

Privacy and Confidentiality Policy

Cerebral Palsy Support Network Inc (CPSN) is committed to protecting and upholding the right to privacy and confidentiality for clients, members, staff, volunteers Board members and contractors. In particular, it is committed to respecting and protecting the right of people with a disability to dignity and to privacy in all their dealings.

Record of policy development

Version	Date approved	Date for review
3	September 2022	September 2024

Responsibilities and delegations

This policy applies to	All employees, contractors, volunteers, members, clients, researchers and Board members
Policy approval	Board
Review of Policy Compliance	CEO
Specific responsibilities	General Manager, Business and Member Services General Manager People and Culture, General Manager, Operations and Client Outcomes

Policy context – this policy relates to:

Standards	Australian Privacy Principles
Legislation	Privacy Act 1988, including the requirements imposed by the Privacy Amendment (Notifiable Data Breaches) Act 2017 Freedom of Information Act 1982
Contractual obligations	NDIS Practice Standards
Organisation policies, records and publications	This policy applies to all records, hard copy or electronic, containing personal information about individuals and to interviews or discussions of a sensitive personal nature. Personal information includes photographs, audio and video recordings and extends to both facts and opinion if it is about an identifiable person.

POLICY STATEMENT

Purpose

The purpose of this policy is to outline how CPSN will ensure the privacy of clients, employees, volunteers, members, Board members and representatives of agencies we deal with.

This policy outlines how we will protect and uphold 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.

Principles

CPSN is committed to honesty, integrity and best practice in all aspects of its operations.

It meets its legal and ethical obligations as an employer, membership organisation and service provider in relation to protecting privacy and confidentiality in all its dealings.

CPSN recognises that individuals have a right to request access and correction to their personal information.

Implementing this policy

CPSN requires employees, contractors, volunteers, researchers 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.

CPSN ensures that:

- clients are provided with information about their rights regarding privacy both verbally, in writing and on its website
- all employees, contractors, Board members, researchers and volunteers understand what is required in meeting these obligations
- it adheres 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
- it adheres to the Freedom of Information Act 1982
- employees, contractors, volunteers, members, researchers and Board members are provided with privacy when they are being interviewed or discussing matters of a personal or sensitive nature
- data is securely held by specialist third-party providers
- best practice cyber security processes and software are in place to safeguard stored personal and company information. Providers and data security arrangements are reviewed in line with licence renewals and sector benchmarks.

Dealing with personal information

In dealing with personal information, CPSN employees will:

- ensure privacy for employees, contractors, volunteers, members, researchers and 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 for and how it is collected, used, disclosed, and who will have access to it to
- 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 in line with the Freedom of Information Act 1982.

- 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 after seven (7) years from collection unless otherwise required.
- 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 employees, contractors, volunteers, members, researchers and Board members are responsible for the management of personal information to which they have access, and in the conduct of research, consultation or advocacy work.

The CEO is responsible for:

- safeguarding Board members personal information.
- undertaking any complaints about a privacy issue to ensure it is investigated, reported and resolved in line with CPSN Complaints Policy.

The General Manager Business and Member Services is responsible for:

- safeguarding personal information relating to CPSN members
- content in CPSN publications, communications and the website, and must ensure the following:
 - appropriate consent is obtained for the inclusion of any personal information about any individual, including CPSN employees
 - information being provided by other agencies or external individuals conforms to privacy principles
 - ensures 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
 - ensuring that the website includes Privacy Policy and Complaints processes in appropriate and accessible language and format
- ensuring that all members receive information regarding Privacy Policy and Complaints processes in their welcome packs.

The General Manager, Operations and Client Outcomes is responsible for safeguarding personal information of clients and family members and ensuring that this policy and information on the Complaints Process is included in all CPSN Client Service Agreements in accessible formats.

All CPSN General Managers are responsible for:

- ensuring that all employees are familiar with the Privacy Policy and administrative procedures for handling personal information
- ensuring that clients and members and other relevant individuals are provided with information about their rights regarding privacy
- handling any queries about privacy issues.

The General Manager, People and Culture is responsible for safeguarding the personal information of employees.

Privacy for interviews and personal discussion

To ensure privacy for clients or employees when discussing sensitive or personal matters, employees will ensure discussions are held privately behind closed doors.

Participants in research projects

People being invited to participate in a research project will 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 the 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 in any subsequent publications.

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

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