

Privacy



<i>Policy No.</i>	3.13	<i>Reviewed by</i>	Governance and Risk Sub Committee
<i>Approved date</i>	18 May 2022	<i>Approved by</i>	Management Committee
<i>Review frequency</i>	Annually	<i>Review date</i>	May 2023
<i>Supporting Documents</i>	<ul style="list-style-type: none">• Confidentiality of Member Information• Authority to Release or Gain Information• Authority to Display: Name/Photographs/Video• Member Details Form• Incident Management Policy• Grievance Reporting Policy and Procedure		
<i>Associated Legislation</i>	<ul style="list-style-type: none">• Privacy Act (1988)• The Australian Privacy Principles		

1. Policy Statement

Stepping Stone respects your right to privacy and is committed to safeguarding privacy and confidentiality in accordance with the Privacy Act 1988, which contain the Australian Privacy Principles (APP's). Stepping Stone collects and administers a range of personal and sensitive information, primarily with a view to communicating with members, staff, students, volunteers and website visitors, in addition to external service providers and organisations that can be of assistance to Stepping Stone and the work we do. Stepping Stone also collects staff and others' personal information to enable the organisation to perform its functions, but information is only collected if it has a defined purpose and scope.

2. Scope

This policy outlines how Stepping Stone collects, uses, discloses, protects and stores personal information consistent with its legislative obligations. It applies to all written, verbal and electronic information relating to members, staff, Nominated Support Persons (NSP's) and other stakeholders. All employees, Clubhouse members and Management Committee members are bound by the obligations contained in the Privacy Act regarding the handling of personal information.

3. Purpose

The purpose of this policy is to clearly communicate the personal information handling practices of Stepping Stone, as well as the sort of personal information Stepping Stone holds and the way it handles that information. This policy sets out how we collect and treat your personal information.

4. Procedures

Stepping Stone recognises the essential right of individuals to have their information administered in ways that they would reasonably expect – protected on one hand, and made accessible to them on the other. These privacy values are reflected in and supported by our core values and philosophies and also reflected in this Policy. Stepping Stone will:

- Only collect information that the association requires for its primary function
- Ensure that stakeholders are informed as to why we collect the information and how we administer the information gathered
- Use and disclose personal information only for our primary functions or a directly related purpose, or for another purpose with the person's consent
- Store personal information securely, protecting it from unauthorised access
- Provide stakeholders with access to their own information, and the right to seek its correction.

To uphold this Policy, all staff and members need an appropriate level of understanding of confidentiality, limits to confidentiality and obtaining members and staff's consent to share information about them. They also require understanding of the Stepping Stone processes for providing information to people using, or working in our services. Stepping Stone achieve this and meet the Australian Privacy Principles (APP's) in the following ways:

APP 1. Open and transparent management of personal information

Stepping Stone takes steps to implement practices, procedures and systems to comply with the APP's and management of personal information as expressed in this Privacy Policy.

Stepping Stone welcomes feedback and complaints regarding any aspect of our service or operations. Please refer to the Grievance Reporting Policy and Procedure.

APP 2. Anonymity and pseudonymity

Individuals have the option of not identifying themselves, or of using a pseudonym, unless required by law or court or if it is impractical to do so.

APP 3. Collection of solicited personal information

Personal information

Stepping Stone only collects personal information (other than sensitive information) that is reasonably necessary for Stepping Stone's functions or activities. We collect personal information to help us provide support to individuals, to improve service delivery and to meet our funding obligations. We collect names, contact details, health details (including diagnoses), emergency contacts, support person details (if applicable) and other demographic information. Stepping Stone also records contact with individuals and keep file notes regarding these contacts. We use a 'Member Details Form' to collect personal information and these forms are kept in filing cabinets. We also enter personal information into the database that requires a login and password to access.

Sensitive information

Stepping Stone only collects sensitive information about an individual if the individual consents to the collection of such information and it is reasonably necessary for Stepping Stone's functions or activities. Stepping Stone can also collect sensitive information if the following applies:

- Collection of the information is required or authorised by or under an Australian law or a court/tribunal order
- A permitted general situation exists in relation to the collection of information by Stepping Stone
- A permitted health situation exists in relation to the collection of information by Stepping Stone
- The information relates solely to the members of Stepping Stone or to individuals who have regular contact with the association in connection with its activities.

Stepping Stone has a Confidentiality of Member Information Form that is signed by members at orientation and by staff at induction and then updated yearly. The Confidentiality of Member Information Form explains the terms of how their information will be used. Stepping Stone will only share personal and sensitive information to others with the individual's permission, or when there are significant safety concerns or we are legally obligated to do so.

Collection of information is done in a lawful and fair way. Stepping Stone collects personal and sensitive information about an individual only from the individual, unless it is unreasonable or impracticable to do so.

APP 4. Dealing with unsolicited personal information

In circumstances where Stepping Stone receives unsolicited information, we will determine whether or not we could have collected the information under APP 3. If we determine that Stepping Stone could not have collected the personal information and the information is not contained in a Commonwealth record, then Stepping Stone will destroy the information or ensure it is de-identified. If we determine Stepping Stone could have collected the personal information

then APP's 5-13 apply as if the information had been collected under APP 3 (solicited). We will confirm this process with the individual.

APP 5. Notification of the collection of personal information

Stepping Stone will notify individuals of the following as soon as possible:

- The purpose of the collection of information
- The consequences (if any) for the individual if the information is not collected
- Anyone else that Stepping Stone may disclose information to
- How they can access and correct their personal information
- How they can make a complaint if APP's are breached
- Whether the collection of information is required under Australian law or court/tribunal order
- Any information that Stepping Stone has received from anyone else that the individual may not be aware of.

APP 6. Use or disclosure of personal information

Personal information held by Stepping Stone is collected for a particular purpose and Stepping Stone will not use or disclose the information for any other purpose unless:

- Consent from the individual has been provided
- Use or disclosure of the information is required or authorised by or under an Australian law or a court/tribunal order
- A permitted general situation exists
- A health situation exists
- Use or disclosure of information is reasonably necessary for an enforcement related activity conducted by an enforcement body.

APP 7. Direct marketing

Stepping Stone must not use or disclose personal information it holds about an individual for the purpose of direct marketing, unless:

- Stepping Stone collected the information from the individual transparently for that purpose
- The individual would reasonably expect Stepping Stone to use or disclose the information for that purpose.

Stepping Stone has a simple means by which individuals can easily request not to receive direct marketing communication from the association.

APP 8. Cross border disclosure of personal information

Stepping Stone does not send personal information overseas.

APP 9. Adoption, use or disclosure of government related identifiers

Where Stepping Stone is provided with third party information, including government related Identifiers, it will follow its policy as per APP 3 and 4.

APP 10. Quality of personal information

Stepping Stone takes reasonable steps in the circumstances to ensure that personal information held, used and disclosed is accurate, up to date and complete and relevant to its purpose.

APP 11. Security of personal information

Stepping Stone makes every effort to ensure that personal information is protected from misuse, interference and loss, and unauthorised access, modification and disclosure. Our databases require an ID and password. Only Stepping Stone staff and members who require access to this information will have access.

If the personal information is no longer needed for any purpose, is not contained in a Commonwealth record and not required to be kept by or under an Australian law or a

court/tribunal order then Stepping Stone will destroy the information or ensure that the information is de-identified.

APP 12. Access to personal information

Stepping Stone is strongly committed to ensuring that those individuals whose information we collect are able to access this information, consistent with our Clubhouse recovery model. Individuals can access their personal information on request within a reasonable time period and if it is reasonably and practicable to do so. Unless:

- Stepping Stone believes that giving access would pose a serious threat to the life, health or safety of any individual, public health or public safety
- Giving access would have an unreasonable impact on the privacy of other individuals
- Request for access is frivolous or vexatious
- Information relates to existing or anticipated legal proceedings between Stepping Stone and the individual and would not be accessible by the process of discovery in those proceedings
- Giving access would reveal the intentions of Stepping Stone in relation to negotiations with the individual in such a way as to prejudice those negotiations
- Giving access would be unlawful
- Denying access is required or authorised by or under an Australian law or court/tribunal order
- Stepping Stone suspects that unlawful activity or misconduct of a serious nature that relates to Stepping Stone's functions or activities has been engaged in
- Giving access would likely prejudice the taking of appropriate action
- Giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

APP 13. Correction of personal information

Records can be corrected at any time if information is incorrect or out of date. Stepping Stone can, on request of the individual, give the individual access to their information. If any personal information about an individual held by Stepping Stone requires correction, Stepping Stone will take reasonable steps to correct that information to ensure that, having regard to the purpose for which it is held, the information is accurate, up to date, complete, relevant and not misleading.

If information has been passed on to a third party, Stepping Stone will take steps to notify the third party. A written notice will be provided if the correction is refused. Requests will be responded to within a reasonable time period.

Data Breaches

- We will take reasonable steps to reduce the likelihood of a data breach occurring including storing personal information securely and accessible only by relevant employees.
- If we know or suspect that personal information has been accessed by unauthorised parties and we think this could cause harm, we will take reasonable steps to reduce the chance of harm and advise the person of the breach and if necessary the Office of the Australian Information Commissioner.
- A breach of privacy and confidentiality is an incident, if this occurs please refer to the Stepping Stone Incident Management Policy to resolve.
- A breach of privacy and confidentiality may require an investigation.

5. Definitions

5.1 Permitted General Situation

There are seven permitted general situations:

- lessening or preventing a serious threat to the life, health or safety of any individual, or to public health or safety

- taking appropriate action in relation to suspected unlawful activity or serious misconduct
- locating a person reported as missing
- asserting a legal or equitable claim
- conducting an alternative dispute resolution process
- performing diplomatic or consular functions – this permitted general situation only applies to government agencies
- conducting specified Defence Force activities – this permitted general situation only applies to the Defence Force

5.2 Permitted Health Situation

There are five permitted health situations:

- the collection of health information to provide a health service
- the collection of health information for certain research and other purposes
- the use or disclosure of health information for certain research and other purposes
- the use or disclosure of genetic information
- the disclosure of health information for a secondary purpose to a responsible person for an individual

Health Information is a type of sensitive information.

5.3 Personal information

Personal information is defined as any information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- Whether the information or opinion is true or not; and
- Whether the information or opinion is recorded in a material form or not.

Common examples are an individual's name, signature, address, telephone number, date of birth, medical records, bank account details, employment details and commentary or opinion about a person.

Personal information of one individual may also be personal information of another individual. Examples include a marriage certificate that contains personal information of both parties to a marriage, and a vocational reference that includes personal information about both the author and the subject of the reference.

The personal information 'about' an individual may be broader than the item of information that identifies them. For example, a vocational reference or assessment may comment on a person's career, performance, attitudes and aptitude. Similarly, the views expressed by the author of the reference may also be personal information about the author.

Personal information that has been de-identified will no longer be personal information. Personal information is de-identified if the information is no longer about an identifiable individual or an individual who is reasonably identifiable.

What constitutes personal information will vary, depending on whether an individual can be identified or is reasonably identifiable in the particular circumstances.

5.4 Sensitive information

Sensitive information is a subset of personal information and is defined as information or an opinion (that is also personal information) about an individual's:

- racial or ethnic origin
- political opinions
- membership of a political association
- religious beliefs or affiliations
- philosophical beliefs
- membership of a professional or trade association

- membership of a trade union
- sexual preferences or practices
- criminal record
- health information about an individual
- genetic information (that is not otherwise health information)
- biometric information that is to be used for the purpose of automated biometric verification or biometric identification
- biometric templates.

Information may be sensitive information where it unambiguously implies one of these matters. For example, many surnames have a particular racial or ethnic origin, but that alone will not constitute sensitive information that necessarily indicates the racial or ethnic origin of an individual with that surname.

5.5 Data Breach

A data breach is a type of security incident where personal, sensitive or confidential information normally protected, is deliberately or mistakenly copied, sent, viewed, stolen or used by an unauthorised person or parties. A data breach where people are at risk of serious harm as a result is reportable to the Office of the Australian Information Commissioner

6. Complaints

If you would like to make a complaint regarding our Privacy Policy or the way in which we handle your personal information, please refer to the Stepping Stone Grievance Reporting Policy and Procedure.

If you are dissatisfied with our response, you can refer the matter to the Australian Information Commissioner. Details on how to lodge a complaint are on the web page of the Officer of the Information Commissioner: www.oaic.gov.au.