

Section	Governance
Sub Section	POL_GOV_009
Policy Name	Privacy
Version	V3
Date of Effect	June 2022
Review Date	June 2024
Board Approval	APPROVED BY BOARD RESOLUTION ON 23 JUNE 2022

Context

Directions collects and administers a range of private information for the purposes of board appointment, staff employment and client service delivery. Directions is committed to ensuring that this information is used in an ethical and responsible manner.

For the purpose of this policy, private information may consist of fact or opinion and includes:

- Personal information – demographic information or opinion which may directly or indirectly identify a person, regardless of whether the information is true.
- Sensitive information -as defined on the Privacy Act 1988 including but not limited to health and genetic information; race or ethnicity; religious or philosophical beliefs; gender or sexual orientation; child protection, criminal record, and other legal matters; political opinions or associations; and membership of trade unions or professional associations.
- Other confidential information, pertaining either to an individual or to Directions. The most important factor to consider when determining whether information is confidential is whether the information can be accessed by the public. Staff members are to refer to the CEO/Manager before providing information to an external source if they are unsure whether the information is confidential.

Sensitive information may only be collected with the person’s consent, or if required or authorised by law, and requires a higher standard of privacy protection.

The organisation is committed to protecting the privacy of private information it collects, holds, and administers.

Purpose

The purpose of this policy is to provide a framework for Directions that supports appropriate collection and safeguarding of private information, and outlines the action required if a privacy breach occurs.

Policy

Directions is committed to protecting the privacy of staff, Board members, clients and other stakeholders in the way information is collected, used and disclosed. Directions recognises the essential right of individuals to have their private information administered in ways in which they could reasonably expect, protects their privacy, and ensures their information is accessible to themselves.

Directions is bound by laws that impose specific obligations when it comes to handling information, including the Australian Privacy Act 1988. Amendments to the Act with regard to reporting of privacy breaches came into effect 22 Feb 2018. A data breach, according to the Act, is *an unauthorised access or disclosure of personal information, or loss of information*. A data breach may be caused by malicious action (by an external or insider party), human error, or a failure in information handling or security systems. Directions' response to data breaches is outlined in the Privacy Procedure.

In compliance with the Australian Privacy Principles (APPs), and in order to minimise the risk of privacy breaches occurring, Directions will:

- ♦ Ensure all personnel are aware of their privacy and confidentiality obligations
- ♦ Ensure compliance with standards for collections, use, disclosure, quality, access, correction, and security, as outlined in the Privacy Procedure.
- ♦ Respond to potential privacy breaches including notifiable data breaches, as outlined in the Privacy Procedure.

Policy/Procedure Documentation and Maintenance Information			
Policy/Procedure Name	Privacy Policy		
Related Policies/Procedures	<ul style="list-style-type: none"> • Privacy Procedure • Access to Confidential Information Policy • Access to Confidential Information Procedure • Professional Boundaries Policy 		
Related Documents (e.g. Forms/Checklists)	<ul style="list-style-type: none"> • Employee Details Form • Board Nomination & Information form • Community Advisory Group EOI form • Consent to Share and Obtain Information Form (clients) • Interview and Photography Consent Form (current or past clients) 		
Related or Relevant Legislation	<ul style="list-style-type: none"> • Privacy Act 1988 (Amended 2017) • Australian Privacy Principles (APP) • ACT Human Rights Act 2004 • ACT Health Records (Privacy and Access) Act 1997 (amended 2016) • My Health Records Act 2012 • Freedom of Information Act 1989 • A guide to managing data breaches in accordance with the Privacy Act 1988 (Cth) 2018 - Office of the Australian Information Commissioner (OAIC) 		
Review and Version Tracking			
Review Frequency	Who is Responsible		Who Approves
Biennial	Board		Board
Version	Date Approved	Approved By	Next Review Due
V1	January 2015	Fiona Trevelyan	January 2016
V2	March 2018	Frank Quinlan	March 2020
V2 (Minor changes)	July 2020	Frank Quinlan	July 2022
V3	June 2022	Board	June 2024