

privacy

1.0 Purpose of Policy

This policy outlines Multicap Tasmania's commitment to upholding the privacy of all clients, staff, board members and volunteers.

2.0 Scope

This policy applies to all Multicap Tasmania staff, board members, volunteers and any people or organisation contracted to Multicap Tasmania.

3.0 Definitions

Confidentiality

Confidentiality is the protection of personal information. Confidentiality means keeping a client's information between you and the client, and not telling others including co-workers, friends, family, etc.

Examples of maintaining confidentiality include:

- individual files are locked and secured
- workers do not tell other people what is in a client's file unless they have permission from the client
- information about clients is not told to people who do not need to know
- clients' medical details are not discussed without their consent
- adult clients have the right to keep any information about themselves confidential, which includes that information being kept from family and friends.

Privacy:

The commitment and legal obligations of an organisation to keeping personal, sensitive or health-related information secure and restricted to those who require access to it for the purposes of delivering services required by their role.

Workplace confidentiality:

The restriction of information acquired as part of a job within the organisation until such time as it is officially released.

4.0 Policy Statement

Multicap Tasmania is committed to protecting and upholding the right to privacy of clients, staff, applicants, volunteers, Board members and representatives of agencies we deal with. In particular Multicap Tasmania is committed to protecting and upholding the rights of our clients to privacy in the way we collect, store and use information about them, their needs and the services we provide to them.

Multicap Tasmania requires staff, volunteers 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.

Multicap Tasmania is subject to the *Privacy Act 1988 (Cth)*. The organisation will follow the guidelines of the *Australian Privacy Principles* in its information management practices.

Multicap Tasmania will ensure that:

- it meets its legal and ethical obligations as an employer and service provider in relation to protecting the privacy of clients and organisational personnel
- clients are provided with information about their rights regarding privacy
- clients and organisational personnel are provided with privacy when they are being interviewed or discussing matters of a personal or sensitive nature
- all staff, Board members and volunteers understand what is required in meeting these obligations
- it will adhere to all requirements imposed under the *Privacy Act 1988*, including the requirements imposed by the *Privacy Amendment (Notifiable Data Breaches) Act 2017*, to strengthen the protection of personal information.

This policy conforms to the *Federal Privacy Act (1988)* and the *Australian Privacy Principles* which govern the collection, use and storage of personal information.

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.

The NDIS Code of Conduct

The NDIS Code of Conduct promotes safe and ethical service delivery by setting out expectations for the conduct of both NDIS providers and workers. The Code represents a broad framework of ethical conduct that all NDIS providers and workers have an obligation to uphold. One of the expectations of the NDIS code of conduct is Privacy.

5.0 Procedures

Dealing with personal information

In dealing with personal information, Multicap Tasmania staff will:

- ensure privacy for clients, staff, volunteers or 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 organisation and its activities
- use fair and lawful ways to collect personal information
- collect personal information only by consent from an individual
- 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
- notify individuals and the Office of the Australian Information Commissioner (OAIC) when there has been a data breach (or suspected breach) of personal information, if it is likely to result in serious harm to individuals whose privacy has been breached

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.
- Recruitment information will be held by a Third Party Data Centre, and is only available for access by Multicap Tasmania staff involved in the recruitment process. No access will be provided to any other outside party.
- The Marketing and Communications Officer is responsible for content in Multicap Tasmania 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 Multicap Tasmania 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 Executive Manager Corporate Services is responsible for safeguarding personal information relating to Multicap Tasmania staff, Board members, volunteers, contractors and Multicap Tasmania members.
- **The Privacy Contact Officer:** The Privacy Contact Officer will be the Executive Manager Corporate Services. They are responsible for:
 - ensuring that all staff are familiar with the Privacy Policy and administrative procedures for handling personal information
 - ensuring that clients and other relevant individuals are provided with information about their rights regarding privacy
 - handling any queries or complaint about a privacy issue
 - monitoring and responding to emails sent via privacyofficer@multicap.com.au

Privacy information for clients

At intake and during any relevant activities clients will be told what information is being collected, how their privacy will be protected and their rights in relation to this information. This information is also contained in our Client Handbook.

Privacy for interviews and personal discussions

To ensure privacy for clients or staff when discussing sensitive or personal matters, the organisation will ensure meetings can occur in environments which are private, including interview spaces at our three office locations, as well as potentially being undertaken via home visits and out of hours meetings.

Clients in research projects

People being invited to participate in a research project must be:

- given a choice about participating or not
- given the right to withdraw at any time
- informed about the purpose of the research project, the information to be collected, and how information they provide will be used
- given copies of any subsequent publications

The collection of personal information will be limited to that which is required for the conduct of the project. Individual participants will not be identified.

Organisational participants in research projects will generally be identified in Multicap Tasmania research, unless the nature of a particular project requires anonymity, or an organisation specifically requests it.

6.0 Roles & Responsibilities

This policy applies to	Multicap Tasmania Board, staff & volunteers
Specific responsibilities	<p>The Executive Manager Corporate Services has the responsibility for privacy of our Information Technology solutions.</p> <p>The Marketing and Communications Officer has responsibility for ensuring the Client Handbook contains all relevant privacy information.</p> <p>The Executive Manager Corporate Services has responsibility for handling any privacy queries or complaints.</p>
Policy approval	The Multicap Tasmania Board is responsible for understanding and approving this policy.

7.0 Related Legislation & Standards

National

- *National Disability Insurance Scheme Act 2013*
- *National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018*
- *The Privacy Act 1988* and the Australian Privacy Principals (March 2014)

Tasmanian

- *Personal Information Protection Act 2004* regulates the collection, maintenance, use, correction and disclosure of personal information relating to individuals

8.0 Related Policy, Templates & Documents

01.01	Purpose & values
01.06	Code of ethics & conduct
01.08	Confidentiality
05.09	Professional ethics and conduct
09.06	Client rights & responsibilities
13.04	Filing & records management

9.0 Feedback

Feedback on this policy can be submitted to feedback@multicap.com.au.

10.0 Compliance

Noncompliance with this policy may result in disciplinary action.

Policy Endorsement

Policy Number	01.07 01. The Organisation
Policy Owner or Document Controller	Multicap Tasmania Board
Date of approval	27 January 2023
Date of Review	on or before 27 January 2026

CEO (signature)



Nigel Hill