

PRIVACY POLICY

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PURPOSE

A person has the right to have their personal information and privacy kept secure. Montrose must have practices and systems in place to ensure this occurs within every area of Montrose business.

This Privacy Policy sets out how Montrose Therapy & Respite Services (Montrose) complies with the Privacy Act 1988 (the Privacy Act). In providing our services and supports, Montrose may collect, hold, use or disclose your personal information. Montrose takes privacy seriously and will only collect, hold, use and disclose your personal information in accordance with the Privacy Act.

Montrose has adopted the Australian Privacy Principles (APPs) contained in the Privacy Act. The APPs govern the way in which we collect, use, disclose, store, secure and dispose of Personal Information.

SCOPE

This Privacy Policy must be complied with by all Montrose workers including permanent and casual workers of Montrose, as well as contractors, subcontractors, temporary staff, students, volunteers, donors and supporters working for or on behalf of Montrose or any third party in the Montrose workplace.

This Privacy Policy applies to all current and prospective clients who currently or may receive services and supports from Montrose, and previous clients who no longer receive services and supports but whose records are stored in accordance with our records management guidelines. This also includes any documentation in relation to donors, volunteers, students and delegates, candidates for Volunteer Work and prospective workers.

RESPONSIBILITIES

The Montrose Executive Management Team (EMT), Managers, Coordinators and all workers are responsible for ensuring this policy is implemented and complied with.

RELATED DOCUMENTS

- Complaints Policy (QS544)
- Data Breach Response Plan (ID8062)
- Records Management Guidelines (ID 6214)

REFERENCES

- The Privacy Act 1988
- Information Privacy Act 2009 (QLD)
- Health Records and Information Privacy Act 2002 (NSW)
- The Office of the Australian Information Commissioner
- NDIS Practice Standards and Quality Indicators, November 2021, v4
 - Core Module – Division One: Rights and Responsibilities
 - NDIS Practice Standard: Privacy and Dignity
 - Outcome: Each participant accesses supports that respect and protect their dignity and right to privacy
- The Northcott Society Privacy Policy version 4.0

DEFINITIONS

The following outlines the definitions for the terms used throughout this document

- **Personal Information** refers to 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.
- **Sensitive Information** includes information or an opinion about such things as an individual's racial or ethnic origin, political opinions, membership of a political association, religious or philosophical beliefs, membership of a trade union or other professional body, criminal record or health information.

COLLECTION OF PERSONAL INFORMATION

Montrose may collect personal information about an individual, their representative or a third party, where consent has been provided. We generally use forms, interviews and other electronic or paper correspondence to collect this information. Montrose may receive personal information from other third-party providers such as schools, Support Coordinators or other service providers.

The personal information we collect and hold from you is dependent on our relationship with you, the services we provide to you, the types of activities you are involved with and the legal obligations we may have. We generally collect and hold both personal and sensitive information as outlined in the table below.

Who	Description
Clients (Prospective,	<ul style="list-style-type: none"> • Contact details (name, address, phone number, email address, medical and educational provider details)

<p>Current & Past)</p>	<ul style="list-style-type: none"> • Background Information (developmental history and functional impact of diagnosis) • Demographic information (age, gender, ethnicity and D.O.B) • Health information (Family and Medical History, medications, diagnostic imaging and medical reports, confirmation of diagnosis from specialist)) • Support requirements and assessments (behavioural assessments, NDIS goals, cultural considerations) • Funding information (NDIS, Private Health Insurance, Medicare, Disability Services) • Government identifiers (Medicare or Centrelink) • History of services delivered (dates of service, notes, client feedback, incidents) • Photographs, videos or other recordings to assist in providing services. • Photographs, videos or written testimonials where you have authorised their use in promotional materials and marketing campaigns.
<p>Workers</p>	<ul style="list-style-type: none"> • Contact details (name, address, phone number, email address) • Financial details and billing information (payment details, bank account details and information about business and financial interests) • Identifying information (e.g. date of birth, country of birth, passport details, visa details, drivers' licence, birth certificates) • Personal circumstances information (e.g. marital status, age, gender, occupation, accommodation and relevant information about a partner or children) • Employment information (e.g. work history, referee comments, remuneration) • Background information (e.g. educational qualifications, the languages you speak and your English proficiency) • Health information (relevant to employment, such as reports confirming modifications required) • Blue Card confirmation and Yellow Card/NDIS Worker Screening Clearance Information • Government identifiers (e.g. Centrelink Reference Number or Tax File Number)

	<ul style="list-style-type: none"> • File notes relevant to employment with Montrose. • Photographs, videos or written testimonials where you have authorised their use in promotional materials and marketing campaigns.
Contractors	<ul style="list-style-type: none"> • Contact details (address, postcode, telephone and facsimile numbers and email addresses) • Demographic information (age, date of birth and gender) • Financial details and billing information (payment details, bank account details and information about business and financial interests) • Background Information (qualifications, licences and insurance details) • information contained in references or referrals obtained from third parties; and • Blue Card confirmation and Yellow Card/NDIS Worker Screening Clearance Information •
Prospective Workers	<ul style="list-style-type: none"> • Contact Details (name, address, postcode, telephone and facsimile numbers and email addresses and family information) • Identity information (e.g. date of birth, country of birth, passport details, visa details, drivers' licence, birth certificates) • Employment information (e.g. work history, referee comments, remuneration) • Demographic information (age, date of birth and gender) • Background Information (qualifications and experience) • Information contained in references obtained from third parties • Blue Card confirmation and Yellow Card/NDIS Worker Screening Clearance Information •

Montrose collects and holds personal information for a variety of primary purposes relating to its functions and activities including:

- performing its employment and personnel functions in relation to its workers
- providing services and supports to our clients
- performing our legislative and administrative functions

- policy development, research and evaluation
- marketing and communications.

Montrose uses and discloses Personal Information for the primary purposes for which it is collected. We will give you information about the primary purpose of collection at the time the information is collected. Montrose may also disclose Personal Information collected and held by it to other relevant parties, including regulatory bodies, professional associations, other treating medical practitioners, schools, where we have your consent or where Montrose is otherwise legally able or required to do so.

When we collect Personal Information, Montrose will at the appropriate times explain to you why we are collecting the information and how we plan to use it. Montrose will not ask you for any personal information which we do not need.

- We may contact you at a future date with information about our products and services.
- You may unsubscribe from our mailing/marketing lists at any time by contacting us.

SENSITIVE INFORMATION

Sensitive information is defined in the Privacy Act to include information or opinion about such things as an individual's racial or ethnic origin, political opinions, membership of a political association, religious or philosophical beliefs, membership of a trade union or other professional body, criminal record or health information.

Sensitive information will be used by us only:

- For the primary purpose for which it was obtained;
- For a secondary purpose that is directly related to the primary purpose; and
- With your consent; or where required or authorised by law.

THIRD PARTIES

Where reasonable and practicable to do so, Montrose will collect your Personal Information only from you. However, in some circumstances we may be provided with information by third parties. In such cases we will take reasonable steps to ensure that you are made aware of the information provided to us by the third party.

USE AND DISCLOSURE OF PERSONAL INFORMATION

Your Personal Information may be disclosed in a number of circumstances including the following:

- To third parties where you consent to the use or disclosure in a Service Agreement or where we have made direct contact with you to obtain consent;
- or

- Where required or authorised by law.

Accidental or unauthorised disclosure of personal information

As set out in the Data Breach Response Plan Montrose will deal with any accidental or unauthorised disclosure of personal information promptly and seriously.

SECURITY OF PERSONAL INFORMATION

Your Personal Information is stored in a manner that reasonably protects it from misuse and loss and from unauthorised access, modification or disclosure. Electronic data is stored in a secure network and staff may only access that data which is needed to do their job. Personal Information may be stored via third party software providers, some of whom may utilise overseas processing and storage. Montrose will take all reasonable steps to ensure that such providers do not breach the Australian Privacy Principles.

Disclosure of information to overseas recipient:

It is rare that we disclose personal information to a recipient outside of Australia. In the event that this does occur, it will only be done with your consent and when the recipient is subject to laws or binding schemes which are substantially similar to the Australian Privacy Principles.

When your Personal Information is no longer needed for the purpose for which it was obtained, we will take reasonable steps to destroy or permanently de-identify your Personal Information. However, most of the Personal Information is or will be stored in client files which will be kept for a period of time as outlined in our Record Management Guideline.

We do not use or share your personal information with anyone without your written permission, unless we have concerns for your safety or we are required to by law.

We remind you that the internet is not a secure environment. Although all care is taken, we cannot guarantee the security of information you provide to us through electronic means.

ACCESS TO AND CORRECTION OF PERSONAL INFORMATION

Under the Privacy Act individuals have a right to access and correct personal information held about them if they believe the information is inaccurate, out-of-date, incomplete, irrelevant or misleading. However, there are circumstances where Montrose may decline access to or correction of personal information (e.g. where access is unlawful under secrecy provisions in legislation). The Privacy Act will tell you the exceptions where we are not required to provide you with access to your information.

- If you wish to access your Personal Information, please contact us in writing (via hello@montrose.org.au). Montrose will not charge any fee for your access request, but may charge an administrative fee for providing a copy of your

Personal Information. In order to protect your Personal Information, we will require identification from you before releasing the requested information. We will respond within 30 days after we receive your request.

- If for any reason we do not give you access to your personal information or do not give you access in the way that you requested, we will give you the reasons why we cannot give you access in writing unless it would be unreasonable for us to do so.

How do you correct your Personal Information?

- If you believe your personal information held by us is inaccurate, incomplete or out of date, you may contact us to request we correct your information.
- In most cases, we will amend any inaccurate, incomplete or out of date information.
- Sometimes we are not able to correct your personal information in the way you have requested. For example, if we need to keep a record of what we knew or understood to be correct about your personal information at a particular time. If this is the case, we:
 - let you know our reasons for refusing your request unless it would be unreasonable for us to do so.
 - let you know how you may make a complaint about our decision, if you wish to do so.
 - take reasonable steps to note on our record of your personal information that you have said your information is inaccurate, incomplete or out of date.

INTERNET AND WEBSITE USE

- We may collect additional personal information about you when you visit our websites. This may include your IP address, browser type and date and time of your visit. We collect anonymous data and use it to look at trends, run the websites, fix problems on site servers, track use and gather broad demographic information for aggregate use and to help improve the quality of the web pages. None of this data can reasonably be used to identify you.
- Our website may also identify and use your IP address or domain name for internet traffic monitoring and capacity purposes or to run the website. No personal information is collected. The pattern of what you do on our website may be tracked so we can improve the service and content based on aggregate or statistical review of these patterns.
- Our websites use cookies to help identify users and prepare tailored web pages for them. Cookies do not identify you personally, however they may link back to a database record about you. Cookies help us to monitor usage of our

website so that we may serve you more efficiently. If you do not wish to take advantage of cookies, you can change your browser settings to not accept them. This may inactivate some of the features of our website.

COMPLAINTS

If you believe that Montrose may have breached your privacy rights, you can make a complaint through the Complaints process, which can be accessed via our website. Montrose will endeavour to resolve the complaint informally as quickly as possible to reduce the risk of potential harm to the parties involved. Please refer to the Montrose Complaints Policy (QS544) for more information on how to make a complaint.

If you are not satisfied with how we have handled a complaint made to us you have the option to contact the Office of the Information Commissioner (OAIC) through <http://www.privacy.gov.au> or <http://www.oaic.gov.au/>.or the [NDIS Quality and Safeguard Commission](#).

PRIVACY POLICY UPDATES AND ENQUIRIES

This Policy may change from time to time and is available on our website.

You can contact us to:

- access your personal information that we have about you
- make a complaint about the way we have collected, used, held or disclosed your personal information
- ask us to remove your personal information from our database
- ask us to stop contacting you with promotional material or marketing material, for example our newsletters.

If you have any queries about our Privacy Policy please contact us at:

- Montrose Therapy & Respite Services hello@montrose.org.au
- Tel: 1800 193 362