

ADMINISTRATION POLICY AND PROCEDURES PRIVACY

POLICY

Introduction and Definitions

1. The Hepatitis C Council of NSW is herein after referred to as the **Council**.
2. **Personal information** identifies an individual, e.g. name, address and telephone number.
3. **Health information** is that personal information which is specific to an individual's health or disability. This may include information about health services, referrals and advocacy.
4. **Sensitive information** is that personal information which may also be collected where relevant. This may include information such as ethnic origin, political opinions, sexual preferences or criminal record.
5. A **Client** is a person who approaches the Council seeking information, support referral, membership, advocacy or other services.

Preamble

6. This policy is based on the National Privacy Principles as outlined in the Guidelines on Privacy in the Private Health Sector (08 November 2001).
7. The Council accepts these privacy principles and this privacy policy conforms to them. While each principle contained in the guidelines is covered, many of the sub clauses do not apply to the Council's role and operations. If a situation arises that is not covered within this policy The Privacy Amendment, Private Sector, Act 2000 and other relevant legislation will take precedence over this policy.
8. This policy does not apply to employee records when that information collected is for employment purposes, as this is covered by separate legislation and policies.
9. This policy applies should the Council provide advocacy services on behalf of any individual, including an employee.
10. The Council maintains a database of allied health and community professionals for an appropriate referral to clients. Permission is sought from these individuals before inclusion. The release of this information is covered by section 2 of this policy.

PROCEDURE

1. Collection

- 1.1. The Council will obtain consent from individuals before personal information is collected. This may not apply to professionals' information collected for referral purposes.
- 1.2. The Council has internal policies and procedures to ensure that this policy is adhered to.

2. Use and Disclosure

- 2.1. The Council collects personal information:
 - 2.1.1 To facilitate the distribution of hepatitis C and other relevant information.
 - 2.1.2 To keep accurate financial records of Council membership.
 - 2.1.3 To keep accurate records of individuals when the Council provides advocacy services on their behalf.
 - 2.1.4 Prior to employment or volunteer selection.
- 2.2. The Council undertakes to keep confidential any personal information collected.
- 2.3. Information about services and agencies is collected by the Council and is given to clients, where appropriate, for referral purposes.
- 2.4. The Council does not release clients' personal information to other organisations or people without written consent from that client except where the provisions of the National Privacy Principles would allow such disclosure. Section 2.1 of the National Privacy Principles state that :

*2.1 An organisation must not use or disclose personal information about an individual for a purpose (the **secondary purpose**) other than the primary purpose of collection unless:*

(a) both of the following apply:

 - (i) the secondary purpose is related to the primary purpose of collection and, if the personal information is sensitive information, directly related to the primary purpose of collection;*
 - (ii) the individual would reasonably expect the organisation to use or disclose the information for the secondary purpose;...*

3. Data Quality

- 5.1 The Council undertakes to ensure that the information collected is maintained in an accurate and complete manner.

<p>4. <u>Data Security</u></p>	<p>4.1. The Council undertakes to keep the personal information it collects in a secure place.</p> <p>4.2. The Council will grant access only to those staff who require that personal information as part of their job requirement.</p> <p>4.3. The Council undertakes to destroy all personal information when it is no longer required by statute or the Councils' constitution. All personal records are kept for six years.</p>
<p>5. <u>Openness</u></p>	<p>5.1. This privacy policy is available on the Council's website www.hepatitisc.org.au This policy is also displayed in the Council offices and copies are available on request.</p> <p>5.2. The Council has in place a complaints procedure which can be used for breaches of this privacy policy.</p>
<p>6. <u>Access and Correction</u></p>	<p>6.1. Apart from relevant staff who access information in the performance of their duties, personal information can be accessed and/or changed only by the person to whom it relates.</p> <p>6.2. A copy of personal information collected by the Council can be obtained by contacting the Council's administration section via: a) telephone, quoting membership number and address, or other means of verifying membership status. b) a request in writing, quoting membership number and address.</p> <p>6.3. When requested a copy of your personal information will be posted within 5 working days of the request being received.</p> <p>6.4. Personal information can be amended via: a) telephone, quoting membership number and address, or other means of verifying membership status. b) a request in writing quoting membership number and address, or by completing a membership renewal form.</p> <p>6.5. Health and sensitive information may be withheld from clients in situations where it is considered by the Council that this information will cause serious threat to the psychological and/or physical health of the client.</p> <p>6.6. Health and sensitive information will be supplied under the direction of an appropriate Council staff member. This information will not be unreasonably withheld.</p>
<p>7. <u>Identifiers</u></p>	<p>7.1. The Council does not use the identification or reference numbers of other organisations. We collect MIN information from prisoners only to facilitate the delivery of their mail.</p> <p>7.2. The Council will not disclose personal identifiers to other organisations or people without written consent from that client, except where provisions within the National Privacy Principles allow such disclosure.</p>
<p>8. <u>Anonymity</u></p>	<p>8.1. Wherever it is lawful and practicable, individuals must have the option of not identifying themselves when communicating with the Council.</p>

**9. Trans-
border data
flows**

9.1. The Council will not transfer or send any personal information outside Australia without prior written consent from the client.

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