

### 1.3.0 PRIVACY POLICY

<b>Applies to</b>	Staff, Board
<b>Specific responsibility</b>	Staff, Board

<b>Version</b>	1.0
<b>Date approved</b>	July 2020
<b>Next review date</b>	July 2022

<b>Policy context</b> This policy relates to:	
Standards or other external requirements	<ul style="list-style-type: none"> <li>• National Disability Insurance Scheme Practice Standards and Quality Indicators</li> <li>• UN Convention on the Rights of the Child</li> <li>• UN Convention on the Rights of Persons with Disabilities</li> </ul>
Legislation or other requirements	<ul style="list-style-type: none"> <li>• Privacy and Personal Information Protection Act (NSW) 1998</li> <li>• Privacy Act (Commonwealth) 1988</li> <li>• Privacy Amendment Act (Commonwealth) 2004</li> <li>• Privacy Amendment (Enhancing Privacy Protection) Act 2012</li> <li>• Age Discrimination Act (Commonwealth) 2004</li> <li>• Australian Human Rights Commission Act (Commonwealth) 1986</li> <li>• Disability Discrimination Act (Commonwealth) 1992</li> <li>• Racial Discrimination Act (Commonwealth) 1975</li> <li>• Sex Discrimination Act (Commonwealth) 1984</li> <li>• Disability Inclusion Act (NSW) 2014</li> <li>• Anti-Discrimination Act (NSW) 1977</li> <li>• Disability Services Act (NSW) 1993</li> <li>• Community Services (Complaints, Reviews and Monitoring) Act (NSW) 1993</li> <li>• Mental Health Act (NSW) 2007</li> <li>• Mental Health Act (QLD) 2016</li> <li>• National Disability Insurance Scheme (NSW Enabling) Act 2013</li> <li>• Victims' Rights and Support Act (NSW) 2013</li> </ul>
Contractual obligations	<ul style="list-style-type: none"> <li>• Department of Social Services</li> <li>• National Disability Insurance Scheme Quality and Safeguards Commission</li> <li>• National Disability Insurance Scheme Quality and Safeguards Commission Code of Conduct Guidance for Workers</li> <li>• National Disability Insurance Scheme Quality and Safeguards Commission Code of Conduct Guidance for NDIS Providers</li> </ul>

## Policy Statement

So Joe is committed to protecting and upholding the right to privacy of participants, staff, Board members and the representatives of agencies we deal with.

In particular, So Joe is committed to protecting and upholding the rights of our participants to privacy in the way we collect, store and use information about them, their needs and the services we provide to them.

So Joe requires staff 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.

So Joe is subject to the Privacy Act (Commonwealth) 1988, Privacy and Personal Information Protection Act (NSW) 1998, and the Privacy Amendment Act (Commonwealth) 2004 and the Privacy Amendment (Enhancing Privacy Protection) Act 2012. The company will follow the guidelines of the Australian Privacy Principles in its information management practices.

So Joe will ensure that:

- it meets its legal and ethical obligations as an employer and service provider in relation to protecting the privacy of participants and company personnel
- participants are provided with information about their rights regarding privacy
- participants and company personnel are provided with privacy when they are being interviewed or discussing matters of a personal or sensitive nature
- all staff and Board members understand what is required in meeting these obligations.

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.

## Procedures

### Dealing with personal information

In dealing with personal information, So Joe staff will:

- ensure privacy for participants, staff, and Board members 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 company and its activities
- use fair and lawful ways to collect personal information
- collect personal information only by consent from an individual or their nominated representative
- 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.

#### 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.
- The Directors are responsible for content in So Joe 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 So Joe 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 Directors are responsible for safeguarding personal information relating to So Joe staff, Board members, contractors, and So Joe members.
- The Privacy Contact Officers will be the Directors who will be responsible for:
  - ensuring that all staff are familiar with the Privacy Policy and administrative procedures for handling personal information
  - ensuring that participants 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 participants

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

Consent is obtained from participants' or their parent/carer/representative to exchange information, identifying what information can be shared, who it can be shared with, and for how long it can be shared.

#### Privacy for interviews and personal discussions

To ensure privacy for participants or staff when discussing sensitive or personal matters, the company will conduct meetings in designated private rooms.

## Documentation

Documents related to this policy	
Related policies	1.1.0 Participant Rights and Service Charter 1.1.1 Duty of Care 1.2.0 Code of Ethics and Conduct 1.3.1 Confidentiality 1.5.5 Child Protection 2.1.0 Purpose and Values 2.2.1 Organisational Performance Evaluation 2.2.6 Publications and Newsletters 2.2.7 Use of Internet and Email 2.2.8 Use of Social Media 2.2.12 Filing and Records Management 2.4.0 Participant Records 2.4.1 Accessing Confidential Information 2.5.0 Participant Feedback 2.5.1 Managing Complaints
Forms, record keeping or other company documents	<ul style="list-style-type: none"> <li>• Charter of Rights and Responsibilities</li> <li>• About So Joe brochure</li> <li>• Know Your Rights and Responsibilities brochure</li> <li>• Child Protection brochure</li> <li>• Service Agreement</li> <li>• Code of Conduct</li> <li>• Confidentiality Agreement</li> </ul>

Reviewing and approving this policy		
Frequency	Person responsible	Approval
Biennial	Board	Board

Policy review and version tracking			
Review	Date Approved	Approved by	Next Review Due
1.0	July 2020	Board	July 2022
1.1			
1.2			