

Privacy – PROCEDURE

Responsibility:	Executive Management		
Implementation:	March 2014	Annual Review :	February 2018
Application:	This procedure applies to all Carinity employees, volunteers, clients, students, contracted agency staff, donors, business partners and online users.		
Distribution:	Executive Management, Line Management, Human Resources		
Approval By:	Chief Executive Officer		

1 PURPOSE

The purpose of this procedure is to ensure processes are in place that:

- manage information in an open and transparent way;
- clearly communicate personal information handling practices of Carinity;
- protect the privacy of personal information;
- provide for the fair collection and handling of personal information;
- ensure that personal information we collect is used and disclosed for relevant purposes only;
- regulate the access to and correction of personal information; and
- ensure the confidentiality of personal information through appropriate storage and security.

2 SCOPE

This procedure applies to all Carinity employees, volunteers, clients, students, contracted agency staff, donors, business partners and online users.

The Privacy Act 1988 and this Privacy Procedure do not apply to acts or practices which directly relate to employee records of current and former Carinity employees.

3 PROCEDURE

Overview of Carinity Programs and Services

Carinity provides high quality care and services that make a real difference to people in need as a provider of aged care, education, retirement lifestyle, disability support, counselling, chaplaincy, youth and community services.

Carinity engages volunteers and employees, and receives donations, funding and support from members of the community, corporations, groups and governments to carry out this mission. Carinity holds contracts to deliver State and Commonwealth government programs.

Privacy Officer

Carinity has an appointed Privacy Officer to assist with any privacy queries.

Disciplinary action

Carinity employees who fail to comply with the Privacy – *POLICY* and Privacy – *PROCEDURE* may face disciplinary action and, in serious cases, termination of their employment.

Outline of this Procedure

Part A – Personal Information Handling Practices: explains our general information handling practices across Carinity including information about how we collect, use, disclose and store an individual's personal information.

Part B – Files: explains how we handle specific types of files that contain personal information, and offers further detail by explaining our personal information handling practices in relation to specific Carinity functions or activities. Here an individual can find out what sort of records we keep and why.

Part A –Our Personal Information Handling Practices

Collection of Personal and Sensitive Information

If an individual would like to access any Carinity services on an anonymous basis or use a pseudonym, if this is possible and lawful, we will take all reasonable steps to comply with the request. We may not however be able to provide the services in question if we are not provided with the personal information requested.

Carinity collects personal and sensitive information from clients, donors, business partners, Carinity employees, volunteers and online users. Further information about the kind of information collected from each of these groups and usage of such information is detailed below.

Carinity Clients

Kinds of information collected:

- contact details (name, address, telephone numbers, email etc)
- personal details including date of birth, gender, income
- information on personal issues and experiences, relationships
- family background, supports clients may have in the community
- areas of interest/health information and or medical history
- credit card numbers and or bank account details

How the information is collected:

- applications/online registration
- interview/telephone/email

Carinity uses this to:

- provide Carinity care services
- provide clients with the most appropriate service for their needs
- meet any requirements of government funding programs
- monitor and evaluate existing services and plan for future services
- produce annual reports and for research purposes which may involve contracted organisations
- comply with legal obligations

Carinity Students and Parents

Kinds of information collected:

- contact details (name, address, telephone numbers, email, etc)
- personal details including date of birth, gender
- information on personal issues and experiences
- sensitive information (disability status and other individual needs, indigenous status)
- educational background
- course progress and achievement information
- academic reports
- photos
- health information

How the information is collected:

- referrals
- enrolment forms
- registration forms
- academic reports
- progress reports
- correspondence
- permission forms
- interview /telephone/email

Purpose for which Carinity uses the information:

- to keep parents informed about matters related to their child's schooling, through correspondence, newsletters and magazines
- day-to-day administration of the school
- looking after students' educational, social and medical wellbeing
- seeking donations for and marketing of the school, and
- to satisfy the school's legal obligations and allow the school to discharge its duty of care.

Carinity Donors

Kinds of information collected:

- contact details (name, address, telephone numbers, email, etc)
- personal details including date of birth, gender, income
- areas of interest
- donation history
- credit card numbers or bank account details of donors
- expiration of credit card

How the information is collected:

- communications, email, flyers
- online registrations
- telephone

Carinity uses this information to:

- provide Carinity services
- process donations and provide accurate receipts
- facilitate on - going fundraising and marketing activities
- comply with legal obligations and provide transparency relating to donated funds.

Carinity Business Partners

Kinds of information collected:

- contact person's name and position title
- the name of the organisation which employs the person
- telephone numbers
- fax number
- street and postal addresses
- email address/es
- area of interest by category and industry
- bank details (if Carinity is to receive payment or make payment for services received)
- Australian Business Number (ABN)

How the information is collected:

- communications, email, flyers, agreements, purchase orders
- online registrations
- telephone/email/interview

Carinity uses this information to:

- provide Carinity services
- process donations and provide accurate receipts
- pay for services
- establish and manage partnerships and relationships
- receive services

Carinity People (volunteers, employees and delegates) and candidates for volunteer work and prospective employees

Kinds of information collected:

- contact details (name, address, telephone numbers, email etc)
- personal details including personal details of emergency contact person/s, and date of birth
- country of birth/citizenship, residency and/or visa details, Tax File Number details
- details of current/previous employment or volunteer involvement
- skills, experience, qualifications, drivers license details
- information and opinions from referees for prospective employees and candidates for volunteer work
- a criminal history check (e.g. Police check, Blue Card, Yellow Card etc) may be required for some roles. Individuals may be required to provide some information for a Police check). In some cases the police check will be received directly by Carinity and then stored securely or destroyed
- in some situations, it is necessary for Carinity to collect or receive information about an individual's health. In this circumstance, Carinity will advise why the information is being collected and whether and to whom it will be released

How the information is collected:

- applications, communications, email
- interview/telephone/email

Carinity uses this information to:

- provide Carinity services

- process an application to become a volunteer or employee of Carinity
- facilitate placement in an appropriate service or position
- assist with services whilst an individual is employed or engaged as a volunteer of Carinity
- provide feedback on performance as a volunteer or employee
- meet legal responsibilities to all volunteers and employees
- obtain feedback from individuals about their experiences
- assist Carinity to review and improve its programs and services to keep individuals informed about Carinity developments and opportunities

Online users

Kinds of information collected:

- contact details (name, address, telephone numbers, email etc.)
- credit card number and expiration date of credit card
- non-personal information e.g. visitor navigation and statistics
- server address, browser type, date and time of visit
- personal information

Purpose for which Carinity uses this information:

- to process donations, purchase orders, online bookings, purchases/ transactions (e.g. booking training course, flights etc.)
- to analyse website usage and make improvements to the website/s
- Carinity does not match the personal information collected with non-personal information

Additional information

The Carinity websites may from time to time contain links to other websites. Carinity stresses that when an online user accesses a website that is not a Carinity website, it may have a different privacy policy. To verify how that website collects and uses information, the user should check that particular website's policy.

Carinity will identify individuals (e.g. clients, employees) by a unique identifier assigned internally by Carinity. Carinity may, however, retain a record of other external personal identifiers that are required to provide services and otherwise fulfill operational and reporting requirements.

How Carinity Collects Information

Where possible, we collect personal and sensitive information directly from an individual. We collect information through various means, including telephone and in-person interviews, appointments, forms and questionnaires. If an individual feels the information that we are requesting, either on our forms or in our discussions, is not the information that they wish to provide, they are free to raise this with us.

In some situations we may also obtain personal information about an individual from a third party source. If we collect information about an individual in this way, we will take reasonable steps to contact the individual and ensure that they are aware of the purposes for which we are collecting their personal information and the organisations to whom we may disclose this information, subject to exceptions under the Privacy Act. For example, we may collect information about an individual from a health care professional, such as their doctor.

Sensitive Information (including health information)

As part of administering Carinity services, Carinity may collect sensitive information. For example Carinity collects health information (such as a medical history) from some clients participating in Carinity programs. We will not collect your Sensitive Information (including Health Information) unless the collection of the information is reasonably necessary for or directly related to one or more of our functions and:

- you have consented to the collection of this information; or
- the collection of the information is required to authorised by or under an Australian law or a court/tribunal order; or
- a permitted general situation exists to the collection of the information; or
- a permitted health situation exists in relation to the collection of the information; or
- we are a non-profit organisation and the information relates to our activities, and the information relates only to the members of the organisation, or to individuals who have regular contact with us and our activities.

Carinity will not use health information beyond the consent provided by an individual, unless their further consent is obtained in accordance with one of the exceptions under the Privacy Act or in compliance with another law. If Carinity uses an individual's health information for research or statistical purposes, it will be de-identified if practicable to do so.

At admission, a client or resident should identify any parties from whom they do not wish personal information accessed or to whom they do not wish personal information provided. This should be recorded in the file of the client or resident and complied with to the extent permitted by law.

Unsolicited Information

If we receive personal information that we have not solicited from an individual and we could not have obtained the information by lawful means, we will destroy or de-identify the information as soon as practicable and in accordance with the law.

Use and disclosure of information

We only use personal information for the purposes for which it was given to us, or for purposes which are related to one of our functions or activities.

For the purposes referred to in this privacy procedure (discussed under '*Collection of personal and Sensitive Information*'), we may disclose an individual's personal information to other relevant organisations including:

- government departments/agencies that provide funding for Carinity services
- contractors who manage some of the services we offer an individual. Steps are taken to ensure they comply with the APP's when they handle personal information and are authorised only to use personal information in order to provide the services or to perform the functions required by Carinity
- doctors and health care professionals, who assist us to deliver our services
- other regulatory bodies
- referees and former employers of Carinity employees and volunteers, and candidates for Carinity employee and volunteer positions, and
- our professional advisors, including accountants, auditors and lawyers

Except as set out above, Carinity will not disclose an individual's personal information to a third party unless one of the following applies:

- the individual has consented
- the individual would reasonably expect us to use or give that information for another purpose related to the purpose for which it was collected (or in the case of sensitive information – directly related to the purpose for which it was collected)
- if otherwise required to do so by law
- it will prevent or lessen a serious threat to somebody's life, health or to public health or safety
- it is reasonably necessary for us to take appropriate action in relation to suspected unlawful activity, or misconduct of a serious nature that relates to our functions or activities
- it is reasonably necessary to assist in locating a missing person
- it is reasonably necessary to establish, exercise or defend a claim at law
- it is reasonably necessary for a confidential dispute resolution process

- it is necessary to provide a health service
- it is necessary for the management, funding or monitoring of a health service relevant to public health or safety
- it is necessary for research or the compilation or analysis of statistics relevant to public health or public safety
- it is reasonably necessary for the enforcement of a law conducted by an enforcement body

We do not usually send personal information out of Australia. If we are otherwise required to send information overseas we will take measures to protect an individual's personal information. We will protect their personal information either by ensuring that the country of destination has similar protections in relation to privacy or that we enter into contractual arrangements with the recipient of an individual's personal information that safeguards their privacy.

Security of Personal and Sensitive Information

Carinity takes reasonable steps to protect the personal and sensitive information we hold against misuse, interference, loss, unauthorized access, modification and disclosure.

Our security measures include, but are not limited to:

- training our staff on their obligations with respect to an individual's personal information
- use of passwords when accessing our data storage system
- use of firewalls and virus scanning tools to protect against unauthorised interference and access

We will, as soon as practicable and in accordance with the law, destroy or de-identify any personal information that is no longer required for our functions.

No member of staff, unless authorised by the Chief Executive Officer or Business Development and Marketing Manager, shall make any statement to the press, radio or television station or to any reporter for the media. If a member of staff is approached to make a statement or comment, they must refer the person to our Business Development and Marketing Manager.

Access to and/or correction of personal information

An individual has a right to request that we provide access to the personal information we hold about them (and we shall make all reasonable attempts to grant that access) unless providing access:

- is frivolous or vexatious
- poses a serious threat to the life or health of any individual
- unreasonably impacts upon the privacy of other individuals
- jeopardises existing or anticipated legal proceedings
- prejudices negotiations between the individual and us
- is unlawful or would be likely to prejudice an investigation of possible unlawful activity
- is contrary to a request by an enforcement body performing a lawful security function to not provide access to the information or would reveal information we hold about a commercially sensitive decision making process

Requesting access

Requests for access and/or correction to information should be addressed to the Privacy Officer. For security reasons, you will be required to put your request in writing and provide proof of identity. This is necessary to ensure personal information is provided only to the correct individuals and the privacy of others is not undermined.

Granting access

On request (and after determining an individual's right to access the information), Carinity will take reasonable steps to provide access to the personal information it holds within 30 calendar days of a request being received. In situations where the request is complicated or requires access to large volumes of information Carinity will consult the individual making the request to explain the delay and

provide an expected timeframe for finalizing the request.

Carinity may charge a fee for providing access to personal information, those charges will not be excessive. Charges will reflect the cost of providing access to personal information including but not limited to staff costs for searching, locating and retrieving, the requested personal information.

Declining access

Access will be denied if:

- the request does not relate to the personal information of the person making the request
- there is a serious threat to life or health of any individual
- the privacy of others may be affected
- the request is frivolous or vexatious
- access discloses a commercially sensitive decision making process
- the information relates to existing or anticipated legal proceedings or the access would be unlawful
- any other reason that is provided for in the APPs or in the Privacy Act

We will provide in writing the reasons for declining access to the requested information.

Direct Marketing

We will not use or disclose personal information about an individual for the purposes of direct marketing, unless the information is collected directly from you and you would reasonably expect us to use or disclose your personal information for the purpose of direct marketing; and we have provided you a means to 'opt-out' and you have not opted out.

We will not use or disclose sensitive information about an individual for the purposes of direct marketing, unless the individual has consented to the information being used for direct marketing.

If we use information for the purposes of direct marketing the individual may:

- ask us not to provide direct marketing communications
- ask us not to disclose or use the information
- ask us to provide the source of the information

Complaints Procedure

A privacy complaint relates to any concern that an individual may have regarding Carinity privacy practices or our handling of an individual's personal and sensitive information. This could include matters such as how an individual's information is collected and stored, how their information is used or disclosed or how access is provided to their personal and sensitive information.

If an individual wishes to make a complaint about the way we have managed their personal information, they may make that complaint verbally or in writing by setting out the details of their complaint to our Privacy Officer.

How Carinity will deal with a privacy complaint

A privacy complaint will be logged onto our database and handled by us in accordance with our internal procedures.

The goal of Carinity's complaints handling procedure is to achieve an effective resolution within a reasonable timeframe, usually 30 days or as soon as practicable. However, in some cases, particularly if the matter is complex, the resolution may take longer. We will keep a record of each complaint and the outcome.

Once the complaint has been made, we will try to resolve the matter in a number of ways, such as:

- Request for further information: Carinity may request further information from the complainant that will enable us to investigate the complaint and determine an effective solution. The

complainant should be prepared to provide us with as much information as possible, including details of any relevant dates and documentation. All details provided will be kept confidential

- Discuss options: Carinity will discuss options for resolution with the complainant including their suggestions about how the matter might be resolved
- Investigation: Where necessary, the complaint will be investigated. Carinity will try and do so within a reasonable time frame. It may be necessary to contact others in order to proceed with the investigation
- Conduct of our Employees: If the complaint involves the conduct of our employees, Carinity will raise the matter with the employee/s concerned and seek their comment and input in the resolution of the complaint
- The complaint is substantiated: If the complaint is found to be substantiated, the complainant will be informed of this finding. Carinity will then take appropriate agreed steps to resolve the complaint, address their concerns and prevent the problem from reoccurring
- If the complaint is not substantiated, or cannot be resolved to the complainant's satisfaction, but this privacy procedure has been followed, Carinity may decide to refer the issue to an appropriate intermediary. For example this may mean a qualified lawyer or an agreed third party, to act as a mediator
- At the conclusion of the complaint, if the complainant is still not satisfied with the outcome, they are free to take their complaint to the Australian Information Commissioner.

We are unable to respond to anonymous complaints. This is because we are unable to investigate and follow-up such complaints. In the event that an anonymous complaint is received, we will note the issue/s raised and, where appropriate, investigate and resolve appropriately.

Changes to this Privacy Policy

Carinity reserves the right to review, amend and/or update this policy from time to time.

How to contact us

Individuals can obtain further information in relation to the privacy policy and privacy procedure, or provide any comments, by contacting us:

Telephone: 07 3550 3737

Post: PO Box 6164, Mitchelton QLD 4053

Email: Privacy.Officer@carinity.org.au

Assisted Contact

If an individual is deaf, or has a hearing or speech impairment, contact us through the [National Relay Service](#):

- TTY users: phone **1800 555 677** then ask for 1800 550 552
- Speak and Listen users: phone **1800 555 727** then ask for 1800 550 552
- Internet relay users: connect to the [National Relay Service](#) and enter 1800 550 552

Part B-FILES: How We Handle Specific Types of Files That Contain Personal Information

Public Awareness and Education Files

Purpose

The purpose of public awareness and education files is to record details of public awareness and educational activities, such as contact with the media, speeches, event management, surveys and publication preparation.

The limited personal information in public awareness and education files relates to organisations, individuals, media representatives, event attendees, service providers and event calendar listings which appear on our website.

Collection

It is our usual practice to collect personal information for public awareness and education files directly from individuals. Sometimes we may collect personal information from an individual's representative or from publically available sources such as websites and telephone directories.

Use and Disclosure

We only use personal information in public awareness and education files for the purposes of undertaking public awareness and education initiatives and managing public relations.

The personal information on public awareness and education files is not disclosed to other organisations or anyone else without consent unless the individual would reasonably expect, or has been told, that information of that kind is usually passed to those organisations or individuals, or the disclosure is otherwise required or authorized by law.

Data Quality

We maintain and update personal information in our public awareness and education files as necessary, or when we are advised by an individual that their personal information has changed.

Data Security

Public awareness and education files are stored in either password protected electronic media or in locked cabinets in paper form. When no longer required, personal information in public awareness and education files is destroyed in a secure manner or deleted in accordance with our *Records Management Policy and Procedure*.

Employees have access to public awareness and education files on a need to know basis.

Access and Correction

For information about how to access or correct personal information in public awareness and education files, see 'Access and Correction' in Part A of this document.

Contact Lists

Purpose

We maintain contact lists which include information about individuals who may have an interest in Carinity services. We use these contacts lists to distribute information about our activities and publications

Collection

It is our usual practice to collect personal information in contact lists directly from individuals, for example, where they have asked to be part of a contact list.

Sometime we collect personal information from a third party or from a publicly available source such as a website or telephone directory. We usually only collect personal information in this way as the individual would reasonable expect us to, or if the individual has given consent. For instance we might collect this information if we thought that the individual (or the organisation they work for) would like to receive information about services we are carrying out, or that they might be likely to consider information about Carinity services useful in the work they do. We would only contact this individual in their work capacity.

Use and Disclosure

We only use personal information in contact lists for the purpose of managing stakeholder relations.

We do not give personal information about an individual to other organisations or anyone else without consent unless the individual would reasonably expect, or has been told, that information of

that kind is usually passed to those organisations or individuals, or the disclosure is otherwise required or authorised by law.

Data Quality

We maintain and update personal information in our contacts lists when we are advised by individuals that their personal information has changed. We also regularly audit contact lists to check currency of the contact information. We will remove contact information of individuals who advise us that they no longer wish to be contacted.

Data Security

The personal information in the contacts lists is stored in either password protected electronic media or locked cabinets in paper form. When no longer required, personal information in contact lists is destroyed in a secure manner or deleted in accordance with our Records Management Policy and Procedure.

Routine access to contact lists is limited to the database operators who have responsibility for maintaining the contact lists. Other employees have access to the personal information in contacts lists on a need to know basis.

Access and Correction

For information about how to access or correct personal information in our contacts lists, see 'Access and Correction' in Part A of this document.

DOCUMENTATION

4.1 Policies

- (a) Privacy- Policy
- (b) Complaints Management - Policy
- (c) Incident Reporting and Incident Investigation - Policy
- (d) Media Management - Policy

4.2 Procedures

- (a) Complaints Management - Procedure
- (b) Incident Reporting and Incident Investigation - Procedure
- (c) Media Management- Procedure

4.4 Internal Documents

- (a) Code of Conduct
- (b) Privacy Collection Statement
- (c) Protecting the Privacy of Personal Information When Working Outside the Office - AC