

<b>Policy/Procedure Custodian:</b>	Chief Executive Officer
<b>Responsible team delegate:</b>	Executive Manager Executive Support Services
<b>Date approved:</b>	28 <sup>th</sup> April 2017
<b>Approving officer:</b>	CEO Richmond Fellowship Queensland

## 1.0 PURPOSE

The purpose of this policy is to ensure that management of personal information for both clients and staff meets all relevant legislative and regulatory requirements.

## 2.0 SCOPE

The *Privacy Act (1988)* and *Information Privacy Act (2009)* only applies to personal information. This means information, or an opinion, that is recorded in any form (whether true or not) about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion. Personal information may be of a sensitive or routine nature. Sensitive information, of which personal health information forms a part, is subject to higher privacy standards.

This Privacy Policy outlines for both staff and clients how RFQ will manage their personal information.

## 3.0 POLICY

Richmond Fellowship Queensland (RFQ) is committed to quality and ethical relationships and practices in all aspects of its work. This commitment includes protecting the privacy of personal information, in accordance with the Australian Privacy Principles (APPs) set out in the *Privacy Act (1988)* and in accordance with the Information Privacy Principles (IPPS) set out in the *Information Privacy Act (2009)*.

RFQ values the privacy of every individual's personal and health information and is committed to open and transparent management of the information it holds and uses about all individuals who provide personal information to us.

## 4.0 PROCEDURE

### 4.1 ***What personal information do we collect and hold?***

Personal information collected and held by RFQ may include your name, date of birth, gender, current and previous addresses, residency status, telephone/mobile phone number, e-mail address, bank account, tax file number, driver's licence number, Centrelink information, photographs, race or ethnicity.

Health information which we collect may include:

- medical information, when this is collected or used in connection with delivering our services to clients, or when it is predictive of your ongoing health.;

- personal details, which for clients may include admission and discharge dates; and
- information generated by a health service provider, such as notes and professional opinions about you and your health.

#### **4.2 How do we collect personal information?**

- Directly from you, when you provide information orally or in writing;
- From third parties, such as medical practitioners, government agencies, your representatives, carer/s, and other health service providers;
- From client referrals; and
- From publicly available sources of information.

RFQ will:

- obtain your consent to collect sensitive information, such as information related to your health, unless an exemption applies, e.g. the collection is required by law, court/tribunal order or is necessary to prevent or lessen a serious and imminent threat to life or health;
- only collect sensitive information necessary to support your role, functions or activities with RFQ;
- collect sensitive information directly from you if it is reasonable and practicable to do so;
- use fair and lawful ways to collect sensitive information, and not in an intrusive manner; and
- give you an option of interacting anonymously, if lawful and practicable to do so.

Should RFQ obtain unsolicited personal information about you RFQ may use or disclose this information to you, or other parties, to ensure the information is necessary to support your role, functions or activities with RFQ.

#### **4.3 Who collects your personal information?**

Your personal and sensitive information (including health information) is collected by authorised representatives of RFQ in the course of their normal duties and for the organisation's own use.

##### **4.3.1 Collection of personal information - staff**

Staff will be provided a copy of this policy at the time they are sent a letter of offer and employment contract, as they are required to complete and return documentation to RFQ which contains personal information.

All information supplied by staff will be placed on their personal file which is held in both electronic and hard copy format. Both formats are securely held with access only available to those staff members who need to access the files to perform their role.

Staff will also be advised during the induction process where this policy is located on the RFQ intranet.

#### **4.3.2 Collection of personal information – clients**

Client personal and sensitive information, such as health information, must only be obtained by lawful and fair means from clients, or other sources, as is necessary to support client functions or activities with RFQ.

Clients are to be provided with the *Client Consent Form* at the time of commencing service with RFQ. This form is to be signed and placed in the client's file. All client files are securely held with access only available to those staff members who need to access the files to perform their role.

A copy of the signed *Client Consent Form* is also provided to the Manager, Learning and Development so that a central record can be kept to ensure where a client has requested that images not be taken or used that this request is adhered to.

Should a client request a copy of RFQ's privacy policy, this is to be provided to them free of charge in a form as is appropriate, or as requested by the client where reasonable.

#### **4.4 The purpose for collecting personal information**

As a client your personal information is used to:

- assess and provide the services that you require;
- administer and manage those services;
- evaluate and improve the services that we offer to you;
- contribute to research in the health, functioning and needs of people in recovery;
- contact family, carers, or other third parties as and if required; and
- meet obligations under our contract with our Government funding bodies.

As a staff member or potential staff member your information is used to:

- assess your employment application;
- process payment of your salary and any salary sacrifice payments and meet legislative obligations such as the payment of superannuation and taxation;
- obtain relevant security clearances required to perform your role within RFQ;
- provide a duty of care in your employment, particularly in relation to any disclosed medical conditions;
- contact family, carers, or other third parties as and if required; and
- ensure you hold a current drivers licence and private motor vehicle registration as required to perform your role within RFQ.

If we are not able to obtain your personal information it may limit our ability to provide a quality service to you, or meet our duty of care and legislative responsibilities as an employer and service provider.

#### **4.4.1 Unsolicited personal information**

Unsolicited information is information received about either a staff member, prospective staff member, or a client that was not requested or sought by RFQ.

If this occurs RFQ is required to determine if we could have collected the information ourselves if solicited. We can do that by disclosing the information to the staff member, client or other parties. If

it is determined that the information could not have been obtained by us then the information must be destroyed, if it is lawful and reasonable to do so. If it is determined the information could have been obtained then it is to be placed on the staff or client file and used in the provision of employment and support functions and activities.

#### **4.5 When do we disclose personal information?**

RFQ respects and will uphold a client's right to privacy and confidentiality, to the extent that it does not impose a serious risk to the client and / or others. For the purposes set out above, we may disclose clients' personal information to people, organisations or service providers outside RFQ. This may include disclosure to:

- medical and allied health service providers who assist with the services we provide to clients;
- a 'person responsible' if the client is unable to give or communicate consent e.g. next of kin, carer, or guardian;
- the client's authorised representative/s e.g. legal adviser;
- our professional advisers, e.g. lawyers, accountants, auditors;
- government and regulatory authorities, e.g. Centrelink, Queensland Health, Department of Communities, Child Safety and Disability Services, and the Australian Taxation Office;
- organisations undertaking research where information is relevant to public health or public safety; and;
- when required or authorised by law.

#### **4.6 Disclosure of personal information overseas**

Whilst your personal information is only disclosed as detailed above, RFQ does utilise a provider for email anti-spam whose servers are located in both the USA and Europe. This means that any emails sent through an RFQ email address will be passed offshore through these servers for processing. No data contained within these emails is either stored or copied to these overseas servers and only header data is displayed on emails that are quarantined due to anti-spam detection.

#### **4.7 Accessing your personal information**

Staff and clients can request and be granted access to their personal information, subject to exceptions allowed by law.

Any requests for access to personal information must state what information is to be accessed and how they wish to access the information, and should be forwarded to the responsible Manager either verbally, or in writing to:

Richmond Fellowship Queensland  
PO Box 655  
ANNERLEY Q 4103

On receipt of a request to access information the Manager will then assess the granting of access based on current issues that may exist with the staff or client, and whether these issues relates to any exceptions allowed by law to granting access to personal information.

Should the Manager decide that access to personal information will not be given they must put the reasons for the refusal and the mechanisms available to complain in writing to the staff or client within 30 days of receipt of the request.

Should access be granted the Manager is to contact either the staff or client and arrange for access to their personal information, based on the method of access requested within 30 days of receipt of the request.

Should RFQ incur charges in providing this data we can charge the staff member, or client for these associated costs, as long as they are reasonable.

Should we not be able to provide the data in the method requested, the Manager is to discuss with the staff or client alternative methods available to access their personal information.

#### **4.8 Security of your personal information**

We take all reasonable steps to protect your personal information from loss, interference, misuse, unauthorised access, modification, or disclosure. RFQ will destroy, or permanently de-identify personal information that is no longer needed, is unsolicited and we could not have obtained this information directly, or is not required to be retained by, or under, an Australian law or a court/tribunal order. Appropriate security measures are in place to protect electronic materials and materials stored and generated in hard copy. RFQ has an archiving process for client files which ensures files are securely and confidentially stored and destroyed in due course.

#### **4.9 Help us to ensure we hold accurate information**

We take all reasonable precautions to ensure that the personal information we collect, use and disclose is accurate, complete, up-to-date, relevant and not misleading. The accuracy of the information we hold often depends on you advising us of changes. When we receive advice from you that your personal information has changed, or is incorrect, we will update our records and if requested will advise other parties of the correction where practicable and lawful to do so. There will be no charge for any correction of personal information.

Should RFQ be unable to correct your personal information RFQ will provide a written notice outlining the reasons for the refusal, the mechanisms available to complain about the refusal and any other matter prescribed by regulations.

Staff are required when reviewing a client's service to confirm the accuracy of the personal details that are currently held on the client's files. Any changes are to be noted on the clients file.

Where we may have previously disclosed client personal information to other parties, should the client request us to notify these parties of any change to their details, we must take reasonable steps to do so.

##### **4.9.1 Staff**

All staff shall notify corporate support of any changes to their personal information such as a change of address, bank details, superannuation fund, or a private motor vehicle being used for work purposes.

At regular intervals RFQ will issue all staff, via email, a staff details form to complete and return to ensure personal information is up to date.

#### **4.10 Breach of Privacy**

When RFQ is aware of a breach in privacy (computer system hacked, laptop stolen etc.) to client's personal information the Chief Executive Officer will immediately notify the relevant funding body as per their service agreement guidelines.

#### **4.11 Complaints**

If either a staff member or client has any questions or concerns about RFQ's privacy practices, in the first instance they should approach either their Manager or Coordinator/Senior Support Worker.

If their concerns are not able to be resolved and they wish to formalise their complaint about how their personal information is managed, or they believe RFQ has breached an APP and/or IPP, they may outline their concerns in writing and send to:

Mr Kingsley Bedwell  
Chief Executive Officer  
Richmond Fellowship Queensland  
PO Box 655  
ANNERLEY Q 4103

Staff may directly email the CEO at [hq@rfq.com.au](mailto:hq@rfq.com.au)

On receipt of any complaint the CEO will refer the matter to the responsible Manager for investigation. In investigating the complaint RFQ may, where necessary, contact the staff member or client making the complaint to obtain more information.

Any identified issues will then be rectified and the staff or client advised either in writing, or in a face to face meeting, of the outcomes and actions arising from the investigation.

The complaint will also be tabled at the next Senior Executive Team meeting.

#### **4.12 Direct marketing opt out requests**

RFQ does not use any personal information held for the purpose of direct marketing.

#### **4.13 How to contact us**

If you have any questions or concerns about RFQ's privacy practices, or you wish to make a complaint about how your personal information is managed, or you believe RFQ has breached an Australian Privacy Principle, you are requested to outline your concerns in writing and send them to:

Mr Kingsley Bedwell  
Chief Executive Officer  
Richmond Fellowship Queensland  
PO Box 655  
ANNERLEY Q 4103

On receipt of your written concerns RFQ will investigate the matter and if necessary contact you directly to obtain more information. RFQ are committed to protecting the privacy of your personal information and will address any identified issues and advise by either return mail or in a face to face meeting of the outcomes and actions arising from the investigation.

**5.0 OTHER RELATED DOCUMENTATION**

<i>This policy has been implemented in part or full by our documents that are listed below:</i>	
<b>Code</b>	<b>Title</b>
MAP006.01	Client Files Archiving Policy
QMP002.02	Document, Data and Record Control Policy
SPP002.01	Working with Family Members / Carers Policy
CSG001.03	Ethical Code and Guidelines
CSF001.02	Client Ethical Code and WHS Statement
CSF002.02	Client Rights and Responsibilities Statement
CSF003.03	Client Privacy Collection Statement
CSF004.01	Client Consent Form
CSF005.02	Audit Participation Consent Form