

The Paraplegic & Quadriplegic Association of South Australia Ltd



Privacy – Private Information Management Statement

STATEMENT

The Paraplegic & Quadriplegic Association of South Australia Ltd (PQSA) is committed to upholding the right to privacy of our clients (includes PQSA members), our workers and representatives of external key stakeholders. In particular, we strive to protect and uphold the rights of our clients to privacy in the way we collect, store and use information about them, their needs and their services as part of a broader client safeguarding framework.

Approved by:  Chief Executive Officer	Date: May 2021
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In this statement, 'us' 'we' or 'our' refers to The Paraplegic & Quadriplegic Association of South Australia Ltd ACN 644 670 977, which is a Company Limited by Guarantee and conducts its business through Lifestyle Support and HomeCare+ services.

Please note that printed copies are not able to be controlled and the Shared Drive should always be referred to for the most current version.

SCOPE

Compliance with this policy is a condition of appointment for all workers engaged to provide services on behalf of PQSA.

This statement and its associated procedures apply to all PQSA members, workers, clients, donors, business partners and online users.

The Privacy Act and this Privacy Policy do not apply to acts or practices which directly relate to worker records.

DEFINITIONS

Refer to the PQSA Policy and Procedure Definition Glossary.

RESPONSIBILITIES

It is our responsibility to communicate our policies and procedures to all workers on a systematic basis. Individual Directors and Supervisors are responsible for monitoring workers' understanding of their obligations and need for compliance with policies and procedures. Workers are responsible for complying with our policies and procedures.

POLICY

PQSA is committed to serving and supporting the best interests of individuals with disabilities living in the community in a manner which recognises their inherent worth and dignity, their right to experience life's events and develop their full potential.

We are subject to the *Privacy Act 1998* and the *Australian Privacy Principles (APPs)* contained within the act and are bound by the requirements of South Australia's *Information Sharing Guidelines*. We also have a duty to report particular breaches of privacy as imposed by the *Privacy Amendment (Notifiable Data Breaches) Act 2017*.

We require all workers 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.

PQSA's designated Privacy Officer:

For the purpose of this policy and associated legislative/state requirements, PQSA's Director of People and Culture will act as our designated Privacy Officer

The Privacy Officer will

- ensure all staff are familiar with this Policy and the administrative processes for handling personal information
- ensure clients are provided appropriate information about their rights regarding privacy
- handle any queries or complaints about a privacy issue.

Privacy Statement

No Personal or Health information will be collected from an individual without their consent. All individuals will have access to a Privacy Statement that will outline what information will be collected and what its primary and secondary purpose will be. This will occur at the time of onboarding to PQSA services and on an annual basis. All individuals will be given the opportunity to opt out of any or all parts of the use of their personal information.

Information Sharing Statement

PQSA follows the Ombudsman SA Information Sharing Guidelines (ISG) to promote the safety and wellbeing of children and vulnerable adults. We will work closely with other organisations to coordinate the best support for our clients. Under the ISG, the informed consent of PQSA clients will be sought and respected in all situations, unless:

- it is unsafe or impossible to gain consent or consent has been refused and
- without information being shared, it is anticipated a child or vulnerable adult will be at risk of serious harm, abuse or neglect or pose a risk to their own or public safety.

Personal Information

PQSA has an obligation, as far as reasonably practicable, to ensure that the personal information it collects, uses or discloses is accurate, up-to-date and complete.

To meet this obligation, PQSA will ensure that:

- we meet our legal and ethical obligations in relation to protecting the privacy of our clients
- clients are provided information about their rights regarding privacy
- a private environment will be employed when discussing sensitive/personal matters with or regarding a client

Health Information

As part of administering certain PQSA services, it may be necessary to collect health information to develop a Health Plan. When collecting health information from an individual, PQSA will obtain the individual's specific consent and explain how the health information will be used; this will be stipulated on our Privacy Statement Form.

If health information is collected from a third party (such as a health professional), PQSA will inform the individual that this information has been collected and will explain how such information will be used and disclosed.

Anonymity

PQSA understands that anonymity is an important element of privacy and, where possible, will allow individuals to interact anonymously or using a pseudonym such as when making general enquiries, asking general questions or participating in surveys.

A person enquiring about PQSA services does not have to provide personal details. Online forms used by individuals enquiring about services or products will not require the completion of personal information boxes, e.g. name and address.

However, for most of the services and functions provided by PQSA, we are likely to require a name and contact information to enable us to effectively and efficiently handle inquiries or deliver services.

Information Communication Technology (ICT) Systems

- risk assessments of our ICT systems are undertaken on a regular basis to ensure the appropriate levels of security that prevent unauthorised network access
- we will ensure our websites and other network environments are secure and up to date
- PQSA's Director of ICT will regularly test our security systems and processes and will engage external consultants for independent testing, such as system penetration

RELATED LEGISLATION

- Australian Privacy Principles
- Freedom of Information Act 1982 (Cth)
- Freedom of Information Act 1991 (SA)
- Information Sharing Guidelines
- National Standards for Disability Services – Standard 1: Rights
- Privacy Act 1988
- Privacy Regulations 2013

SUPPORTING PQSA DOCUMENTATION

- Child and Young Person Protection Policy and Procedure
- Client - Advocacy Policy and Procedures
- Code of Conduct and Ethical Behaviour
- Complaint/Concern Management Policy and Procedures (Client Complaints)
- Complaint/Concern (Worker) Management Policy and Procedures
- Document Retention, Archiving and Destruction Policy and Procedures
- Information Sharing Guidelines
- HomeCare+ Client Handbook
- Lifestyle Support Client Handbook
- Recruitment Policy and Procedures
- Vulnerable Adult – Client Safeguarding Policy and Procedures
- Worker Confidentiality Policy

BREACHES OF THIS POLICY

A **breach** of this policy is grounds for disciplinary action, up to and including termination of employment. Ignorance of these procedures will not generally be accepted as an excuse for non-compliance. Only in extreme circumstances and where such ignorance can be demonstrated to have occurred through no fault of the individual concerned will PQSA accept such an argument.

DISTRIBUTION AND REVIEW

PQSA will ensure all persons engaged to provide services either paid or unpaid will be aware of this policy and will have easy access to it in an appropriate format. All policies are to be reviewed on a periodic basis or when legislation or government policy determines.