

PRIVACY POLICY

This Policy applies to: All consumers and stakeholders accessing ICLA services or dealing with ICLA, current and former Employees and Volunteers

This Privacy Policy applies to all situations in which ICLA collects, holds, uses and discloses personal information in a record. This includes (but is not limited to) the direct provision or contracting of health services, websites, surveys and events.

Statistical information that is used for program reporting and to support the review and improvement of services is de-identified and aggregated to a level that makes the identification of individuals impossible.

POLICY OBJECTIVE

This policy is to ensure:

- ICLA clearly communicates how we comply with the *Privacy Act 1988* and Australian Privacy Principles, as well as other applicable laws protecting privacy, including State and Territory health information legislation;
- There are clearly defined practices for handling and protecting personal information
- Our operations are transparent;
- Individuals have a better understanding of the sort of personal information that ICLA holds and the way we handle that information; and
- Processes are outlined for how individuals can complain or report a breach of our responsibilities regarding privacy, and how we will handle such complaints.

POLICY STATEMENT

1. Personal Information

‘Personal information’ is information or an opinion, whether recorded or not, about an identified individual, or an individual who is reasonably identifiable. The Privacy Act 1988 and the Australian Privacy Principles set out how organisations can collect, store, use and disclose personal information.

ICLA may collect, store, use and disclose personal information of the following kinds:

- Names
- Addresses

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	Page 1 of 7

- Dates of birth
- Telephone numbers
- Email addresses
- Bank account details

2. Sensitive Information

'Sensitive information' is a sub-set of personal information which is given a higher level of protection under the Privacy Act. We treat sensitive information very carefully because it is highly personal and if disclosed could cause severe embarrassment, result in identity theft or provide the basis for unjustified discrimination.

We only collect, store, use and disclose sensitive information with consent, except in specified circumstances (see Section 5 - Disclosure without Consent).

We may collect, store, use and disclose sensitive information of the following types:

- Racial or ethnic origin
- Religious or philosophical beliefs or affiliations
- Sexual preferences or practices
- Health and health services
- Criminal records

The most important of these is information or an opinion about:

- Your health, including an illness, disability, injury or psychological condition
- Your wishes about the future provision of your health services
- A health service provided, or to be provided, to you
- Dispensing prescription drugs or medicines prepared by a pharmacist
- Activities carried out in the course of providing support for people accessing ICLA services.

3. Collection and use of Personal Information

ICLA will only collect, hold and use personal information for the purposes of carrying out its business functions and activities. These purposes include, but are not limited to:

- Receiving enquiries about our programs and services
- Assessing consumer needs and identifying strategies to meet those needs

- Providing services to our consumers including but not limited to NDIS, housing and accommodation, mental health, virtual peer support and suicide prevention
- Handling complaints
- Referring consumers to other programs or services
- Community and industry development activities
- Dealing with funding bodies and other trusted partners and organisations who work together with ICLA
- Recruitment purposes
- Meeting contractual reporting requirements with our funding bodies
- Administrative activities
- We collect personal information verbally, in writing or electronically, either directly or indirectly from an individual, a legal guardian, and/or authorised third parties, such as government and funding bodies.

4. Refusal to provide Personal Information

You can choose to withhold your identity or use a pseudonym when dealing with ICLA. However, where we are legally required to collect your personal (including sensitive) information or if it is impracticable to deal with you anonymously, this may not be possible. The information you provide to ICLA helps us to deliver services to meet your needs. We may not be able to provide you with some or all of our services if you do not give us the information we ask for.

5. Disclosure of Personal Information

Personal information is only shared with external parties to enable ICLA to carry out its business functions and activities with your consent. In the case of sensitive information, we only share the information if the individual or their authorised guardian has given consent.

The types of people and organisations we may share your personal information with providing we have your consent may include:

- Government Departments (e.g. Department of Family and Community Services, Department of Social Services, Centrelink and Medicare)
- Health and Wellbeing Professionals (e.g. general practitioners, other health specialists and hospitals etc.)

- Housing Providers
- Guardians (e.g. Trustee & Guardian, other appointed Guardians or Responsible Persons)
- Other National Disability Insurance Scheme (NDIS) service providers
- Other relevant bodies such as employment and education related organisations

You can specify organisations or individuals who you do not want ICLA to disclose your personal information. This will be recorded on our systems and ICLA will not release information to named organisations or individuals as per your consent agreement. To complete a consent agreement please request the form from info@icla.org.au

6. Disclosure without consent

Privacy law requires us to disclose personal and sensitive information without consent in situations where:

- Disclosure is in the person's interest and we have a reasonable concern for the immediate potential for serious harm
- The safety of others is at risk (e.g. a third party who is in danger)
- There are reasonable grounds to believe a serious crime has been or may be committed
- The law requires it

Where possible, consent will be obtained prior to disclosure and you will be advised of any disclosure that occurs and the reasons why.

7. Disclosure for marketing and research purposes

ICLA will not release or use any personal and/or sensitive information for direct marketing purposes.

We may use personal information for internal research or statistical purposes if it has been de-identified and cannot be associated with a particular individual.

We may use identifiable information for internal promotion or external marketing purposes only if the individual has signed a consent form that specifies what information will be used and for what purposes, e.g. photographs, video or an article about the individual.

ICLA has safeguards in place to protect personal information against loss, unauthorised access, disclosure or modification and misuse.

8. Data quality

ICLA makes every effort to ensure that the information we collect, hold and use is accurate, up to date, complete, relevant and not misleading. Please tell us if your personal information changes and needs to be updated in our records.

9. Access to Personal Information

Under freedom of information and privacy laws, consumers may ask for access to their own personal information. Requests for access will be granted unless:

- Giving access poses a serious threat to someone's life, health or safety
- Giving access may impact on the privacy of others
- The request is frivolous or vexatious (without merit)
- The information relates to existing or anticipated legal proceedings
- We suspect that unlawful activity or serious misconduct has been, is being, or may be engaged in
- Legislation or a law enforcement agency requires us to deny access

To make a request to access personal information, consumers can contact ICLA's General Manager – Quality, Evaluation and Outcomes through the feedback platform on our website. The General Manager – Quality, Evaluation and Outcomes will respond to all requests within five (5) business days.

10. Correction of Personal Information

If you think that the information we hold about you is incorrect, you can ask us to correct it. ICLA has a legal right to refuse to amend information that it believes is correct or if the law says it must not do this.

11. Making a complaint and contacting us

If you wish to access or correct your personal information or have a complaint about how we have managed your personal information, please contact the General Manager – Quality, Evaluation and Outcomes at ICLA via any of the following methods:

- Phone: 02 9281 3338
- Email: feedback@icla.org.au
- Post: Suite 76, Level 7, 4-28 Kippax St, Surry Hills,

Once contacted, we will:

- Acknowledge your complaint within 5 business days
- Make sure we understand your concerns
- Do everything we can to resolve the issues you have raised
- Keep you informed of the progress
- Keep a record of the complaint and our actions to resolve it
- Provide a final response within 21 business days.

ICLA's Feedback and Complaints Procedure has further details on how your complaint will be managed.

Privacy complaints may also be reported to the Office of the Australian Information Commissioner by calling 1300 363 992 or by email to enquiries@oaic.gov.au. More detailed information (including information about Assisted Contact and Translating and Interpreting Services) is available at <https://www.oaic.gov.au/about-us/contact-us>.

If we become aware, or suspect, that there has been a breach of our privacy responsibilities to keep your information secure, then we will quickly and fully investigate the matter as required under our Data Breach Procedure. If we determine that the breach might cause serious harm to anyone whose personal information is involved, then we will let them know so they can take action to protect themselves.

DEFINITIONS

Personal Information	Information about an identified individual, or an individual who is reasonably identifiable.
Sensitive Information	Is a sub-set of personal information which is given a higher level of protection under the Privacy Act.

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LEGISLATION AND/OR REFERENCE DOCUMENTS

The Privacy Act 1988

Health Records Information Privacy Act 2002

Australian Privacy Principles (APP) (www.oaic.gov.au)

Associated Documents

Consent Agreement

Data and Information Security Policy

Data Breach Procedure

Feedback and Complaints Policy

Thank you

We're here to help.

Get in contact for more information.

T +61 2 9281 3338

E hr@icla.org.au

W icla.org.au



**Independent Community
Living Australia**
Everyday life changing