

## 1.26 Privacy

### PURPOSE

The purpose of this privacy policy is to:

- clearly communicate the personal information handling practices of SBH Queensland
- enhance the transparency of SBH Queensland operations, and
- give individuals a better and more complete understanding of the sort of personal information that SBH Queensland holds, and the way we handle that information.

### POLICY

SBH Queensland respects the privacy of all SBH Queensland people including members, employees, volunteers, our clients/beneficiaries, donors, business partners and online users, and is committed to safeguarding the personal information that is provided to us.

### DEFINITIONS

*online users* refers to anyone that accesses the SBH Queensland website [www.spinabifida.org](http://www.spinabifida.org)

*personal information* as defined by the Information Privacy Act 2009 (as amended) is information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether true or not, and whether recorded in a material form or not.

*sensitive information* as defined by the Information Privacy Act 2009 (as amended) is information or 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 or criminal record or health, genetic, biometric information or biometric templates, that is also personal information.

*the website* means the SBH Queensland website [www.spinabifida.org](http://www.spinabifida.org)

### Overview of SBH Queensland Programs and Services

SBH Queensland enriches the lives and well-being of people with spina bifida and hydrocephalus. SBH Queensland provides services in the form of information, support and professional services to individuals with a disability in the community.

In carrying out this mission SBH Queensland engages volunteers and employees, and receives donations, funding and support from members of the community, corporations, groups and governments.

In addition to the services which we provide from funds donated by the public, SBH Queensland also holds contracts to deliver State government programs. In providing such services, we comply with the relevant state or national privacy principles and any additional obligations under the contract.

## **Outline of this policy**

'Part A — Personal Information Handling Practices' explains our general information handling practices across SBH Queensland including information about how we collect, use, disclose and store your personal information.

'Part B — Files' offers further detail by explaining our personal information handling practices in relation to specific SBH Queensland functions or activities such as education and awareness files and contact lists. Here you can find out what sort of records we keep and why. You may find this section helpful if, for example, you have contacted SBH Queensland and wish to know how we manage our contact files.

## **Part A — Our Personal Information Handling Practices**

### **Our obligations under the Privacy Act**

This privacy policy sets out how we comply with our obligations under the Information Privacy Act 2009 (Privacy Act) and Right to Information Act (2009). We are bound by the Australian Privacy Principles (APPs) in the Privacy Act which regulate how organisations may collect, use, disclose and store personal information, and how individuals may access and correct personal information held about them.

### **Collection of Personal and Sensitive Information**

If you would like to access any SBH Queensland Services on an anonymous basis or using a pseudonym, please tell us. If this is possible and lawful, we will take all reasonable steps to comply with your request. However, we may not be able to provide the services in question if we are not provided with the personal information requested.

The nature and extent of personal and sensitive information collected by SBH Queensland varies depending on your particular interaction with SBH Queensland.

SBH Queensland collects personal and sensitive information from clients/beneficiaries, donors, business partners, SBH Queensland people and online users. Further information about the kind of information collected from each of these groups and the usage of such information is detailed below.

#### **SBH Queensland Clients and Beneficiaries**

Kind of information collected:

- contact details (name, address, telephone, email etc.)
- personal details including: date of birth, gender,

- employment details (job title, employer name, contact details etc)
- information on personal issues and experiences, relationships,
- family background, supports clients may have in the community
- areas of interest
- sensitive information (ethnic and racial origin, court orders/restrictions, DS NMDS etc)
- health information (primary disability, other disabilities, cause of disability, medical conditions, date of disability, functioning/limitations, medication, medical certificates, medical reports, barriers, support requirement, therapy assessments, school reports etc)
- credit card numbers or bank account details

Primary purpose for which information is collected:

- To plan and provide services and supports
- To enable communication with emergency contacts, advocates, employers (if required), treating professionals, govt. departments
- To assess client needs
- To provide equipment prescriptions to the client
- To provide DS NMDS Reports and Education and Therapy Reports to Government
- To determine eligibility to access service/s based on guidelines
- To develop an individual's support plan

Secondary purpose for which information may be used:

- To apply for equipment funding to funding providers
- To determine appropriate referrals and management to other services within or outside the organisation
- To determine billing and invoice requirements
- To develop a service and track progress and outcomes of each intervention
- To measure quality of service provision
- Data inputs for business, operational and resources
- To monitor and evaluate existing services and plan for future services
- to produce annual reports and for research purposes which may involve contracted organisations
- to comply with legal obligations

How the information is collected:

- membership applications
- photographs
- videos
- registration forms
- telephone

SBH Queensland Donors

Kind of information collected:

- contact details (name, address, telephone numbers, email etc.)
- personal details including: date of birth, gender
- areas of interest
- donation history
- credit card numbers or bank account details
- expiration date of credit card

Primary purpose for which information is collected:

- to provide services
- to process donations and provide accurate receipts

Secondary purpose for which information may be used:

- to facilitate on-going fundraising and marketing activities
- to comply with legal obligations
- to provide transparency relating to donated funds, particularly for Appeals for public donations

How the information is collected:

- communications, email, flyers
- online registration
- telephone – call centre

SBH Queensland Business Partners

Type of information collected:

- contact person's name, the name of the organisation which employs the person, telephone numbers, fax number, street and postal address, email address and position title
- areas of interest by category and industry
- bank details (if SBH Queensland is to receive payment or make payment for services received)
- Australian Business Number (ABN)
- type of support (eg. workplace giving, goods in kind, program support, volunteering)

How the information is collected:

- communications, email, flyers
- online registration
- telephone – call centre

Primary purpose for which information collected:

- to provide services
- to process donations and provide accurate receipts
- to pay for services
- to establish and manage partnerships
- to receive services from you or the organisation which employs you

Secondary purpose for which information may be used:

- to manage the relationship with the business partner
- to provide information about the organisation's services
- to update the company on the organisation's appeals for public donations, programs and services

SBH Queensland People (volunteers, employees, students, delegates) and candidates for volunteer work and prospective employees

Type of information collected:

- contact details (name, address, telephone numbers, email etc.)

- personal details including personal details of emergency contact person(s)
- date of birth
- country of birth, citizenship, residency and/or visa details
- details of current/previous employment or volunteer involvement
- skills and experience
- languages spoken and written
- qualifications, drivers licence details
- information and opinions from referees for prospective employees and candidates for volunteer work
- a Police Check may be required for some roles in SBH Queensland (particularly those involving children, young people and other vulnerable individuals). Individuals will be required to provide certain information for a Police Check. There are different arrangements for Police Checks in each state and territory of Australia. In some cases the Police Check will be received directly by SBH Queensland and then stored securely or destroyed.
- in some situations it is necessary for SBH Queensland to collect or receive information about an individual's health. In this circumstance, SBH Queensland will advise why the information is being collected and whether and to whom it will be released.

Primary purpose for which information is collected:

- to provide services
- to process an application to become a member, volunteer or employee of our organisation
- to facilitate a placement in an appropriate service or position
- to assist with services whilst the individual is employed or engaged as a volunteer
- to provide feedback on performance as a volunteer or employee
- to meet legislative responsibilities to all volunteers and employees
- to obtain feedback from individuals about their experiences

Secondary purpose for which information may be used:

- to assist in reviewing and improving programs and services to keep individual informed about the organisations developments and opportunities
- to provide information about the organisations services
- to facilitate further involvements with the organisation (eg. Disability supports, membership, donor)

SBH Queensland Members

Type of information collected:

- contact details (name, address, telephone numbers, email etc.)
- date of birth
- credit card details
- expiration date of credit card
- areas of interest

Primary purpose for which information is collected:

- to provide services

- to provide communication updates and ensure transparency relating to donated funds, particularly Appeals for public donations, and the organisations operations
- to process donations and provide accurate receipts

Secondary purpose for which information may be used:

- to facilitate ongoing fundraising and marketing activities
- to provide info about the organisation
- to receive invitations to upcoming events and activities
- to recognise your support of the organisation

## Online Users

To the extent that this Privacy Policy applies to online privacy issues, it is to be read as forming part of the terms and conditions of use for the SBH Queensland website.

Type of information collected:

- contact details (name, address, telephone numbers, email etc.)
- credit card number
- expiration date of credit card
- non-personal information eg. visitor navigation and statistics
- server address, browser type, date and time of visit
- personal information

Primary purpose for which information is collected:

- to process donations, purchase orders, online bookings, purchases/ transactions
- to analyse website usage and make improvements to the website

## *Additional Information*

The website may from time to time contain links to other websites. SBH Queensland stresses that when an online user accesses a website that is not the SBH Queensland website, it may have a different privacy policy. To verify how that website collects and uses information, the user should check that particular website's policy.

## **How We Collect Information**

Where possible, we collect your personal and sensitive information directly from you. We collect information through various means, including telephone and in-person interviews, appointments, forms and questionnaires. If you feel that the information that we are requesting, either on our forms or in our discussions with you, is not information that you wish to provide, please feel free to raise this with us.

In some situations we may also obtain personal information about you from a third party source. If we collect information about you in this way, we will take reasonable steps to contact you and ensure that you are aware of the purposes for which we are collecting your personal information and the organisations to which we may disclose your information, subject to any exceptions under the Act. For example, we may collect information about you from a health care

professional, such as your doctor.

## **Health Information**

As part of administering SBH Queensland services, SBH Queensland may collect health information. For example, SBH Queensland collects health information (such as medical history) from some clients/beneficiaries participating in SBH Queensland programs. When collecting health information from you, SBH Queensland will obtain your consent to such collection and explain how the information will be used and disclosed.

If health information is collected from a third party (such as your doctor), SBH Queensland will inform you that this information has been collected and will explain how this information will be used and disclosed.

SBH Queensland will not use health information beyond the consent provided by you, unless your further consent is obtained or in accordance with one of the exceptions under the Privacy Act or in compliance with another law. If SBH Queensland uses your health information for research or statistical purposes, it will be de-identified if practicable to do so.

## **Use and disclosure of Personal Information**

We only use personal information for the purposes for which it was given to us, or for purposes which are related to one of our functions or activities.

For the purposes referred to in this Privacy Policy (discussed above under '*Collection of Personal and Sensitive Information*'), we may also disclose your personal information to other external organisations including:

- Government departments/agencies who provide funding for SBH Queensland services
- Contractors who manage some of the services we offer to you, such as distribution centres who may send information to you on behalf of SBH Queensland. Steps are taken to ensure they comply with the APPs when they handle personal information and are authorized only to use personal information in order to provide the services or to perform the functions required by SBH Queensland;
- Doctors and health care professionals, who assist us to deliver our services;
- Other regulatory bodies, such as WorkSafe;
- Referees and former employers of SBH Queensland employees and volunteers, and candidates for SBH Queensland employee and volunteer positions; and
- Our professional advisors, including our accountants, auditors and lawyers.

Except as set out above, SBH Queensland will not disclose an individual's personal information to a third party unless one of the following applies:

- the individual has consented
- the individual would reasonably expect us to use or give that information for another purpose related to the purpose for which it was collected (or in the case of sensitive information – directly related to the purpose for

which it was collected)

- it is otherwise required or authorised by law
- it will prevent or lessen a serious threat to somebody's life, health or safety or to public health or safety
- it is reasonably necessary for us to take appropriate action in relation to suspected unlawful activity, or misconduct of a serious nature that relates to our functions or activities
- it is reasonably necessary to assist in locating a missing person
- it is reasonably necessary to establish, exercise or defend a claim at law
- it is reasonably necessary for a confidential dispute resolution process
- it is necessary to provide a health service
- it is necessary for the management, funding or monitoring of a health service relevant to public health or public safety
- it is necessary for research or the compilation or analysis of statistics relevant to public health or public safety
- it is reasonably necessary for the enforcement of a law conducted by an enforcement body.

We do not usually send personal information out of Australia. If we are otherwise required to send information overseas we will take measures to protect your personal information. We will protect your personal information either by ensuring that the country of destination has similar protections in relation to privacy or that we enter into contractual arrangements with the recipient of your personal information that safeguards your privacy.

With your permission we may publish your personal information on the website or social media site. When seeking your permission to do so, we will advise you that if you consent to disclosure on the SBH Queensland website or social media, Australian Privacy principle 8 does not apply. This means that if an overseas recipient handles the information in breach of the Australian Privacy principles, SBH Queensland will not be accountable under the Privacy Act and you will not be able to seek redress under the Privacy Act.

## **Security of Personal and Sensitive Information**

SBH Queensland takes reasonable steps to protect the personal and sensitive information we hold against misuse, interference, loss, unauthorised access, modification and disclosure.

These steps include password protection for accessing our electronic IT system, securing paper files in locked cabinets and physical access restrictions. Only authorized personnel are permitted to access these details.

When the personal information is no longer required, it is destroyed in a secure manner, or deleted according to our Records Disposal Policy.

## **Access to and correction of personal information**

If an individual requests access to the personal information we hold about them, or requests that we change that personal information, we will allow access or



make the changes unless we consider that there is a sound reason under the Privacy Act or other relevant law to withhold the information, or not make the changes.

Requests for access and/or correction should be made to the Privacy Officer (details of which are set out below). For security reasons, you will be required to put your request in writing and provide proof of your identity. This is necessary to ensure that personal information is provided only to the correct individuals and that the privacy of others is not undermined.

In the first instance, SBH Queensland will generally provide a summary of the information held about the individual. It will be assumed (unless told otherwise) that the request relates to current records. These current records will include personal information which is included in SBH Queensland databases and in paper files, and which may be used on a day to day basis.

We will provide access by allowing you to inspect, take notes or print outs of personal information that we hold about you. If personal information (for example, your name and address details) is duplicated across different databases, SBH Queensland will generally provide one printout of this information, rather than multiple printouts.

We will take all reasonable steps to provide access or the information requested within 14 days of your request. In situations where the request is complicated or requires access to a large volume of information, we will take all reasonable steps to provide access to the information requested within 30 days.

SBH Queensland may charge you reasonable fees to reimburse us for the cost we incur relating to your request for access to information, including in relation to photocopying and delivery cost of information stored off site. For current fees, please contact the Privacy Officer.

If an individual is able to establish that personal information SBH Queensland holds about her/him is not accurate, complete or up to date, SBH Queensland will take reasonable steps to correct our records.

Access will be denied if:

- the request does not relate to the personal information of the person making the request;
  - providing access would pose a serious threat to the life, health or safety of a person or to public health or public safety;
  - providing access would create an unreasonable impact on the privacy of others;
  - the request is frivolous and vexatious;
- 
- the request relates to existing or anticipated legal proceedings between the organisation and the individual, and would not be accessible by the process of discovery in those proceedings;
  - providing access would prejudice negotiations with the individual making the request;
  - access would be unlawful;
  - denial of access is authorised or required by law;

- access would prejudice law enforcement activities;
- access would prejudice an action in relation to suspected unlawful activity, or misconduct of a serious nature relating to the functions or activities of SBH Queensland
- access discloses a 'commercially sensitive' decision making process or information; or
- any other reason that is provided for in the APP's or in the Privacy Act.

If we deny access to information we will set our reasons for denying access.

Where there is a dispute about your right of access to information or forms of access, this will be dealt with in accordance with the complaints procedure set out below.

## COMPLAINTS PROCEDURES

If you have provided us with personal and sensitive information, or we have collected and hold your personal and sensitive information, you have a right to make a complaint and have it investigated and dealt with under this complaints procedure.

If you have a complaint about SBH Queensland privacy practices or our handling of your personal and sensitive information please contact our Privacy Officer (details of which are set out below).

All complaints will be logged on our database.

A privacy complaint relates to any concern that you may have regarding SBH Queensland privacy practices or our handling of your personal and sensitive information. This could include matters such as how your information is collected or stored, how your information is used or disclosed or how access is provided to your personal and sensitive information.

The goal of this policy is to achieve an effective resolution of your complaint within a reasonable timeframe, usually 30 days or as soon as practicable.

However, in some cases, particularly if the matter is complex, the resolution may take longer.

Once the complaint has been made, we will try to resolve the matter in a number of ways such as:

- Request for further information: We may request further information from you. You should be prepared to provide us with as much information as possible, including details of any relevant dates and documentation. This will enable us to investigate the complaint and determine an appropriate solution. All details provided will be kept confidential.
- Discuss options: We will discuss options for resolution with you and if you have suggestions about how the matter might be resolved you should raise these with our Privacy Officer.
- Investigation: Where necessary, the complaint will be investigated. We will try to do so within a reasonable time frame. It may be necessary to contact others in order to proceed with the investigation. This may be necessary in order to progress your complaint.
- Conduct of our employees: If your complaint involves the conduct of our employees we will raise the matter with the employee concerned and seek

their comment and input in the resolution of the complaint.

- The complaint is substantiated: If your complaint is found to be substantiated, you will be informed of this finding. We will then take appropriate agreed steps to resolve the complaint, address your concerns and prevent the problem from recurring.
- If the complaint is not substantiated, or cannot be resolved to your satisfaction, but this Privacy Policy has been followed, SBH Queensland may decide to refer the issue to an appropriate intermediary. For example, this may mean an appropriately qualified lawyer or an agreed third party, to act as a mediator.
- At the conclusion of the complaint, if you are still not satisfied with the outcome you are free to take your complaint to the Office of the Australian Information Commissioner at [www.oaic.gov.au](http://www.oaic.gov.au).

We will keep a record of your complaint and the outcome.

We are unable to deal with anonymous complaints. This is because we are unable to investigate and follow-up such complaints. However, in the event that an anonymous complaint is received we will note the issues raised and, where appropriate, try to investigate and resolve them appropriately.

## CHANGES TO THIS PRIVACY POLICY

SBH Queensland reserves the right to review, amend and/or update this policy from time to time.

We aim to comply with the APPs and other privacy requirements required to be observed under State or Commonwealth Government contracts.

If further privacy legislation and/or self-regulatory codes are introduced or our Privacy Policy is updated, we will summarise any substantial modifications or enhancements in this section of our Privacy Policy.

*This policy has been amended to allow for permission to be sought for overseas publication of personal information, particularly photographs on the website and in social media. Before giving permission You will be informed that if you consent to the disclosure, APP8 will not apply. This means that if you consent to the disclosure and the overseas recipient handles the information in breach of the APPs SBH Queensland will not be accountable under the Privacy Act and you will not be able to seek redress under the Privacy Act.*

## HOW TO CONTACT US

Individuals can obtain further information in relation to this privacy policy, or provide any comments, by contacting us:

**Telephone 1300 655 447**

**Note:** These calls can be made for a local call cost from fixed residential landlines anywhere in Queensland, but calls from mobile and pay phones may

incur higher charges. Check with the service provider for costings from mobile and pay phones.

### **Assisted Contact**

If you are deaf, or have a hearing or speech impairment, contact us through the National Relay Service

Voice 1800 555 660 (free from landlines)

TTY 1800 555 630 (free)

Fax 1800 555 690 (free)

If you do not speak English, or English is your second language, and you need assistance to communicate with us, call the Translating and Interpreting Service 131 450

**Post** PO Box 8022  
Woolloongabba  
QLD 4102

**Email** [enquiries@sbhqueensland.org.au](mailto:enquiries@sbhqueensland.org.au)

***[Note – part B provides a couple of examples]***

## **PART B – FILES: HOW WE HANDLE SPECIFIC TYPES OF FILES THAT CONTAIN PERSONAL INFORMATION**

### **PUBLIC AWARENESS AND EDUCATION FILES**

#### **PURPOSE**

The purpose of public awareness and education files is to record details of public awareness and educational activities, such as contact with the media, speeches, event management, surveys and publication preparation.

The limited personal information in public awareness and education files relates to organisations, individuals, media representatives, event attendees, service providers and events calendar listings which appear on our website.

#### **COLLECTION**

It is our usual practice to collect personal information in public awareness and education files directly from individuals.

Sometimes we may collect personal information from an individual's

representative or from publicly available sources such as websites or telephone directories.

## **USE AND DISCLOSURE**

We only use the personal information in public awareness and education files for the purposes of undertaking public awareness and education initiatives and managing public relations.

The personal information on public awareness and education files is not disclosed to other organisations or anyone else without consent unless the individual would reasonably expect, or has been told, that information of that kind is usually passed to those organisations or individuals, or the disclosure is otherwise required or authorised by law.

## **DATA QUALITY**

We maintain and update personal information in our public awareness and education files as necessary, or when we are advised by individuals that their personal information has changed.

## **DATA SECURITY**

Public awareness and education files are stored in either password protected electronic media or in locked cabinets in paper form. When no longer required, personal information in public awareness and education files is destroyed in a secure manner or deleted in accordance with our Records Disposal Policy.

The following staff members have access to public awareness and education files on a need to know basis:

- Directors
- Policy staff
- Corporate Affairs staff.

## **ACCESS AND CORRECTION**

For information about how to access or correct personal information in public awareness and education files see 'Access and correction' in Part A of this document.

## **CONTACTS LISTS**

## **PURPOSE**

We maintain contacts lists which include contact information about individuals

who may have an interest in disability services. We use these contacts lists to distribute information about our activities and publications.

## **COLLECTION**

It is our usual practice to collect personal information in contacts lists directly from individuals, for example, where they have asked to be added to a contact list.

Sometimes we collect personal information from a third party or from a publicly available source such as a website or telephone directory. We usually only collect personal information in this way if the individual would reasonably expect us to, or has given their consent. For instance, we might collect this information if we thought that the individual (or the organisation they work for) would like to receive information about services we are carrying out, or that they might be likely to consider information about disability care useful in the work they do. We would only contact this individual in their work capacity.

## **USE AND DISCLOSURE**

We only use personal information in contacts lists for the purpose of managing stakeholder relations.

We do not give personal information about an individual to other organisations or anyone else without consent unless the individual would reasonably expect, or has been told, that information of that kind is usually passed to those organisations or individuals, or the disclosure is otherwise required or authorised by law.

## **DATA QUALITY**

We maintain and update personal information in our contacts lists when we are advised by individuals that their personal information has changed. We also regularly audit contacts lists to check the currency of the contact information. We will remove contact information of individuals who advise us that they no longer wish to be contacted.

## **DATA SECURITY**

The personal information in the contacts lists is stored in either password protected electronic media or in locked cabinets in paper form. When no longer required, personal information in contacts lists is destroyed in a secure manner or deleted in accordance with Records Disposal Policy.

Routine access to contacts lists is limited to the database operators who have responsibility for maintaining the contacts lists. Other staff members have access to the personal information in contacts lists on a need to know basis.

## ACCESS AND CORRECTION

For information about how to access or correct personal information in our contacts lists see 'Access and correction' in Part A of this document.

1. Minutes of board meetings, not including sensitive matters, are printed and kept in a file in the Administrative Office.
2. Staff may make comments, suggestions or give feedback to board members by completing a Comment form for Board form and putting it in the manager's mailbox.
3. Each staff meeting agenda will have a standing item for informing staff about Board plans and decisions.
4. Service users are invited to be involved in all facets of planning for SBH Queensland. This includes program evaluations and business planning.
5. SBH Queensland's newsletter (Spinnet) will keep members and service users informed of all changes to service delivery and other relevant issues.
6. Spinnet informs members and service users annually about SBH Queensland's policies and how they can be accessed.
7. A report from the president is made to members at the Annual General Meeting (AGM).
8. An Annual Report is provided to all attendees at the AGM and advertised in Spinnet as being available to anyone requesting it.
9. All financial accountability reports and service reports are provided to respective funders on time.
10. SBH Queensland's website [www.spinabifida.org](http://www.spinabifida.org) lists its policies and how to access them.

## DELEGATION

Policy delegations	
Review of policy and policy compliance	CEO
Approving policy and policy changes	Board

## DOCUMENT AND RECORD KEEPING

Documents related to this policy	
Related policies	<ul style="list-style-type: none"><li>• Valued Status</li><li>• Board Roles &amp; Responsibilities</li></ul>
Forms or other organisational documents	<ul style="list-style-type: none"><li>• Spinnet</li><li>• Website</li><li>• Annual Report</li><li>• Comment form for board</li></ul>
Records	<ul style="list-style-type: none"><li>• Board minutes file</li></ul>

**POLICY REVIEW**

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<b>Approved by:</b>	<b>Date Approved</b>	<b>Next Review Due</b>
Board	25/05/2018	25/08/2019