

**Randwick Waverley Community Transport**  
**Section 3 Service Delivery**  
**Policy 3.06 Privacy and Confidentiality**

## Policy Statement

The Service will conform to both state and commonwealth privacy legislation requirements regarding the collection, use and protection of personal information of our Service Users and Team Members.

## Policy Protocols

Confidentiality refers to the obligation of non-disclosure by this agency of personal information unless it has the consent of the person concerned.

The Service will ensure privacy and confidentiality by:

- Collecting only the information required for service delivery;
- Informing people of the purpose for collecting the information;
- Providing individuals with access to their information held by the Service;
- Disclosing personal information to 3<sup>rd</sup> parties only with the written consent of the individual;
- Securely storing Service Users personal information; and
- Destroying information in accordance with the Archives Act 1983.

In the following circumstances there is an obligation to report:

- a crime or intended crime; [to the police](#)
- where the person is suicidal, safety is at risk, personal harm or being harmed (abused) by another; to the office, and relevant mental health professional
- warn a third party who is in danger ; [to the Police](#)

The *Privacy Amendment (Private Sector) Act 2000* (Commonwealth legislation) outlines ten National Privacy Principles (NPPs). The NPPs were replaced by the Australian Privacy Principles (APPs) on 12 March 2014. More information on the APPs can be found on the [APPs page](#).

*National Data Breaches Act ie the Privacy Amendment (Notifiable Data Breaches) Act 2017 (Cth) to report a data breach in the event of an **Eligible Data Breach** means any data breach involving personal information that are likely to result in serious harm to any individual affected in accordance with the National Data Breaches Act.*

The National Privacy Principles (NPPs) were replaced by the Australian Privacy Principles (APPs) on 12 March 2014.

**APP 1** — Open and transparent management of personal information

Ensures that APP entities manage personal information in an open and transparent way.

This includes having a clearly expressed and up to date APP privacy policy.

**APP 2** — Anonymity and pseudonymity Requires APP entities to give individuals the option of not identifying themselves, or of using a pseudonym. Limited exceptions apply.

**APP 3** — Collection of solicited personal information

Outlines when an APP entity can collect personal information that is solicited. It applies higher standards to the collection of 'sensitive' information.

**APP 4** — Dealing with unsolicited personal information Outlines how APP entities must deal with unsolicited personal information.

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**APP 5** — Notification of the collection of personal information Outlines when and in what circumstances an APP entity that collects personal information must notify an individual of certain matters.

**APP 6** — Use or disclosure of personal information Outlines the circumstances in which an APP entity may use or disclose personal information that it holds. Specific Consent

**APP 7** — Direct marketing An organisation may only use or disclose personal information for direct marketing purposes if certain conditions are met.

**APP 8** — Cross-border disclosure of personal information

Outlines the steps an APP entity must take to protect personal information before it is disclosed overseas.

**APP 9** — Adoption, use or disclosure of government related identifiers

Outlines the limited circumstances when an organisation may adopt a government related identifier of an individual

as its own identifier, or use or disclose a government related identifier of an individual.

**APP 10** — Quality of personal information - take reasonable steps to ensure - accurate, up to date and complete

**APP 11** — Security of personal information -reasonable steps to from misuse, interference and loss, and from unauthorised access, modification or disclosure. An entity has obligations to destroy or de-identify personal information in certain circumstances.

**APP 12** — Access to personal information

Outlines an APP entity's obligations to give access to personal information unless a specific exception applies.

**APP 13** — Correction of personal.

Adapted from APP quick reference tool Australian Government Office of the Australian Information Commissioner

*Adapted from Guidelines to the National Privacy Principles, Office of the Federal Privacy*

## **Related Procedures**

- [PRO 2.03-1](#) Team Member Orientation
- [PRO 3.02-1](#) Service User Information Provision
- [PRO 3.02-2](#) Service User Rights and Responsibilities
- [PRO 3.06-1](#) Privacy and Confidentiality

## **Relevant Standard**

**Relevant Standard:** Commonwealth Home Support Programme Program Manual. This Programme Manual is available on the Department of Social Services website (<http://www.dss.gov.au/chsp>) and replaces the Community Care Common Standards

### **Community Care Common Standards**

- Appropriate Access & Service Delivery
- Service Users Rights & Responsibilities

**Disability Service Standards** The National Standards for Disability Services (National Standards) were revised in Dec 2013 . The new standards are available at [national-standards-for-disability-services](#) and NDIS Quality & Safeguards Commission Rules. Are available at <https://www.ndiscommission.gov.au/resources>

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**Community Care Common Standards**

- 1. Effective Management
- 3. Service Users Rights & Responsibilities

**Disability Service Standards**

- 4. Privacy, Dignity & Confidentiality
- 8. Service Management

**Policy History**

<b>No: 3.06</b>	<b>Privacy &amp; Confidentiality</b>		<b>Date Approved</b>		
Date Policy due to be reviewed	Date Policy Reviewed:	Amendments	Positions informed/trained regarding amendments	Method	Date
30Jun2018	20July2016	CHSP Manual replaces CCSS : Change to Coy Ltd by Gtee New Constitution of Company – No Substantive Policy change  NPPs replaced by Australian Privacy Principles (APPs) on 12 March 2014	Manager	Meeting	09Aug16
30Jun2020	17Jan2019	National Data Breaches Act	Manager	Meeting	22Jan19