

Manning Valley & Area Community Transport Group Inc.
Section 3 Service Delivery
Policy 3.06-v2 Privacy and Confidentiality

Policy Statement

MVACTG Inc. will conform to both state and commonwealth privacy legislation requirements regarding the collection, use and protection of personal information of our Consumers 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.

MVACTG Inc. 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 MVACTG Inc.;
- Disclosing personal information to 3rd parties only with the written consent of the individual;
- Securely storing Consumers personal information; and
- 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; and
- warn a third party who is in danger.

The *Privacy Amendment (Private Sector) Act 2000* (Commonwealth legislation) outlines ten National Privacy Principles (NPPs).

Principle 1: Collection

Only collect information that is directly relevant and necessary using lawful purposes. Collect it directly from the individual and let him/her know the purpose of collecting it and how to access it.

Principle 2: Use and disclosure

Only use the information for the purpose for which it has been collected.

Principle 3: Data quality

Make sure the personal information you collect, use or disclose is accurate, complete and up-to-date.

Principle 4: Data security

Protect the personal information you hold from misuse and loss and from unauthorised access, modification or disclosure. Destroy or permanently de-identify personal information if it is no longer needed for any purpose for which the information may be used or disclosed.

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Personal 5: Openness

Set out in a document clearly expressed policies on your management of personal information and make the document available to anyone who asks for it. If someone asks, let them know generally, what sort of personal information you hold, for what purposes, and how you collect, hold, use and disclose that information.

Principle 6: Access and correction

Provide the individual with access to the information on request. If an individual is able to establish that the information is not accurate, complete and up-to-date, you must correct the information so that it is accurate, complete and up-to-date.

Principle 7: Identifiers

Do not disclose an identifier (identifier includes a number assigned by an organisation to an individual to identify uniquely the individual for the purposes of the organisation's operations).

Principle 8: Anonymity

Wherever it is lawful and practicable, individuals must have the option of not identifying themselves when entering transactions with an organisation.

Principle 9: Transborder data flows

You can only transfer personal information about an individual to someone who is in a foreign country if you believe that the recipient of the information is subject to a law, binding scheme or contract which effectively upholds principles for fair handling of the information that are substantially similar to the NPPs; the individual consents to the transfer; or the transfer is necessary for the performance of a contract between the individual and the organisation, or a third party.

Principle 10: Sensitive information

You must not collect sensitive information about an individual unless the individual has consented, or the collection is required by law; or is necessary to prevent or lessen a threat to the life or health of any individual, or you undertake to the individual that the organisation will not disclose the information without the individual's consent. You can collect health information if: the information is necessary to provide a health service to the individual, if the information is research relevant to public health or public safety; the compilation or analysis of statistics relevant to public health or public safety, is necessary for the management, funding or monitoring of a health service.

Adapted from Guidelines to the National Privacy Principles, Office of the Federal Privacy

Related Procedures

- [PRO 2.03-1](#) Team Member Orientation
- [PRO 3.02-1-v2](#) Consumer Information Provision
- [PRO 3.02-2-v2](#) Consumer Rights and Responsibilities
- [PRO 3.06-1](#) Privacy and Confidentiality

Relevant Standard

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Home Care Standards

1. Effective Management
3. Consumers Rights & Responsibilities

Disability Service Standards

1. Rights
6. Service Management

Policy History

No: 3.06-v2	Privacy & Confidentiality		Date Approved		
Date Policy due to be reviewed	Date Policy Reviewed:	Amendments	Positions informed/trained regarding amendments	Method	Date
30/6/18	8/3/16	See improvement request	Team members	Meeting	17/3/16