confidential, and only disclosed with the service users' permission for the purposes of ensuring that service users are receiving the services they need.

### **7.1 Privacy and Confidentiality in the Assessment Process**

The initial assessment of a service user and any follow-up or reviews should take place in an area that provides privacy and confidentiality.

The worker should note any particular privacy requirements of the service user e.g. the preference for a male or female worker.

### **7.2 Privacy and Confidentiality of Information**

The only information held by the Palm Island Community Company about a service user will be information necessary to assess the need for a service, to provide the service and to fulfil the data collection requirements of legislation and the funding agency. Information should be as non-obtrusive and objective as possible, yet relevant and up-to-date.

The service user has the right to withhold information for privacy reasons.

If a service has stopped being provided to a service user but may need to be resumed at a future date, information relating to the service user will be kept securely and in accordance with company records management procedures and retention timelines set down.

If the service will not need to be resumed, the service user records will be archived at the end of the financial year.

Information about a service user will not be shared with another agency without the permission of the service user or his/her legal guardian or advocate.

Service users have the right to read any personal information kept about them by PICC. Procedures to provide access to personal information are contained within this policy.

Physical documentation regarding service users will be stored in a filing cabinet which is kept locked when the office is unattended. Service user information that is stored on the company's electronic recording system (*SRS InfoXchange Service Record System*) has a hierarchical user system and operates over a secure web-based channel. Access to service

user information is restricted to the coordinator and allocated workers within the relevant PICC service.

### 7.3 Records

The procedure for opening files and file movement involves:

- Allocation of separate filing cabinets: one for service user records and one for general administration.
- An individual file and an electronic client record will be created for each service user following initial assessment.
- Procedures for file archiving and retrieval are contained within the Records Management policy.
- Files removed from the office are to be placed in a secure folder or envelope which does not identify the service user.
- When not in use, files should be stored in the filing cabinet.
- Keys to the filing cabinet holding service user records will be held by the Coordinator. Keys to the filing cabinet holding general administrative files will be held by the Coordinator and relevant administrative staff.

**PICC Disability Service** files of service users will include:

- Assessment
- Review
- Change in individual support plan
- Change in staff working with the service user
- Change in circumstances of the service user
- Complaints
- Reports/Information from other agencies
- Requests from the service user, for any change in service

## 8 WHAT TYPE OF INFORMATION MAY A CLIENT ASK FOR?

The information people may request will be subject to their requirements. Some of the types of information that may be requested include:

- the kind of personal information PICC collects about them;
- what, if any, of that information is sensitive information under the *Privacy Act 1988*;
- the purposes for which PICC collects or holds personal information;
- the type of personal information the organisation shares with related agencies or companies;
- more information about who the organisation discloses personal information to and the reasons for doing so;
- details of the PICC functions or activities that involve personal information and are contracted out;
- who the person can contact at PICC if they have a privacy concern;
- PICC contact details, for example, the name, street and postal addresses, the main telephone and fax numbers and appropriate E-mail addresses (these details are contained within the headers of our documents as part of our normal business practice);

- how we at PICC store and secure our information (**Note: staff are not to release *specific details of security measures that would jeopardise the security of any personal information***);
- how clients are able to get access to information PICC holds about them;
- the kinds of personal information PICC may transfer to other stakeholders;
- how a client can make a complaint to PIC about a possible breach of privacy.

## **9 CLIENT REASONS FOR A REQUEST FOR ACCESS TO PERSONAL INFORMATION**

Clients do not have to give a reason for the request for access to their information. Staff should question the client to ascertain the exact type and amount of information they request.

## **10 FACTORS AFFECTING THE WAY WE PRESENT INFORMATION**

When we become aware of any particular requirements affecting a client requesting information we should consider presenting the information in a way that takes into account those requirements. Some factors that may affect the way we present information could include:

- any disability the client may have;
- the client's level of understanding;
- the client's language or literacy skills.

## **11 REASONABLE STEPS WHEN PROVIDING INFORMATION**

We are required when requested, to take reasonable steps to let a client know what sort of personal information we hold and for what purposes and how we collect, use and disclose the information. The National Privacy Principles do not limit the type or detail of information that we may provide. We may tailor the information according to what the client wants to know. PICC staff are to consider a number of matters when deciding what are reasonable steps when providing information to clients, including:

- The complexity of the information we hold, for example, if the request is a simple one such as the date and time of a previous appointment, then it would be appropriate to give the information verbally.
- For more complex requests for information for example, the request may be a statement of the person's attendance at our agency and then written material may be a better option.
- However much information the client wants, when providing information, whether simple or complex, it is to be presented in a user-friendly, accessible way and to avoid jargon or in-house terms.

## **12 ACCESS AND CORRECTION OF PERSONAL INFORMATION**

When access to personal information requests are received, the *Request for Personal Information* form at Attachment A must be completed by the person receiving the request, the relevant Service Manager and/or the Privacy Officer. A copy of this form is to be filed in the relevant client's file, and a copy kept by the Privacy Officer.

### **12.1 Access to Client Files**

Clients are permitted to view material contained in their client file. The file viewing can only be conducted on PICC premises and the person will not be able to remove these

files or take copies of the information contained therein. A PICC staff member, preferably the client's usual worker/counsellor, must be present at all times throughout the viewing to ensure that the information viewed is clear, explained where necessary, and is not misused or misinterpreted.

If a client wishes to view their client file, they must give a minimum of two weeks' notice. The Service Manager of the relevant program and the Privacy Officer must be informed of the request. An appointment time will be provided for the client to view their client file, accompanied by a PICC staff member.

## **12.2 Charges for Access to Information**

Under Principle 6 of the National Privacy Principles we may not charge a fee to a person to lodge a request for access to information. PICC may apply a fee for the recovery of costs only for making the information available, but will do this only if the costs are deemed excessive. Costs are to be considered on a case-by-case basis. When assessing how much to charge a client for access, the following will need to be considered:

- staff costs involved in the locating and collating of the information;
- costs to reproduce the information;
- costs associated with explaining the information to someone;
- costs associated with the employment of intermediaries either at company expense or shared between PICC and the client;
- charges are not to exceed the cost to the company to process the request;
- waiving or remitting the cost particularly where a client is in receipt of a Government benefit or pension.

## **12.3 Factors Affecting Access**

The way PICC provides a client with access to their personal information could be affected by various factors including:

- the type of information to which the client has requested access;
- the way the client made the request;
- the way we store the information;
- the technology the client making the request has access to (e.g. E-mail);
- the location of the client making the request;
- any exceptions that apply to the information requested.

## **12.4 Ways of Giving Clients Access to Information about Themselves**

Examples of the way we could give access include:

- Providing the information in writing, such as with statement of attendance, confirmation of enrolment / participation in a particular program, closure reports etc.
- Let the client view the information and have a suitably qualified person explain the contents.

## **12.5 Steps to Correct Personal Information**

Should we hold personal information about a client and the information is found (or the client is able to establish) that the information is not accurate, complete and up-to-date, all reasonable steps to correct the information must be taken as soon as practicable after the discovery of the inaccuracy. Due to legal requirements,

information must never be removed from a client file. However, a note is to be placed next to the incorrect information explaining changes required and any other relevant information.

### 12.6 Form of Request for Access to Information

There are two ways that PICC is to receive requests for information. They are:

- Verbally over the phone, or in person, for requests of a simple nature.
- In writing (in a letter, fax or E-mail) for requests of a more complex nature.

## 13 ESTABLISH THE CLIENT’S IDENTITY

There is a risk that someone may try to access another person’s information either by mail, phone, fax, E-mail or in person. Personal information is not to be disclosed to any person other than the person the information directly refers to. Only when the positive identity of the client is confirmed is the information to be released. The identity of the person requesting the information is to be positively established by using the following methods:

Method of Request	Method of Verification of Identification
Telephone	Request the person requesting access to verify at least two of the following and confirm the source of identity: <ul style="list-style-type: none"> <li>• Next of Kin Information</li> <li>• Tax File Number</li> <li>• Driver’s Licence Number</li> </ul>
Fax/E-Mail or Surface Mail	Verify the source of the correspondence. Contact the person requesting access by telephone and verify as per <i>telephone</i> above.
In Person	If the person requesting the access is known, begin the access process.  If the person is not known, have the person present photo I.D. e.g. Drivers Licence, or have the person verify their I.D. by following the process as per <i>telephone</i> above.

**Note:** *If the identification of the person requesting the access to information cannot be verified the request is to be denied, the client informed of the decision as stated in paragraph 14 and the request forwarded to the Palm Island Services Manager and/or Privacy Officer for further action.*

## 14 EXPLAINING TO THE CLIENT THE REASONS FOR DENIAL OF ACCESS OR REFUSAL TO CORRECT PERSONAL INFORMATION

If a request for information or correction of personal information is refused, the client must be informed of the reasons for denying access to or correction of the information. The reasons for the denial or refusal are to be provided to the person in writing, stating the reasons for the refusal and a copy of the reasons held with the document/s. The written reasons are only to be released subject to approval by the Privacy Officer. Reasons for putting this information in writing include:

- it gives PICC an accountability trail in the event of a complaint;
- it will help the client to understand the reasons given by PICC and so help to avoid unnecessary complaints.

#### **14.1 Additional Considerations**

When informing the client of the reasons for denying access or refusing to correct information, the person giving the reasons will include information about:

- PICC process for reviewing the decision;
- the process the client can follow if they wish to make a complaint about the decision either through the PICC complaints process or to the Federal Privacy Commissioner. (Staff are to guide the client towards the PICC complaints process in the first instance).

### **15 GIVING AN EXPLANATION TO A CLIENT INSTEAD OF ACCESS TO EVALUATIVE INFORMATION**

National Privacy Principle 6 allows PICC not to release information that will reveal the formulae, or the fine details of the evaluative process we use in our commercially sensitive business decisions but it is not aimed at preventing the release of the result of the information nor the factual information about the client.

The person requesting the information is to be given access only to the raw information and the opinions that were used in the evaluation process and an explanation of any decision based on the evaluative process.

### **16 PROVIDING AN AREA FOR INSPECTION OF INFORMATION**

Where feasible, consideration should be given to providing a private and convenient area where the client can inspect the information requested or where the client can have the information explained to them. Reasons for considering providing such an area are:

- that it is not appropriate to explain the contents of an client's personal information (in particular, therapeutic or counselling information) in a busy, open public space such as a reception counter;
- that it would not ordinarily be reasonable to expect people to inspect large quantities of information, which may take a long time to go through, while standing at a public counter.

### **17 USE OF INTERMEDIARIES WHEN THE CLIENT IS ACCESSING INFORMATION**

National Privacy Principle 6 requires that PICC consider using intermediaries to allow their clients to gain access to personal information that would otherwise be denied by having an intermediary explain the information to the client.

#### **17.1 Role of the Intermediary**

An intermediary is a person or persons acceptable to both PICC and the client asking for access to personal information. The role of the intermediary is to enable a client to gain access to and have the contents of the personal information explained to them that would otherwise have been denied to them.

### **17.2 Type of Information Explained by an Intermediary**

The type of information explained by the intermediary depends on the instructions given to him/her by the General Manager / Service Manager and/or Privacy Officer.

### **17.3 Considerations before Using an Intermediary**

Before using intermediaries in the access process consideration should be given to the following:

- giving access to the client but block out information which has been deemed to be excluded;
- give the person a summary of the information and exclude the information which is required to be excluded;
- explore any other way in which the requirements of the client and PICC can be satisfied.

### **17.4 Steps when Using an Intermediary**

It is up to PICC management to make the decision when an intermediary is to be engaged. Factors may include the kind of relationship the organisation has with the client, the exception that will deny the client direct access and the sensitivity of the information requested. The following steps should be followed:

- Notify the client of the decision to use an intermediary. This is to be done either verbally or in writing, stating the exception that prevents direct access and suggesting the use of an intermediary who is mutually acceptable to both parties.
- Explain, in an easily understood way
  - the role of the intermediary;
  - how the procedure is to work;
  - any costs that the client will incur if an intermediary is used;
  - what the client needs to do next.

## **18 ACTIVITIES RELATED TO GOVERNMENT CONTRACTS**

The Privacy Act exempts the acts and practices of contracted service providers for a Government contract when those acts or practices are directly or indirectly related to meeting obligations under the contract. This statement does not exempt PICC from maintaining vigilance in the security of the personal information we collect and store within PICC.

## **19 SECURITY OF PERSONAL INFORMATION**

All staff are to ensure that the personal information they collect, use or disclose is accurate, complete and up-to-date.

- Staff must take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for any purpose for which the information may be used or disclosed. National Privacy Principle 2 should be read in conjunction with this paragraph. Staff are reminded that the integrity of normal business practices associated with archiving and storage of files is to be maintained.

## **20 UNLAWFUL ACTIVITY AND LAW ENFORCEMENT**

### **20.1 Unlawful Activity Disclosure**

The *Privacy Act 1988* seeks to balance client privacy with the public interest in law enforcement and Government Regulation. National Privacy Principle 2 allows PICC to use or disclose personal information when there is reason to suspect that unlawful activity has been, is being, or may be engaged in. National Privacy Principle 2.1 should be read in conjunction with this paragraph. When unlawful activity is suspected it must be based on fact. The suspected unlawful activity will ordinarily relate to the operations of PICC.

### **20.2 Disclosure Required by Law**

There may be times when PICC is required by law to use or disclose personal information in a particular way. Some examples are:

- a warrant, order or notice issued by a Court or Government agency for the provision of information, or the production of books, records, or documents held by us for inspection;
- statutory requirements to report matters to agencies or enforcement bodies such as:
  - the reporting of specific financial transactions to Austrac;
  - the reporting of notifiable accidents, injury or dangerous occurrences to Workplace Health and Safety authorities;
  - legislation that requires an organisation to carry out some action, which of necessity involves particular uses or disclosures of personal information.

### **20.3 Other Areas of Use and Disclosure under National Privacy Principle Two**

All staff are encouraged to read the Private Sector Information Sheet No: 7 – 2001 ‘Unlawful Activity and Law Enforcement’ available from the Privacy Officer or the Federal Privacy Commissioner Website: [www.privacy.gov.au](http://www.privacy.gov.au). This information sheet covers additional issues regarding PICC dealings with other areas of use and disclosure such as:

- to law enforcement bodies e.g. DET, Queensland Police Service, Australian Securities and Investments Commission (ASIC);
- the enforcement of criminal law;
- laws imposing a penalty or sanction e.g. Workplace Relations or Workplace Health and Safety Legislation;
- the protection of public revenue e.g. taxation;
- serious improper conduct e.g. corruption, abuse of power, dereliction of duty;
- proceedings in a court or tribunal.

### **20.4 Staff Action upon Request by Law**

Should any staff member receive a request requiring disclosure by law such as a warrant, order or notice the request is to be handed to the Privacy Officer who in consultation with the General Manager is to assess the scope of the request and ensure that only the personal information requested is released. The General Manager is to be informed of all matters that come under the headings of paragraph 19.3.

## 21 CONTRACTORS

Staff who are responsible for the management of contracts on behalf of PICC are to make themselves familiar with the requirements of Private Sector Information Sheet No: 8 – 2001 in order to ensure compliance with the Act.

## 22 COLLECTING, USING OR DISCLOSING HEALTH INFORMATION AS REQUIRED BY LAW

PICC may collect, use or disclose health information for statistical purposes only relevant to public health or public safety or health service management activities in accordance with National Privacy Principle 2.1(d). Those activities include the management of our personnel in relation to the requirements of the Workplace Health and Safety Act (Qld) 1995 and the WorkCover Qld Act 1996 or as indicated below:

- the person has consented to the use or disclosure of the information; PICC is to use or disclose the information for the same purpose for which the information was collected (see National Privacy Principle 2); PICC is using or disclosing the information for a purpose directly related to the primary purpose for which PICC collected the information; and the client would reasonably expect PICC to use/disclose the information for that purpose.

## 23 USE OF IDENTIFIERS

PICC must not adopt as its own identifier (e.g. Identification Number issued by a government department) of a client an identifier of the client that has been assigned by:

- an agency (such as Department of Communities, Child Safety and Disability Services);
- an agent of an agency acting in its capacity as agent such as RTOs;
- a contracted service provider for a Commonwealth contract acting in its capacity as contracted service provider for that contract.

PICC must not use or disclose an identifier assigned to a client by an agency or by an agent or contracted service unless:

- the use or disclosure is necessary for the organisation to fulfil its obligations to the agency;
- one or more of NPP paragraphs 2.1(e) to 2.1(h) (inclusive) apply to the use or disclosure;
- the use or disclosure is by a prescribed organisation of a prescribed identifier in prescribed circumstances under the Privacy act 1988.

**Note:** a client's name or ABN is not classed as an *identifier*.

## 24 TRANSBORDER DATA FLOW

PICC may transfer personal information about a client to someone (other than the organisation or the client) who is in a foreign country only if:

- PICC believes that the recipient of the information is subject to a law or contract which effectively upholds principles for fair handling of the information that are substantially similar to the National Privacy Principles;
- the client consents to the transfer;

- the transfer is necessary for the performance of a contract between the client and the organisation, or for the implementation of pre-contractual measures taken in response to the client’s request;
- the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the client between PICC and a third party;
- all of the following apply:
  - the transfer is for the benefit of the client
  - it is impracticable to obtain the consent of the client to transfer the information;
  - if it were practicable to obtain consent, the client would be likely to give it.
- PICC must take reasonable steps to ensure that the information which it has transferred will not be held, used or disclosed by the recipient of the information inconsistently with the National Privacy Principles.

## 25 EMPLOYEE RECORDS

Generally, employee records are exempt from the provisions of the National Privacy Principles however, Private Sector Information Sheet No: 12 – ‘Coverage of the Exemptions from the Private Sector Provisions’ should be read to clarify specific issues related to employee records.

## 26 COMPLAINTS HANDLING

Due to the sometimes complex nature of client complaints regarding the disclosure of personal information, all formal client complaints (either verbal or written) are to be directed to the Privacy Officer (or General Manager if there is no Privacy Officer) who is to investigate the circumstances of the complaint and make recommendations to the General Manager of the courses of action open to both the client and management on a case by case basis. This process is to be handled in a sensitive and open manner having regard for the requirements of all parties involved under the National Privacy Principles.

## 27 RELATED DOCUMENTS

- PICC Records Management Policy

### Attachments

- A Request for Personal Information
- B National Privacy Principles (Summary)
- C Privacy Notice

Document Name	Privacy				
Document Code   Version	2				
Endorsement Date	8.2.2013				
File location					
Document Status	Working draft		Consultation release	✓	Final Version
Review Date	September 2013				



## Request for Personal Information

### Attachment A

Person Receiving the Request: \_\_\_\_\_ Date Request Received    /    /

Name of Person Requesting Information \_\_\_\_\_

Is this the person the information directly refers to?     Yes     No

If No, information must not be provided unless a PICC Release of information form is completed by the person the information directly refers to

How was the request made?     In Person     Telephone     In writing – mail / fax     In writing – E-mail

How was the person's identity confirmed?     Known to the staff member receiving the request     Driver's Licence: Number:     Other Photo ID Number:     Other:

Type of information requested     Statement of attendance, confirmation of enrolment / participation     Viewing of client file     Other:

Was this information provided?     Yes     No

If yes:

Date information provided:    /    /

Format:     Verbally     In Writing / E-mail     Viewing of files

If No:

Reason information was not provided:

Completed by:

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Signature)

Service Manager:

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Signature)

Privacy Officer:

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Signature)



## NATIONAL PRIVACY PRINCIPLES (NPP) SUMMARY

### Attachment B

Below is a plain English summary of the National Privacy Principles (NPPs).

There are ten NPPs that regulate how private sector organisations manage personal information. They cover the collection, use and disclosure, and secure management of personal information. They also allow individuals to access that information and have it corrected if it is wrong.

If you want more detail see the [full text of the NPPs](#) and the [NPP Guidelines](#).

#### **NPP 1: Collection**

Describes what an organisation should do when collecting personal information, including what they can collect, collecting from third parties and, generally, what they should tell individuals about the collection.

#### **NPP 2: Use and disclosure**

Outlines how organisations may use and disclose individuals' personal information. If certain conditions are met, an organisation does not always need an individual's consent to use and disclose personal information. There are rules about direct marketing.

#### **NPPs 3 and 4: Information quality and security**

An organisation must take steps to ensure the personal information it holds is accurate and up-to-date, and is kept secure from unauthorised use or access.

#### **NPP 5: Openness**

An organisation must have a policy on how it manages personal information, and make it available to anyone who asks for it.

#### **NPP 6: Access and correction**

Gives individuals a general right of access to their personal information, and the right to have that information corrected if it is inaccurate, incomplete or out-of-date.

#### **NPP 7: Identifiers**

Generally prevents an organisation from adopting an Australian Government identifier for an individual (e.g. Medicare numbers) as its own.

#### **NPP 8: Anonymity**

Where possible, organisations must give individuals the opportunity to do business with them without the individual having to identify themselves.

#### **NPP 9: Transborder data flows**

Outlines how organisations should protect personal information that they transfer outside Australia.

#### **NPP 10: Sensitive information**

Sensitive information includes information such as health, racial or ethnic background, or criminal record. Higher standards apply to the handling of sensitive information.



## **PRIVACY Attachment C**

### **Privacy Notice**

#### **Please note:**

The Palm Island Community Company (PICC) acknowledges that the information collected from service users may be of a sensitive and personal nature.

PICC is collecting personal information to assist in the planning and delivery of care and associated support services that meet required service standards as defined by the relevant legislation and allows the organisation to fulfil their duty of care obligations.

Personal and sensitive information about a service user, their family, their carers, or others that is recorded within this form will remain confidential and not be disclosed to other parties other than those authorised PICC personnel involved in managing, coordinating or directly providing care or associated support services to the service user or carer. Information collected may be provided to the relevant funding agency for the purpose of ensuring that service users are provided with a quality service.

Disclosure of the information to other individuals or organisations will occur only when consent has been obtained from the service user, their carer or their guardian, or where the disclosure of this information to a statutory authority or emergency service is viewed as necessary to prevent significant and imminent harm to the service user or is otherwise permitted or required by law.

Information collected may be aggregated with information collected about other service users. Where this occurs, the aggregated information will not be presented or published in a way that might enable the identification of individuals.