

Policy 1.6	Privacy
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Policy Statement:

ODEEP is committed to protecting and upholding the right to privacy of clients, staff, volunteers, Board of Management members and representatives of agencies we deal with. ODEEP is committed to protecting and upholding the rights of our clients to privacy in the way we collect, store and use information about them, their needs and the services we provide to them.

ODEEP requires staff, volunteers and Board members to be consistent and careful in the way they manage what is written and said about individuals and how they decide who can see or hear this information.

ODEEP is subject to NSW and Federal Privacy legislation and will follow the guidelines of the *Australian Privacy Principles* in its information management practices.

ODEEP will ensure that:

- it meets its legal and ethical obligations as an employer and service provider in relation to protecting the privacy of clients and organisational personnel.
- clients are provided with information about their rights regarding privacy.
- clients and organisational personnel are provided with privacy when they are being interviewed or discussing matters of a personal or sensitive nature.
- all staff, Board directors and volunteers and contractors understand what is required in meeting these obligations.
- it will adhere to all requirements imposed under the *Privacy Act 1988*, including the requirements imposed by the *Privacy Amendment (Notifiable Data Breaches) Act 2017*, to strengthen the protection of personal information.

This policy conforms to the *Federal Privacy Act (1988)* and the *Australian Privacy Principles* which govern the collection, use and storage of personal information.

This policy will apply to all records, whether hard copy or electronic, containing personal information about individuals, and to interviews or discussions of a sensitive personal nature.

Responsibilities and delegations	
This policy applies to	The ODEEP Staff, volunteers and Board of Directors.
Specific responsibilities	This policy is developed by the CEO and reviewed by ODEEP staff and Board of Directors. It is communicated and implemented by the CEO and staff.
Policy approval	The ODEEP CEO.

Policy context – this policy relates to:	
Standards	NDIS Practice Standards and Quality Indicators 2018 NDIS Code of Conduct

Legislation	Privacy and Personal Information Protection Act 1998 (NSW) Federal Privacy Act 1988 and Privacy Amendment (Notifiable Data Breaches) Act 2017 Child Protection (Working with Children) Act 2012 Health Records and Information Privacy Act 2002 (NSW)
Organisation policies	Confidentiality Policy Access to Confidential Information Policy Child Protection Policy Confidentiality Policy Social Media Communications
Forms, record keeping, other documents	Australian Privacy Principles NDIS Code of Conduct ECI Code of Conduct Guidelines for notifiable data breaches OAIC Family Enrolment and Consent forms ODEEP Services and Supports Document Staff Induction Manual Confidentiality Agreement Data Breach Incident reporting form ODEEP Job Descriptions and Appraisal documents.

Procedures

Dealing with personal information

In dealing with personal information, ODEEP staff will:

- ensure privacy for clients, staff, volunteers or Board Directors when they are being interviewed or discussing matters of a personal or sensitive nature.
- only collect and store personal information that is necessary for the functioning of the organisation and its activities.
- use fair and lawful ways to collect personal information.
- collect personal information only with consent from an individual.
- ensure that people know what sort of personal information is held, what purposes it is held it for and how it is collected, used, disclosed and who will have access to it.
- ensure that personal information collected or disclosed is accurate, complete and up-to-date, and provide access to any individual to review information or correct wrong information about themselves.
- take reasonable steps to protect all personal information from misuse and loss and from unauthorised access, modification or disclosure.
- destroy or permanently de-identify personal information no longer needed and/or after legal requirements for retaining documents have expired.
- Notify individuals and the Office of the Australian Information Commissioner (OAIC) when there has been a data breach (or suspected data breach) of personal information, if it is likely to result in serious harm to individuals whose privacy has been breached.

Responsibilities for managing privacy

- All staff are responsible for the management of personal information to which they have access, and in the conduct of research, consultation or advocacy work.
- All staff will sign their position description to acknowledge the requirements to maintain client confidentiality and at staff appraisals this is a measurable KPI.
- The ODEEP CEO is responsible for content in ODEEP publications, communications and web

site and must ensure the following:

- appropriate consent is obtained for the inclusion of any personal information about any individual including ODEEP personnel.
- information being provided by other agencies or external individuals conforms to privacy principles.
- that the website contains a Privacy statement that makes clear the conditions of any collection of personal information from the public through their visit to the website.
- The ODEEP CEO is responsible for safeguarding personal information relating to ODEEP staff, Board of Directors, volunteers, contractors and ODEEP members.
- **The Privacy Contact Officer:** The Privacy Contact Officer will be the ODEEP CEO who will be responsible for:
 - ensuring that all staff are familiar with the Privacy Policy and administrative procedures for handling personal information.
 - ensuring that clients and other relevant individuals are provided with information about their rights regarding privacy.
 - handling any queries or complaint about a privacy issue.

Privacy information for clients

At enrolment clients will be told what information is being collected, how their privacy will be protected and their rights in relation to this information.

Privacy for interviews and personal discussions

To ensure privacy for clients or staff when discussing sensitive or personal matters ODEEP can provide private interview spaces and office spaces where sensitive phone calls and meetings can occur. ODEEP is flexible about where meetings occur and this may be in a family home for privacy reasons.

All policies are reviewed on a continual basis as gaps and need arises or otherwise on an annual basis.

Record of policy development		
Version	Date approved	Date for review
Version 2	5 Aug 2020	Aug 2021
Version 3	September 2021	September 2022
Version 4	October 2022	October 2023