

<b>GP 001</b>	
<b>Privacy Policy</b>	
<b>Scope (Staff):</b>	All Team Members
<b>Scope (Area):</b>	Organisation Wide

## Aim

Privacy is a human right. HelpingMinds' recognises its responsibility to ensure privacy in the collection, use, disclosure, storage and security of personal and sensitive information. This Privacy Policy explains how we manage personal and sensitive information and how we protect privacy.

## Risk

The main risk of not adhering to this Privacy Policy is the potential for the mishandling of personal and sensitive information. It is also a breach of the confidentiality agreement held between HelpingMinds as an organisation and its clients and team members.

Breaches could damage the HelpingMinds reputation and potentially result in loss of funding from our contractual bodies. This could also lead to legal repercussions depending on the severity.

Significant safeguarding and risk management strategies have been put in place to ensure all information is properly collected, stored, used and disposed of when individuals interact with HelpingMinds.

## Definitions

**APPs:** Australian Privacy Principles

**Client:** In the context of this policy, includes consumers, participants and carers.

**DCPFS:** Department of Child Protection and Family Support

**Informed Signed Consent:** Informed consent is permission granted in full knowledge of the possible consequences, risks and benefits. Informed Signed Consent means the individual has signed their autograph indicating they are giving their informed consent.

**Personal Information:** Any information that identifies or could identify a person, whether it is true or not. For example, a person's name, date of birth, gender and contact details.

**Sensitive Information:** Going beyond personal information, this could include things such as a person's employment history, or their health record.

**Team Member:** In the context of this policy, is inclusive of all HelpingMinds full-time, part-time, contracted, casual employees and volunteers, including HelpingMinds Board Members.

## Principles

## **1. The type of information collected and stored by HelpingMinds**

HelpingMinds provides a range of community-based services and programs. We collect personal and sensitive information that is necessary to provide these services and programs. Where required, we provide de-identified statistical information to funding and reporting bodies for reporting purposes. The type of information HelpingMinds collects and holds can include, but may not be limited to:

### **Clients:**

- Personal and sensitive information;
- Emergency contact and Next of Kin details; and
- Any associated documents generated during participation in a program or during interaction with HelpingMinds.

### **Team Members:**

- Names and contact details, bank account and taxation details, qualifications, previous experience, health information and emergency contact details; and
- Copies of written correspondence with HelpingMinds, including copies of volunteer or employment contracts as well as any associated documents and information provided in connection with Board membership, other volunteering or employment with HelpingMinds.

### **Supporters of HelpingMinds (such as financial and other donors and members):**

- Names and contact details and the nature of donations made; and
- Any relevant membership fees paid.

## **2. Why HelpingMinds collects and stores personal information**

We may collect, store, use and disclose personal and sensitive information for purposes necessary to enable service delivery. Generally, information is held for the purposes of:

- Assessing client needs to plan and provide quality support, assistance and services as agreed with our funding bodies;
- Compliance with necessary business accounting and organisational insurance standards and occupational safety and health requirements;
- Reviewing and assessing service delivery effectiveness;
- Compliance with our reporting obligations to the Australian Taxation Office and other government agencies and funding bodies;
- Facilitating and managing employment relationships, student placements and Board and other volunteer arrangements with HelpingMinds;
- Facilitating, managing and acknowledging donations to HelpingMinds; and
- Organisational planning and development.

HelpingMinds is committed to maintaining privacy and will only use personal information for the permitted purpose for which we have collected the information.

Team members within the organisation may have access to client records for purposes other than direct service delivery (e.g. data collection and record keeping). Client personal and sensitive information may also be shared with designated family members and significant others, and external service providers involved in the client's case management or support coordination. All sharing of information will only be done once HelpingMinds has obtained informed signed consent from clients/guardians.

### **3. How HelpingMinds stores and safeguards personal information**

HelpingMinds may store documents in physical and/or electronic form as is necessary to carry out our functions and provide our services and programs. All hardcopy personal information is securely stored at office locations at all times. Electronic information is password protected and only authorised HelpingMinds team members have access.

Archived files are held securely for the time period required by the relevant Government legislation (e.g. by the DCPFS). After this time, files are shredded and/or deleted.

### **4. How HelpingMinds may share information**

HelpingMinds will only share personal information, on a need-to-know basis, with informed signed consent, unless there are significant issues of safety or wellbeing that ethically or legally require us to report to another authority. For example, in situations where the wellbeing of a child is at risk, HelpingMinds may need to report to DCPFS.

There are specific Government Authorities which are able to compel the sharing of information through a prescribed process which HelpingMinds will comply with in accordance with appropriate legislation. This could be from the Police, DCPFS, or the Courts.

Third party requests for access to information will be dealt with by the Executive Team.

Subpoenas will be dealt with as legally required and clients advised accordingly, wherever possible, where this does not compromise the investigation being conducted by the relevant authority.

Information shared for reporting purposes is de-identified and only used where required to analyse outputs and outcomes in terms of funding agreements.

HelpingMinds will also occasionally engage in research projects to contribute towards the improvement of the wider healthcare industry but will provide de-identified statistical information.

Information may be shared with external third parties for audit and accreditation purposes. All external parties are required to sign a confidentiality agreement prior to viewing any information.

### **5. How clients and team members can access and seek correction of their personal information**

HelpingMinds allows clients to request access to their personal information, and to seek correction to information recorded, unless the request is frivolous, poses a threat to the life, health or safety of any individual or where there is an exemption by law. Clients wishing to make enquiries regarding accessing their personal information can do so through the HelpingMinds Privacy Officer.

Policy	Procedure
<ul style="list-style-type: none"> <li>• All HelpingMinds team members must adhere to this Policy at all times, in conjunction with the following:               <ul style="list-style-type: none"> <li>○ Code of Conduct</li> <li>○ Client Privacy and Confidentiality Procedure</li> <li>○ Confidentiality Agreement</li> <li>○ Australian Privacy Principles</li> <li>○ Privacy Act</li> <li>○ Any other relevant Commonwealth, state or territory privacy laws</li> </ul> </li> </ul>	<p>HelpingMinds is committed to protecting privacy and upholding the Australian Privacy Principles and the Privacy Act. HelpingMinds places privacy of its clients at the forefront of everything we do.</p> <p><b>How a complaint can be made about a breach of the Privacy Principles:</b></p> <p>Any person who feels that their privacy has been breached whilst interacting with HelpingMinds, can make a complaint through the Privacy Officer. HelpingMinds takes all complaints seriously and will respond and address the concerns raised as soon as is reasonably practicable.</p> <p>All requests to obtain access to and/or correct personal information should be made to the Privacy Officer at <a href="mailto:privacy@helpingminds.org.au">privacy@helpingminds.org.au</a> or telephone (08) 9427 7100.</p> <p>Complaint forms can be obtained by phoning reception on (08) 9427 7100 or downloaded from the HelpingMinds website.</p>

## Compliance and Evaluation

HelpingMinds has a zero-tolerance approach towards breaches of privacy (unless required by law), regardless of whether it involves a team member or client. As an organisation, we will take an active approach to the management of breaches of this policy, ensuring any areas for development are identified and additional training and support provided where required. Any team member who breaches this Privacy Policy may be subject to disciplinary action depending on the nature of the breach.

Related internal policies, procedures and guidelines
<ul style="list-style-type: none"> <li>• <a href="#">Code of Conduct</a></li> <li>• <a href="#">Client Privacy and Confidentiality Procedure</a></li> <li>• <a href="#">Confidentiality Agreement</a></li> <li>• Feedback Procedure</li> <li>• <a href="#">Client Handover Policy</a></li> <li>• <a href="#">Client Handover Flowchart</a></li> </ul>

References
<ul style="list-style-type: none"> <li>• <a href="#">Australian Privacy Principles 2014</a></li> <li>• <a href="#">Privacy Act 1988</a></li> </ul>

### Useful resources (including related forms)

- [NMHS 2010](#)
- [NQSHS Standards 2017 \(V2.0\)](#)
- [National Disability Standards](#)
- [Complaint Form](#)

This document can be made available in alternative formats on request for a person with a disability.

Policy Sponsor	CEO				
Policy Contact	CEO				
Date First Issued:	12/08/213	Last Reviewed:	19/12/2019	Review Date:	19/12/2022
Approved by:	CEO			Date:	19/12/2019
Endorsing Committee	Safety and Quality Committee			Date:	19/11/2019
Endorsed by:	CEO			Date:	19/12/2019
Standards Applicable:	NSQHS Standards (V2.0): 1 NSMHS: 1, 2, 6, 7, 8,				
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Document Version Control			
Date	Version	Author	Notes
19/12/2019	4.1	Project Officer	Insertion into new template.