



POLICY: Privacy and Information	POLICY ID: 5SA
CATEGORY: Leadership	NATIONAL STANDARD: 5. Service Access

1. PURPOSE

The Board of Sunraysia Residential Services Inc. (SRS) is committed to protecting the privacy of personal information which the organisation collects, holds and administers.

Personal information is information which directly or indirectly identifies a person. This privacy and information policy sets out the information handling practices for SRS including the SRS website.

All staff, volunteers and associated services will be made aware of our policy on Privacy and confidentiality of information in line with The *Health Records Act* and the *Privacy and Data Protection Act*.

This Privacy and Information Policy describes how your privacy is respected and protected in accordance with the Australian Privacy Principles.

2. DEFINITIONS

Acronym/Term	Definition
Personal Information	Personal information is any information that can be used to identify you. This may include your name, address, telephone number, email address and profession or occupation. If the information we collect personally identifies you, or you are reasonably identifiable from it, the information will be considered personal information.
Sensitive Information	Sensitive information is a subset of personal information that is generally afforded a higher level of privacy protection. Sensitive information includes health and genetic information and information about racial or ethnic origin, political opinions, religious beliefs or affiliations, philosophical beliefs, sexual preferences or practices, criminal record and some types of biometric information.
Health Information	The Health Records Act applies to all 'health information'. Health information is defined as: <ul style="list-style-type: none"> Personal information (including opinion) held by any organisation about a person's physical, mental or psychological health or disability, or about actual or desired provision of health services and, All personal information collected by health service providers to provide (or in providing) a health service. Including personal information relating to organ and other body part donation and genetic information.
Health Service	Is defined widely to cover medical, psychiatric, psychological, disability, aged care, palliative care services, diagnostic and pharmaceutical dispensing services.
CCTV	Closed-Circuit Television systems at SRS properties

3. POLICY

This policy applies to all information we collect through the use of our services. This includes personal information collected in person, in forms completed by you or on your behalf, by telephone, through our





website, via other service providers and by other electronic communication channels (e.g. desktop, laptop, mobile phone or other consumer electronic device) to access our services.

- SRS collects and administers a range of personal information for the purposes of providing individualised support for people with disabilities and their families. The organisation is committed to protecting the privacy of personal information it collects, holds and administers.
- SRS recognizes the essential right of individuals to have their information administered in ways which they would reasonably expect – protected on one hand, and made accessible to them on the other. These privacy values are reflected in and supported by SRS core values and philosophies.
- SRS is bound by laws which impose specific obligations when it comes to handling information. The organisation has adopted the following principles contained as minimum standards in relation to handling personal information.

Your continued use of our website and/or our service indicates that you accept the conditions of this Privacy Policy, consent to the collection and use by us of any personal information you provide while using our services or our website site.

SRS will:

- 3.1 Collect only information which the organisation requires for its primary function;
- 3.2 Ensure that stakeholders are informed as to why we collect the information and how we administer the information gathered;
- 3.3 Use and disclose personal information only for our primary functions or a directly related purpose, or for another purpose with the person's consent;
- 3.4 Store personal information securely, protecting it from unauthorized access;
- 3.5 Ensure SRS Data breach response plan is adhered to, to effectively reduce the impact of any potential data breach;
- 3.6 Take all reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for any purpose; and
- 3.7 Provide stakeholders with access to their own information, and the right to seek its correction.

4. PROCEDURE

4.1 Collection of Personal Information

We collect personal information that is necessary for us to undertake and provide our services and activities. Due to the nature of our services, this may include sensitive information, including health information. We may collect sensitive information if it is relevant to the provision of our services. That information will be treated in accordance with requirements of the Privacy Act and any state and territory health information legislation.

We notify stakeholders about why we collect the information, how it is administered and that the information is accessible to them.

We also collect personal information so that we can improve and perform our business activities and functions, to provide you with any products or services you may request, or to respond to any query or



complaint that you may have.

The kind of information that SRS collects depends on the type of dealings they have with SRS, for example:

- 4.1.0 **if someone SRS supports or is connected to a person SRS supports (e.g. a family member, carer, advocate or nominated representative),** SRS may collect their:
 - name, address, telephone and email contact details
 - gender, date of birth and marital status, information about their disability and support needs
 - health and medical information
 - Medicare number and other identifiers used by Government Agencies or other organisations to identify individuals
 - financial information and billing details including information about the services individuals are funded to receive, whether under the National Disability Insurance Scheme or otherwise
 - records of interactions with individuals such as system notes and records of conversations individuals have had with SRS's employees
 - information about the services SRS provides to individuals and the way in which SRS will deliver those to individuals
- 4.1.1 **Sends SRS an enquiry,** SRS may collect their name, contact details and details of their query
- 4.1.2 **visits SRS's website,** SRS will use 'cookies' and may use tools to track visits to the SRS website including how individuals arrive at the website and which pages they use. SRS may also collect data to enable SRS to personalise a webpage or pre-fill a form with their details
- 4.1.3 **makes a complaint,** SRS may collect their name, contact details, the details of their complaint, information collected in any investigation of the matter and details of the resolution of the complaint
- 4.1.4 **applies for a job or volunteer role at SRS,** SRS may collect the information individuals included in their application, including their cover letter, resume, contact details and referee reports, their tax file number and other identifiers used by Government Agencies or other organisations to identify individuals, information from police checks, working with children checks (or similar), and information about their right to work in Australia
- 4.1.5 **makes a donation,** SRS may collect their name, organisation, contact details, the amount and frequency of their donation and payment details from individuals directly or from another fundraising entity that allows SRS to contact their supporters and provides SRS with their contact details
- 4.1.6 **attends a SRS event,** SRS may collect their name, organisation, contact details, payment details (if applicable) and any dietary and accessibility requirements
- 4.1.7 **participates in SRS's surveys,** SRS may collect their name, organisation contact details and their survey responses

The main purposes for which SRS collects, holds, uses and discloses personal information are set out below.

- 4.1.8 **Provision of support services:**
 - Providing individuals with information about SRS's services and supports
 - Answering their inquiries and deliver service to customers
 - Administering SRS's services and supports and process payments
 - Conducting quality assurance activities including conducting surveys, research and analysis



- and resolving complaints
- Complying with laws and regulations and to report to funding and Government Agencies.
- 4.1.9 **Advocacy**
 - Carrying out law reform and policy work (for example, National Disability Insurance Scheme policy work on safeguarding people's rights)
 - Promoting SRS and its activities, including through events and forums
 - Conducting research and statistical analysis relevant to SRS's activities (including inviting individuals to participate in research projects and activities)
 - Preparing case studies of customers for use in advocacy work and in publications (individually identifying case studies will only be used with consent).
- 4.1.10 **Education and information**
 - Providing disability related information or resources
 - Running professional development / community training programs (for example, educating Public Transport Victoria's staff on the challenges people with a disability experienced when using public transport.
- 4.1.11 **Fundraising**
 - Seeking funding and donations
 - Organising fundraising events
 - Reporting to funding providers.
- 4.1.12 **General administration**
 - Recruiting employees, contractors and volunteers
 - Processing payments
 - Answering queries and resolving complaints
 - Evaluating SRS's work and reporting externally
 - Carrying out internal functions including administration, training, accounting, audit and information technology.
- 4.1.13 **Other purposes**

SRS may also collect, hold, use and disclose personal information for other purposes which are explained at the time of collection, purposes which are required or authorised by or under law (including, without limitation, privacy legislation) or purposes for which an individual has provided their consent.

Information collected about individuals **that does not identify individuals** may be used for research, evaluation of services, quality assurance activities, and education. If individuals do not wish for their de-identified data to be used this way, they should contact SRS.

4.2 Participants

We collect and hold information from participants or prospective participants through the intake process. This information includes name and contact details, gender, disability, medical records, other health related information and images (video/photographs). We protect this information by strictly limiting SRS staff access to this information (only released to staff on a need to know basis for the primary purpose of direct service provision to the participant).

4.3 Staff and prospective staff

SRS collect and hold personal information on staff and prospective staff through the recruitment process. This information includes name, contact details, date of birth, previous employment history, education, banking details, criminal history, working with children checks, referee comments. We protect this information by strictly limiting SRS staff access to this information (Senior Management and Human Resources only).





4.4 Education and training

SRS collect and hold staff/participant enrolment information and keep a record of the courses completed.

4.5 Indirect Collection

SRS collects information indirectly about participants and staff, but only in circumstances where a person would reasonably expect it, or where the person has consented. Examples include referee comments and criminal history checks for employment.

SRS collects information indirectly about prospective participants through methods which include word of mouth referral, publicly available sources available on the internet.

5. USE OF PERSONAL INFORMATION

SRS only uses or discloses information for the primary purpose for which it was collected or a directly related secondary purpose.

We use the information we collect and hold through intake, membership, educational event applications or attendance to:

- 5.0.1 Administer and meet participant requirements for the particular service or program.
- 5.0.2 Help us improve the particular service or program
- 5.0.3 Identify and analyse participant and prospective participant activities and interests in order to;
 - better meet participant needs and attract new participants
 - Enable us to target marketing communications to participants and prospective participants
 - Enable SRS to further its mission to deliver person centred support and creative ideas that assist people with disabilities to reach their desired goals.

SRS will not use your personal information for any purpose which you would not reasonably expect, unless it is consistent with the Privacy Act and the Privacy and Data Protection Act. If we think a participant may not expect a particular use of information we hold about them, we ask for consent before we use it for that purpose.

A related secondary purpose such as items listed below could warrant the sharing of relevant information. SRS sometimes must 'provide information relevant to a participant's safety, welfare or wellbeing to other prescribed bodies (i.e. organisations with direct responsibilities for child health, welfare, education or care, cultural support or for law enforcement). This information may be exchanged to assist a prescribed body:

- make a decision, or undertake an assessment or plan
- manage any risk to a child or young person
- initiate or conduct an investigation.

The safety, welfare and wellbeing of person in SRS' care take precedence over the protection of confidentiality or an individual's privacy. Therefore this information can be exchanged without consent.

5.1 Sound and image recordings of events

SRS use sound and image recordings of our events to enable us to improve events and for promotional purposes. We will give you a chance at the time you apply to participate in an event to indicate if you do not want us to use your voice or image. You can also contact SRS if you want to express or change your preference.





5.2 Assistive Technology

Assistive technology will be fitted into homes to assist in the safety and quality of care while providing a visual voice for the most vulnerable residents in our care. Assistive Technology refers to the breadth of equipment, technical interventions, including closed-circuit televisions CCTV; home, work and transport modifications that are needed by people who are frail or rehabilitating, and people with a disability.

SRS encourages the use of Smart devices and provides a Wi-Fi service to all residents and staff with the aim that these technologies enable people to participate as fully as possible in community life.

SRS ensures to protect, maintain and destroy any data collected via these means in accordance with SRS CCTV policy; the Privacy Act 1988 and Surveillance Devices Act 1999 (Vic) <http://www.legislation.vic.gov.au/>

5.3 Marketing communications

SRS send marketing material to participants in order to give you information about the services that SRS provides that will be of personal and/or professional benefit. We give you the chance to opt out of receiving marketing material in communications we have with you, such as forms, letters or emails or you can contact SRS by emailing srs@srsinc.com.au

6. DISCLOSURE OF PERSONAL INFORMATION

Sensitive information – we only disclose sensitive personal information such as health information or criminal history for the purposes for which you gave it to us or for directly related purposes you would reasonably expect.

6.1 Events

We may disclose names of participants attending events to the guest speakers and organisers under strict conditions to enable them to carry out their role in relation to an event.

6.2 All other service providers, contractors and partners

We disclose personal information to contracted service providers who assist us with a number of our functions and services including service providers of technology, data processing, legal, accounting, business consulting, auditing, archival, delivery, banking and payments but only for the purpose of fulfilling those services.

6.3 Disclosure with consent

With your consent, we disclose personal information in a number of circumstances including: other service providers and health providers for the purpose of direct service provision. SRS only release personal information about a person with that person's express permission. For personal information to be released, the person concerned must sign a release form.

If you choose not to provide certain personal information to us, we may not be able to provide you with the services you require or communicate with you.

6.4 Where authorised or required by law

As authorised by the Privacy Act, we disclose personal information in connection with law enforcement activities by enforcement bodies.





7. WEBSITE, EMAIL AND SOCIAL MEDIA

7.1 Website

This section applies to our website under the domain name srsinc.com.au

In addition to the means of collection set out above, we may also collect personal information:

- 7.1.0 when you provide information through our website;
- 7.1.1 from third parties such as from credit reporting bodies;
- 7.1.2 from publicly available sources of information;
- 7.1.3 from third parties, where it is reasonably necessary or normal business practice, so that we can continue to provide you with our services.

We also collect limited information from our online resources which are used only to identify generic behavioural patterns. We may use cookies, Google Analytics or other technology to track visits to our website to monitor its effectiveness, maintain our server and improve our services. Types of data collected include:

- 7.1.4 server address;
- 7.1.5 top level domain name (for example .com, .gov, .au, etc.);
- 7.1.6 the date and time of your visit to the site;
- 7.1.7 the pages you accessed and documents downloaded during your visit;
- 7.1.8 the previous site you visited;
- 7.1.9 if you've visited our site before; and
- 7.1.10 the type of browser used.

These statistics will not identify you as an individual.

We use this information to evaluate the effectiveness of our website and the level of interest in particular pages.

Information about how Google handles personal information is available at <http://www.google.com.au/intl/en/policies/privacy/>. You can opt out of the collection of information via Google Analytics.

7.2 Third party websites

Links to third party websites that are not operated or controlled by SRS are provided for users' convenience. SRS is not responsible for the privacy or security practices of those websites, which are not covered by this privacy policy. Third party websites should have their own privacy and security policies, which SRS encourages individuals to read before supplying any personal information to them.

7.3 Website security

While SRS strives to protect the personal information and privacy of users of SRS's website, SRS cannot guarantee the security of any information that individuals disclose online and individuals disclose that information at their own risk. If individuals are concerned about sending their information over the internet, individuals can contact SRS by telephone or post (details under heading 10. below). Individuals can also help to protect the privacy of their personal information by letting SRS know as soon as possible if individuals become aware of any security breach.

7.4 Emails

If you send us an email that address will be recorded automatically by our e-mail messaging system for the





purpose or replying to your email. However, for normal communication with you we will use the email address you provide in your membership application/renewal, unless you ask us to use a different email address.

7.5 Social Media

We participate in social media such as Facebook and Twitter. If we think it is relevant to the quality of service that SRS provides or its objectives, we sometimes record the nature of the topic discussed by a particular individual and their name and follow up with further conversation offline about which we take notes.

Social media services also handle your personal information for their own purposes. These sites have their own privacy policies.

8. INFORMATION SECURITY

We regularly assess the risks of misuse, interference, loss, unauthorized access, modification or disclosure of personal information and ensure that we have adequate measures, including policies, procedures and technology to address those risks, for example:

- 8.o.1 SRS limits staff access to personal information to that which they need to carry out their role;
- 8.o.2 SRS conducts regular internal and external audits to assess whether we have adequately complied with or implemented these measures;
- 8.o.3 SRS only destroys records in accordance with the organisation's Records Management Policy;
- 8.o.4 SRS have a data breach response plan in place for if, at any time, we suspect a data breach has occurred or our data security system has been compromised.

8.1 Openness

SRS will ensure stakeholders are aware of this Privacy Policy and its purposes and make this information freely available in relevant publications and on SRS website.

8.2 Anonymity

SRS will give stakeholders the option of not identifying themselves when completing evaluation forms or opinion surveys.

8.3 Retention of Information

SRS hold most information about participants and employees for 5 years. Participant information will be offered to the participant or approved advocate on cessation of use of the service, or transfer to another service. If the information is not needed, it will be archived according to records management policy.

9. DATA QUALITY

SRS will take reasonable steps to ensure the information the organisation collects is accurate, complete, up to date and relevant to the functions we perform.





10. ACCESS, ACCURACY OF PERSONAL INFORMATION & COMPLAINTS

You have a right to ask for access to the personal information we hold about you. Unless there is a lawful reason not to, we will give you access to it and allow you to correct any wrong information. We will ask you to verify your identity to ensure we don't give information to the wrong person. If we don't give you access to your personal information or refuse to correct it we will tell why.

You may ask us to make a note of your requested correction to be located alongside information we have not agreed to correct.

In the event that you have a question, concern or complaint regarding the way in which SRS handles your personal information, you should contact our Privacy Officer direct at:

Sunraysia Residential Services Inc.

877 Fifteenth Street, Mildura, VIC 3500

Phone: 03 5022 1741

Email: srs@srsinc.com.au

SRS take your privacy concerns seriously. Where you express any concerns that we have interfered with your privacy or seek access to information about you that we hold, we will respond within 48 hours to let you know who will be handling your matter and when you can expect a further response. If you are unsatisfied with our response, you can complain to the Office of the Information Commissioner: Phone 1300 363 992 or email enquiries@oaic.gov.au

11. RESPONSIBILITIES

SRS' Board of Management is responsible for developing, adopting and reviewing this policy.

SRS' CEO is responsible for the implementation of this policy, for monitoring changes in Privacy legislation, and for advising on the need to review or revise this policy when the need arises.

11.1 Employee responsibilities

- During the course of work, an employee may become aware of information and material relating to the affairs and operations of SRS, participants and colleagues which is confidential. It is a requirement of employment (which continues after an employee has ceased employment) that employees will keep such information from those who are not entitled to it.

If an employee is uncertain about what information should be kept confidential, they should consult with their Line Manager. Failure to maintain confidentiality may result in termination of employment and/or legal action. It is the responsibility of all employees to maintain the confidentiality of participants.

Employees are not permitted to disclose names, images or any other information about the people SRS supports, in any medium (including social media) to any parties external to SRS, without explicit written consent from the participant, their administrator or SRS management.

- Proprietary Information of SRS – information entrusted to SRS by Government, key stakeholders or participants that are otherwise not readily available to the public should at no time be discussed or shared outside SRS. Employees should refrain from discussing confidential SRS business with



outsiders and with anyone else who does not have a legitimate need to know the information. Employees should refer outside enquiries regarding SRS to the appropriate Manager authorised to respond to the particular enquiry.

- Private toileting, showering and dressing facilities ensure the dignity and privacy of participants is protected when involved in personal hygiene and other personal tasks.
- Participants can form friendships of their own choosing, which encouragement of individual and group interaction.
- Participant's privacy will be protected by delivery participant's mail unopened and without delay, and that phone calls and visits will be enjoyed in privacy if the participant chooses.
- Privacy of the personal living space and belongings of each participant is respected.
- Staff will interact with participants in a manner which reinforces the participant's self-esteem and personal value.
- Management and staff demonstrate their commitment to treating participants with respect.
- Employees are to remain sensitive to participants requiring permission to discuss individual participant personal details with any other party. Participants will be consulted regarding students on placement and their permission sought for placement.

12. PREVENTABLE MEASURES

SRS take all reasonable steps to prevent data breaches. However, if we suspect that a data breach has occurred, we will undertake a reasonable and expeditious assessment to determine if the data breach is likely to result in serious harm to any individual affected. If so, we will:

- take all reasonable steps to contain the breach;
- where possible, taking action to eliminate further breach or risk;
- notify individuals and the Commissioner where an individual is likely to suffer serious harm (or if otherwise required by law) as a reflection of this breach; and review the incident and consider what actions can be taken to prevent future breaches.

13. RELATED DOCUMENTS

- [Privacy Act 1988](#)
- [Privacy and Data Protection Act 2014](#) – VIC
- The NDIS Quality and Safeguards Commission (the NDIS Commission) Code of Conduct
- [Surveillance Devices Act 1999](#)
- Privacy and Data Collection Act 2014
- [Health Records Act 2001](#) - VIC
- [Victorian Charter of Human Rights and Responsibilities Act 2006](#)
- [Children, Youth and Families Act 2005](#) - VIC
- [Public Records Act 1973](#) - VIC
- [Disability Act 2006](#) - VIC
- [Human Services Standards](#)
- [National Standards for Disability Services](#)
- [Voluntary out-of-home care legislation](#) - NSW
- Privacy and Personal Information Protection Act 1998 – NSW





- [Information and Privacy Commission](#) - NSW
- [Office of the Children's Guardian](#) - NSW
- Children and Young Persons (Care and Protection) Act 1998.
- [Notification of Data Breach](#)
<https://forms.business.gov.au/smartforms/landing.htm?formCode=OAIC-NDB>
- Aged Care Consumer rights
<https://www.myagedcare.gov.au/quality-and-complaints/quality-of-care-and-consumer-rights/rights-and-responsibilities-home-care>
- Charter of care recipient's rights and responsibilities
<https://agedcare.health.gov.au/publications-and-articles/guides-advice-and-policies/charter-of-care-recipients-rights-and-responsibilities-home-care>

14. SRS LINKED POLICIES

- Records Management Policy
- Code of Ethics & Conduct Policy
- Child Wellbeing & Safety Policy
- Duty of Care Policy
- Closed Circuit Television (CCTV) Policy
- Grievances and Complaints Policy
- Charter of Rights and Responsibilities

