



# PRIVACY & CONFIDENTIALITY POLICY

## Review Details

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### DETAILS OF CHANGES

Date of Revision	Revision Description
28/01/2023	Review the policy and updating legislation references
13/02/2024	Reviewed, adding Clauses "Applying for working with ViWa" and "Access to Your Personal Information"

### PLANNED REVIEW

Date of Next Review	Revision Description
28/01/2026	

#### **Related Legislations and Standards:**

- Code of Conduct for Aged Care
- NDIS Code of Conduct
- Privacy Act 1988 (Cwth)

#### **Related Policies and Procedures**

- Child Safe Policy
- Code of Conduct Policy
- Domestic and Violence Policy
- Email Handling Policy and Procedure
- Freedom of Information Policy
- Human Resources Policy
- Information Sharing Policy and Procedure

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## 1. POLICY STATEMENT

ViWa 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 in accordance with the Australian Privacy Principles in the Privacy Act 1988 (Commonwealth).

This Privacy Policy sets out how we handle personal information. This includes how personal information is collected, stored, used, disclosed, quality assured and secured.

## 2. SCOPE

This policy, from the date of endorsement, applies to all people involved in the functions and operations of ViWa, including:

- staff (permanent and casual)
- volunteers
- contractors
- sub-contractors
- work experience students
- indirect service providers
- any other individual involved in this organisation.

## 3. DEFINITIONS

<b>Personal Information</b>	means information or an opinion, whether true or not, and whether recorded in a material form or not, about a natural person whose identity is apparent, or can reasonably be ascertained, from the information or opinion.
<b>Sensitive information</b>	means information or an opinion about an individual's racial or ethnic origin, political opinion, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of professional/trade associations, membership of a trade union, sexual orientation/practices, criminal record, health information or genetic information.
<b>Health Information</b>	means information or an opinion about: <ul style="list-style-type: none"> <li>a) the health or a disability (at any time) of an individual;</li> <li>b) an individual's expressed wishes about the future provision of health services to him or her;</li> <li>c) a health service provided, or to be provided, to an individual;</li> <li>d) personal information collected to provide, or in providing, a health service;</li> <li>e) an individual collected in connection with the donation, or intended donation, by the individual of his or her body parts, organs or body substances; or</li> <li>f) genetic information about an individual in a form that is, or could be, predictive of the health of the individual or a genetic relative of the individual.</li> </ul>
<b>Confidential Information</b>	means all information obtained in the course of your employment with ViWa whether in electronic or hard copy form or communicated orally and is the intellectual property of ViWA. Confidential information also includes, but is not limited to information that: <ul style="list-style-type: none"> <li>a) is by its nature confidential;</li> <li>b) is designated by ViWA as confidential;</li> <li>c) an individual knows or ought to know is confidential including: <ul style="list-style-type: none"> <li>i. information comprised in or relating to ViWA Intellectual Property; or</li> <li>ii. information relating to the policies, strategies, practices and procedures of ViWA and any information in the ViWa's or the individual's possession.</li> </ul> </li> <li>d) is ViWA's material and data but does not include information which is or becomes public knowledge other than by a breach by the ViWA or an individual of any confidentiality obligation.</li> </ul>

<b>Vulnerable</b>	<p>means a people who may be unable to take care of themselves or are unable to protect themselves against harm or exploitation.</p> <p>Vulnerable people can include children and seniors, people with impaired intellectual or physical functioning, people from a low socio-economic background, people who are Aboriginal or Torres Strait Islanders, people who are not native speakers of the local language, people with low levels of literacy or education and people subject to modern slavery, which involves human exploitation and control, such as forced labour, debt bondage, human trafficking, and child labour.</p>
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#### 4. COLLECTING PERSONAL INFORMATION

ViWa may collect personal information directly from our staff members, clients, volunteers, their representative or a third party.

ViWa collects and holds a broad range of personal information in records relating to:

- individuals participating in programs
- research we have commissioned
- contract management and funding agreements
- correspondence from members of the public or organisations to us
- complaints (including privacy complaints) and feedback provided to ViWA.
- requests under the *Freedom of Information Act 1982*
- legal advice provided by internal and external lawyers
- the performance of legislative and administrative functions
- employment and personnel matters for staff and contractors.

We collect this personal information in a variety of ways. These include:

- correspondence and submissions
- paper-based forms
- online (web-based forms and email)
- phone calls

ViWa only collect personal information where that information is reasonably necessary for, or directly related to, one or more of our functions or activities. Generally, we will only collect sensitive personal information (such as health or criminal history information) if you have consented and it is reasonably necessary for, or directly related to, one or more of our functions or activities.

When we collect personal information, consistent with the requirements under the Privacy Act 1988, we will notify you using a privacy collection notice, if it is reasonable to do so. The notice will include why we are collecting the information, whether the collection is required or authorised by law, and any person or body to whom we usually disclose the information.

#### **Types of personal information ViWa keeps**

The personal information we collect and hold varies depending on what we need to perform our functions and responsibilities. It may include:

- your name, address and contact details (for example your phone number or email address)
- information about your identity (such as date of birth, country of birth, passport details, visa details and driver's licence)
- information about your personal circumstances (for example age, gender, marital status and occupation)
- information about your financial affairs (for example payment details, bank account details, and business and financial interests)
- information about your employment (for example applications for employment, work history, referee comments and remuneration)
- government identifiers

- information about assistance provided to you under our assistance arrangements.

ViWa may also collect or hold sensitive information. This could include information about:

- your racial or ethnic origin
- your health (including information about your medical history and any disability or injury you may have)
- criminal activities you may have been involved in
- your biometrics (including photographs and voice or video recordings of you).

## **5. APPLYING FOR WORK WITH ViWa**

ViWa collects information about you including ID information, such as your name, postal address, email address, telephone number, licenses, date of birth, gender identity, information relating to your employment and education history, psychometric testing results, work eligibility rights and referee details, for the purposes of considering candidate for employment or engagement. This information may be collected from:

- candidate directly; and
- via third parties with their consent, such as recruitment agencies that we have engaged to assist us with recruitment, recruitment services platforms such as Seek, individuals that have given us candidate's details with a referral for employment or engagement and or referees.

ViWa may also collect and disclose information about you through the Australian Government's online visa verification system.

If candidate's application is successful and employment or engagement will be offered; as a condition of employment, we will ask candidate to provide evidence of their identity and legal entitlement to work in Australia. We will also ask for personal information, such as emergency contact details, tax file number and bank account details which will form part of employee file.

## **6. USE AND DISCLOSURE OF PERSONAL INFORMATION**

ViWa will not provide any personal information collected to other agencies (government or private sectors), or anyone else unless consent is given.

The third parties that ViWa may disclose personal information collected to or who may collect personal information on our behalf, include but are not limited to:

- Data of services provided to clients for authorised purpose that directly relates to one of our functions, with your express consent.

We will ensure that appropriate protections of your personal information are in place with these third parties, as per our obligations under the Privacy Act. This includes ensuring that the collection is de-identified (anonymised) data.

## **7. DATA SECURITY**

Consistent with the requirements of the Privacy Act, ViWa takes reasonable steps to ensure that the personal information are stored in a locked cabinets.

This includes protecting your personal information from:

- loss
- unauthorised access
- misuse
- modification
- disclosure
- other types of misuse.

ViWa safeguards ViWa IT systems against unauthorised access and ensure that paper-based files are physically secured. ViWa also ensure that personal information within our systems is only accessible to staff who need to have access in order to do their work.

## **8. ACCESS TO YOUR PERSONAL INFORMATION**

ViWa holds personal information of our consumers' and employees' their representative(s) / carers. They can request for accessing such information in accordance with the provisions of the Privacy Act 1988.

A small administrative fee may be payable for the provision of information. Please refer to the Freedom of Information Policy for more information.

## **9. REPORTING AND RESPONDING TO SUSPECTED ABUSE AND NEGLECT**

ViWa does not tolerate incident of child abuse, disability abuse, older people abuse and or adult abuse.

All staff and volunteers understand their obligation to notify the

**Child Abuse Report Line on 13 14 78**

**Adult Safeguarding Unit on 1800 372 310**

**National Disability Abuse and Neglect Hotline on 1800 880 052**

ViWa ensures that support is also available for the employee making the report, particularly where an ongoing service is provided to the vulnerable people and their family.

### **Supporting vulnerable people and their families**

Protection to vulnerable people is everyone's responsibility. ViWa recognises that even where a report is made, we may still have a role in supporting the person. This support may include:

- Referring the person or their family to other appropriate services
- Displaying information about services that can assist in areas accessed by the public.

### **Dealing with reports or concerns relating to the actions of an employee or volunteer of our organisation**

In addition to making a report to the relevant authority, staff and volunteers must also report to the Manager or Committee of Management if reasonable suspicion is formed that a person has been, or is being, abused or neglected by another member, employee, or volunteer.

In response to any report to management concerning a member, employee or volunteer of this organisation, the Committee of Management may determine to take disciplinary action.

Other protective actions may also be introduced to ensure the safety of vulnerable people within our organisation.