

Privacy and Confidentiality Policy

Purpose

My Disability Practitioners 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. The purpose of this policy is to provide a framework for My Disability Practitioners in dealing with privacy considerations.

Scope

This policy applies to all stakeholders (including online users) who are associated with handling personal, sensitive, or health information on behalf of My Disability Practitioners, including information about employees, contractors, and/or service participants.

Definitions

Personal information - is any information or an opinion about an identified individual, or an individual who is reasonably identifiable. Personal information collected by us may include: an individual's name, signature, address, telephone number, date of birth, medical records, bank account details and/or employment details.

Health information - is personal information about an individual's physical health, mental health, and/or disability. Information about any condition you may have which is relevant to our service and what you and your doctors, therapists, nursing staff, medical practitioners, rehabilitation providers and other professionals hope to achieve through the services we are providing to you.

Sensitive information - is part of the personal information about an individual. Sensitive information collected by us may include racial or ethnic origin, religious beliefs, health information or criminal record. Sensitive information is generally afforded a higher level of privacy protection than other personal information. Inappropriate handling of sensitive information can have adverse consequences for an individual; it may cause humiliation, embarrassment or undermine an individual's dignity.

De-identified information - personal information is de-identified 'if the information is no longer about an identifiable person or a person who is reasonably identifiable'.

Policy Statements

My Disability Practitioners aims to:

1. Comply with the Privacy Act 1988 and the Australian Privacy Principles (Privacy Amendment (Enhancing Privacy Protection) Act 2012). This policy also ensures compliance with the National Disability Service Standards and Article 22 of the United Nations Convention of the Rights of Persons with Disabilities.
2. Take reasonable steps to protect any personal information received from clients, families, employees, or other service providers. These steps apply to the way the organisation collects, stores, uses or discloses these types of information. The type of information we collect, and the way we use this will depend on the individual's relationship with us (e.g. as a client, family member/carer, employee, or other service provider).
3. All staff must comply with the standards detailed in this Policy and must not release personal or confidential information without proper authorisation. A breach of this Policy by an employee or contractor may result in disciplinary action up to and including termination of employment, or for non-employees, other appropriate sanctions, including legal action.
4. Destroy or de-identify personal information after its legal obligations to retain the information have expired.
5. support your right to complain if you believe your privacy has been breached in any way. The procedure for making a complaint and how we deal with a complaint is outlined in **Appendix A** below.

The Privacy Act requires us to include specific matters in this privacy policy. These are addressed and set out in Appendix A below. This privacy policy along with Appendix A also constitutes the 'Privacy Management Plan' for the purposes of section 33(2) of the Privacy and Personal Information Protection Act 1998 (NSW).

If you have any queries, concerns or feedback about the policy, contact us below at:

Managing Directors

My Disability Practitioners

PO Box 554 Narellan NSW 2567

Phone: 1300 32 14 14 or via email at: info@mypractitioners.com.au

Related documents

- Feedback and Complaints Policy
- Privacy Collection Notice

Printed versions of this document are UNCONTROLLED

Responsibilities and policy approval

The owners of this policy are the Directors of My Disability Practitioners.
All policy owners are responsible for implementation and outcomes.
All Employees must adhere to this policy

This policy has been developed and approved by:

The Managing Directors of My Disability Practitioners

Appendix A

1. What is your personal information?

In general terms, personal information is any information that can be used to personally 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.

2. What personal information do we collect and hold?

We may collect the following types of personal information:

- Name
- Mailing or street address
- Email address
- Telephone number
- Age or birth date
- Profession, occupation or job title
- Any information relating to you that you provide to us directly or indirectly through our websites or online presence, through our representatives or otherwise.
- If you are a participant or prospective participant, we may also collect your health information (e.g. details of allergies and/or disabilities, medical reports and names of doctors, information about referrals to and from government and non-government agencies, counselling reports, health care card numbers, health fund details and Medicare number, driver licence details and court orders).
- Transaction records associated with services we have provided to you (such as what services have been provided in the past, appointments that have been provided, how these were paid for, invoice details for services we have provided to you, details of any special rates or discounts that have been applied).
- As part of the recruitment process, we reserve the right to conduct probity investigations into a person's background to determine their suitability for the

Printed versions of this document are UNCONTROLLED

role. This will only be done with a prospective employee's consent. We will only disclose your personal information where we are required or authorised by law to do so.

- If you are a staff member or a contractor, we may collect and hold information on your job application, professional development history, salary and payment information, including superannuation details, medical information (e.g. details of disabilities and/or allergies, medical certificates), contact details, work emails and private emails (when using work email address) and internet browsing history.
- For other people who meet us, we will collect your personal information necessary for the purpose of contact with us or your relationship with us.

3. How do we collect your personal information?

We collect your personal information (and any sensitive information such as health information and probity checks) directly from you unless it is unreasonable or impracticable to do so. When collecting personal information from you, we may collect it in various ways including:

- through your access and use of our websites and online presence
- during correspondence between you and our representatives, or
- when you complete an application form.

We may also collect personal information from third parties including from a guardian or authorised representative, government or non-government agencies, law enforcement agencies and medical and/or health professionals who have either worked with you or are currently working with you.

Where we receive information about you from someone else, we will take reasonable steps at the time of or before the time of collection (or as soon as practicable after collection) to let you or your authorised representative know that we have collected your personal information and the circumstances of the collection. We do not usually collect unsolicited personal information, unless we are permitted by law.

4. What happens if we can't collect your personal information?

If you do not provide us with the personal information we ask for, some or all the following may happen:

- we may not be able to provide the requested services to you at all, or to a standard
- we may not be able to provide you with information about the services that you want
- we may not be able to engage you as our employee or contractor
- we may not be able to maintain our relationship with you
- we may not be able to improve our service to meet our clients' needs
- we may not meet our funding, professional and legal obligations

Printed versions of this document are UNCONTROLLED

- we may not be able to respond to your complaint
- we may be unable to tailor the content of our websites to your preferences and your experience of our websites may not be as enjoyable or useful

5. For what purposes do we collect, hold, use and disclose your personal information?

We collect personal information so that we can provide services to our clients and perform our business activities and functions. This includes keeping our records and your contact details up-to-date, processing and responding to any complaint made by you and complying with any law or a court/tribunal order, or for co-operating with a regulator, authority or government department.

If you are a participant, we also collect, hold, use and disclose your personal information for the following purposes:

- providing you with information and updates about our services
- assessing your eligibility (or eligibility of a person in your care) for our services and determining how we can best help you
- providing our services to you or the person in your care and in some instances, this will include health services
- marketing (including direct marketing), planning, service development and quality control
- research, monitor and evaluate our services so we can continue to improve the quality and outcomes of our services as well as develop new services
- advocating for the improvement of service quality and outcomes
- meeting our funding, professional and legal obligations (including our duty of care) in providing you with our services.
- If you are a job applicant, staff member or contractor, we also collect, hold, use and disclose your personal information to establish and maintain our relationship with you and to fulfil our duties under this relationship.
- Your personal information will not be shared, sold, rented or disclosed other than as described in this policy.

6. To whom may we disclose your personal information?

We may disclose your personal information to our employees, volunteers, contractors, suppliers, service providers, affiliates, subsidiaries and other related companies and our funders and regulators.

If you are a client, we may also disclose your personal information to:

- government and/or non-government agencies involved in providing services to you to the extent necessary to improve or maintain your circumstances
- other members of your health treatment team (including other health service providers involved in your diagnosis, care and treatment) to the extent necessary to improve or maintain your health or manage a disability

- our employees or contractors, suppliers or service providers for the purposes of operating our business
- external professional individuals or organisations in circumstances where one of our employees is subject to external professional supervision or peer review, and
- anyone else for any authorised purpose with your express consent.

7. Do we send you direct marketing materials?

We may send participants direct marketing communications and information about our services that we consider may be of interest to you. These communications may be sent in various forms, including mail, text message or email, in accordance with applicable marketing laws, such as the Spam Act 2003 (Cth).

If you indicate a preference for a method of communication, we will endeavour to use that method whenever practical to do so. In addition, at any time you may opt-out of receiving marketing communications from us by contacting us (see details below) or by using opt-out facilities provided in the marketing communications and we will ensure your name is removed from our mailing list. We do not provide your personal information to other organisations for the purposes of direct marketing.

8. How can you access and correct your personal information?

You may request access to your personal information held by us at any time. The request must be in writing and addressed to our Managing Directors. You may also authorise another person to access your information on your behalf if, for whatever reason, you are unable to access it yourself. This authority must be in writing and a copy must be provided to us. The authority must name the person whom you authorise to access your information.

Once we have received your request and established appropriate personal identification, we will make available your information to you to inspect within a reasonable period (usually 14 days). We endeavour to provide access to personal information in the manner requested by you so long as it is reasonable and practicable to do so (considerations include volume and nature of the information and/or any special requirements).

Unfortunately, there may be circumstances where we cannot grant you access to your personal information. For example, we may need to refuse access where we reasonably believe that granting access would pose a serious threat to the life, health or safety of an individual or to public health and safety, have an unreasonable impact on the privacy of another individual or if it would result in a breach of confidentiality. If that happens, we will give you written reasons for any refusal.

Where we refuse you access to your personal information on the ground that it would present a serious threat to you or an individual's life or health then in circumstances we may provide access through an intermediary (such as a treating medical

practitioner) on your request which may include allowing the intermediary to consider whether access should be provided.

If you believe that the personal information we hold about you is incorrect, incomplete, out-dated or inaccurate, then you may request us to amend it. We will consider if the information requires amendment. If we agree to correct the information then, where reasonably practicable, we will notify you of the changes that we have made. If we do not agree that there are grounds for amendment, then we will notify you of the reasons for our refusal (to the extent that it is reasonable to do so) and of any available avenues for you to complain about the refusal. We will also add a note to the personal information stating that you disagree with it.

We will treat your request confidentially.

9. What is the process for complaining about a breach of privacy?

If you have any questions, concerns or a complaint regarding the treatment of your privacy or a possible breach of your privacy, please contact our Privacy Officer. We will treat your request or complaint confidentially. We will contact you within a reasonable time after receipt of your complaint to discuss your concerns and outline options regarding how they may be resolved. We will aim to resolve your complaint in a timely and appropriate manner.

If we fail to respond to a complaint within 28 days of receiving it in writing or if you are dissatisfied with the response that you receive from us, you may make a complaint to the applicable regulator, such as the federal Privacy Commissioner or the relevant State regulator.

10. Do we disclose your personal information to anyone outside Australia?

We do not disclose your personal information overseas. However, we do use cloud-based data storage services such as Microsoft Office 365, SharePoint, OneDrive. Some of these services and platforms store information overseas in the United States and Singapore.

The privacy laws of these countries may not provide the same level of protection as the Australian Privacy Laws. By proceeding to provide us with your personal information, you agree that you cannot seek redress under the Australian Privacy Laws or against us (to the extent permitted by law) and may not be able to seek redress overseas. If you do not agree to the storage of your personal information outside Australia, please contact us.

We also use social media platforms such as Facebook and LinkedIn to facilitate our business activities and functions and post about services, employment opportunities and other information about our events and activities. If you choose to interact with us through these services, it is your responsibility to review and accept the privacy policy of that service prior to interacting with us.

Printed versions of this document are UNCONTROLLED

11. How do we protect your personal information?

We take reasonable steps to ensure your personal information is protected from misuse, interference, loss and unauthorised access, modification or disclosure. We may hold your information in either electronic or hard copy form. Personal information is uploaded for storage in our electronic databases that require passwords and logins. Such records are only accessible by those persons who require access to the personal information for the purpose of carrying out their job. Within the organisation, staff have different levels of access to personal information, this is determined by their role within the organisation (Function Based Security).

All computers, including cloud-based servers, are secured with anti-virus protections and have firewall and intrusion protection software. It is our standard practice to destroy or de-identify your personal information once it is no longer needed. If we are required to give your personal information to a person that provides services to us, we will take reasonable steps to prevent unauthorised use or disclosure of your personal information.

12. What situations can you deal with us anonymously or by using a pseudonym?

There are limited circumstances where you can deal with us anonymously or by pseudonym. We will let you know if this is the case and will provide you with an ID number if it is reasonably necessary. Unfortunately, if you refuse to provide us with necessary information, we may not be able to provide our services to you.

13. What are our retention or destruction practices and obligations?

Subject to our retention requirements for health information outlined below, we will only keep personal information for as long as it is needed for any purpose for which it was collected, or otherwise if it is part of a Commonwealth record or is required to be retained under Australian law or by a court or tribunal. All personal information which is no longer needed or required by law to be retained will be properly de-identified or destroyed.

In accordance with the State-based health information protection laws, we are required to retain health information for 7 years after the last occasion on which we provided a health service to an individual, except where the information was collected while the individual was under 18 (in which case, we will keep the records until the individual has reached 25 years of age).

14. What are our websites and online presence privacy practices?

We may collect your personal information using cookies. When you access our websites, we may send a 'cookie' (which is a small summary file containing a unique ID number) to your computer. This enables us to recognise your company and to greet you each time you visit our websites without bothering you with a request to register. It

also enables us to keep track of services you view so that, if you consent, we can send you news about those services. We also use cookies to measure traffic patterns, to determine which areas of our websites have been visited and to measure transaction patterns in the aggregate. We use this to research our users' habits so that we can improve our services. Our cookies do not collect personal information. If you do not wish to receive cookies, you can set your browser so that your computer does not accept them.

We may log IP addresses (that is, the electronic addresses of computers connected to the internet) to analyse trends, administer the websites, track users' movements, and gather broad demographic information.

We will not acquire, use, offer or supply any address-harvesting software or harvested address list (or the right to use them).

Despite all precautions we take to protect your personal information, as our websites are linked to the Internet, and the Internet is inherently unsecure, we cannot provide any assurance regarding the security of any transmission of information you communicate to us online. We also cannot guarantee that the information you supply will not be intercepted while being transmitted over the internet. Accordingly, any personal information or other information which you transmit to us online is transmitted at your own risk.

Our websites may contain links to other websites operated by third parties. We make no representations or warranties in relation to the privacy practices of any third-party website and we are not responsible for the privacy policies or the content of any third-party website. Third party websites are responsible for informing you about their own privacy practices.