

Policy Statement

ASCT will conform to both State and Commonwealth privacy legislation requirements regarding the collection, use and protection of personal information of our ASCT clients and Team Members.

Policy Protocols

Confidentiality refers to the obligation of non-disclosure by this agency of personal information unless it has the consent of the person concerned or it is required by Law. ASCT will ensure that clients and staff are informed as to how their personal information is to be handled so as to provide them with security and reassurance.

ASCT collects personal information in the form of:

- Assessment for service delivery
- Surveys
- Complaints/Compliments and Suggestions
- Incidents/Accidents
- Team member HR

The type of general personal information collected includes:

- Contact details
- Date of birth
- Next of Kin
- Doctor's details
- Employment history (Team Member)
- Education qualifications (Team Member)

The type of sensitive personal information collected includes:

- Functional ability
- Personal wellbeing
- Racial or ethnic origin
- Religious affiliations
- Living arrangements
- Basic medical history (including medications)
- Working with children and criminal record status (Team Member)
- Drivers licence and authority card details (Team Member)
- Performance management and grievance management.

ASCT will ensure privacy and confidentiality by:

- Collecting only the information required for service delivery
- Informing people of the purpose for collecting the information
- Providing individuals with access to their information held by ASCT
- Acknowledging the clients right to complain if ASCT breaches any Australian

**Access Sydney Community Transport
Section 3 Service Delivery
Policy 3.06 Privacy and Confidentiality**

Privacy Principles

- Disclosing personal information to third parties only with the written consent of the individual
- Securely storing ASCT clients' personal information
- Destroying information in accordance with the Archives Act 1983.

In the following circumstances, there is an obligation to report:

- a crime or intended crime
- where the person is suicidal, safety is at risk, personal harm or being harmed (abused) by another
- warn a third party who is in danger.

The *Privacy Amendment (Enhancing Privacy Protection) Act 2012* (Commonwealth legislation) outlines 13 Australian Privacy Principles (APPs).

Principle 1: Open and transparent management of personal information 'To ensure that APP entities manage personal information in an open and transparent way', this enhances the accountability and builds trust in the community over the organisation handling of personal information. The organisation must have an up-to-date Privacy policy which is accessible to all stakeholders.

Principle 2: Anonymity and pseudonymity

'Provides that individuals must have the option of not identifying themselves or of using a pseudonym, when dealing with an APP entity in relation to a particular matter'. This will not apply if under court order or impractical for service provision.

Principle 3: Collection of solicited personal information

'The entity must not collect personal information unless the information is reasonably necessary for one or more of the entity's functions or activities'.

Principle 4: Dealing with unsolicited personal information

ASCT will, if it comes into possession of personal information that may not be required for service delivery, determine if the information was a result of standard data collection and if not required it will destroy the information or ensure it is de-identified.

Principle 5: Notification of the collection of personal information

ASCT must take steps as soon as practicably possible to notify the individual of the reasons for collecting personal information and who is collecting it.

Principle 6: Use or disclosure of personal information

'If an entity holds personal information about an individual that was collected for a particular purpose (the primary purpose), the entity must not disclose the information for another purpose (the secondary purpose) unless the individual has consented. If an

**Access Sydney Community Transport
Section 3 Service Delivery
Policy 3.06 Privacy and Confidentiality**

organisation passes on personal information to third parties with the consent of the client it must be de-identified.'

Principle 7: Direct marketing

'If an organisation holds personal information about an individual, the organisation must not use or disclose the information for the purpose of direct marketing.'

Principle 8: Cross-border disclosure of personal information

This principle refers to the transfer of personal information to an overseas location which is not applicable to the service at this time.

Principle 9: Adoption, use or disclosure of government related identifiers

An organisation must not adopt a government related identifier of an individual as its own identifier of the individual unless it is required or authorized by law or a court/tribunal order.

Principle 10: Quality of personal information

ASCT must take such steps as are reasonable in the circumstances to ensure that the personal information that is collected, used or disclosed is accurate, up-to-date, complete and relevant.

Principle 11: Security of personal information

'If the entity holds personal information they must take steps as are reasonable to protect the information from misuse, interference, unauthorized access, modification, loss and disclosure.' ASCT must ensure that if information is no longer required that it is destroyed and/or de-identified.

Principle 12: Access to, and correction of, personal information

'If an entity holds personal information about an individual, the entity must, on request by the individual, give the individual access to the information'

Principle 13: Correction of personal information

If ASCT is satisfied that information is inaccurate, out of date, incomplete, irrelevant or misleading ASCT must take steps to correct the information.

Adapted from Guidelines to the Australian Privacy Principles, Office of the Australian Information Commissioner

<http://www.oaic.gov.au/images/documents/privacy/applying-privacy-law/app-guidelines/APP-guidelines-combined-set-v1.pdf>

Related Procedures

- [PRO 2.03-1](#) Team Member Orientation
- [PRO 3.02-1](#) Client Information Provision
- [PRO 3.02-2](#) Client Rights and Responsibilities
- [PRO 3.06-1](#) Privacy and Confidentiality

**Access Sydney Community Transport
Section 3 Service Delivery
Policy 3.06 Privacy and Confidentiality**

Relevant Standard

Commonwealth Home Care Standards

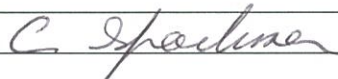
- 1. Effective Management
- 3. Clients Rights & Responsibilities

Disability Service Standards

- 1. Rights
- 6. Service Management

Policy History

POLICY REVIEW		
Version	Date Approved	Key Amendments
1	24/04/2015	Nil
2.	20/03/2017	Loaded on QMS
3.	15/09/2017	Reviewed by the Board via circular motion

APPROVED BY	
Board	Chairperson: Chris Spackman
Signature: 	Date: 15/09/2017