



Centacare
Catholic Family Services

Privacy Policy

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Approved by	 Dale P. West, Director, Centacare Catholic Family Services

1. Purpose

- 1.1.** The purpose of this policy is to clearly communicate Centacare’s personal information handling practices, procedures and systems, ensuring transparency and compliance with the requirements of the Privacy Act 1988 and the Australian Privacy Principles (APP’s). The systems are designed to manage these practices, and deal with any relevant enquiries or complaints. This policy will inform you of the type of personal information we collect and hold, and the way we handle that information.
- 1.2.** Centacare Catholic Family Services is a Catholic welfare organisation providing a range of services and activities across the Catholic Archdiocese of Adelaide. We are a not-for-profit organisation with a strong focus on social justice. We collect, hold, use and disclose personal information to carry out our services and activities which include:
 - Youth and homelessness services
 - Domestic Violence Services
 - Mental Health Services
 - Disability Services – including care, accommodation and support for adults with intellectual disability, respite and recreational services for all ages
 - School and family services
 - Training and education, including student placements
 - Counselling, case management, mediation, family support
 - Advocacy and support
 - Community and stakeholder engagement
 - Responding to feedback and complaints
- 1.3.** Centacare is committed to ensuring all personal information is managed in an open and transparent way, protecting where possible the confidentiality of the information and dealing with it in a legitimate manner, with a system which provides for access to that information and for the correction of errors.
- 1.4.** We will be open with you about the kind of personal information held, and what is done with it. Our Privacy Statement and Privacy Policy are available via the Centacare website (www.centacare.org.au), client induction and in hard copy directly upon request for any Centacare clients and other interested individuals.
- 1.5.** Further information about your rights under the Privacy Act 1988 is available from the Office of the Australian Information Commissioner.

1.6. Centacare employee records, including past employee records and records relating to the operation of the service, including confidential communications between employees and professional advisers (e.g. legal advisors) in relation to employment matters are exempt from the Privacy Act and this policy does not apply to those records. For information regarding employee records, workers can refer to the Personnel Files Policy.

1.7. The objectives of the Privacy Policy are to:

- a) Ensure all personal information received by our organisation is handled in compliance with the Privacy Act 1988 and amendments including the APP's.
- b) To ensure all individuals who come in contact with Centacare Catholic Family Services understand their rights in relation to the Privacy Act 1988 including the APP's.
- c) To ensure all workers understand their responsibilities in relation to compliance with the Privacy Act 1988 including the APP's
- d) To minimise the potential risk of a privacy breach.
- e) To provide and appropriate complaints-handling mechanism.

2. Definitions

Word/Term	Definition
Privacy Act 1988	An Australian law which regulates the handling of personal information about individuals. This includes the collection, use, storage and disclosure of personal information, and access to and correction of that information.
Australian Privacy Principles (APP's)	13 principles (replacing the Information Privacy Principles and National Privacy Principles) and formed as part of the Privacy Amendment (Enhancing Privacy Protection) Act 2012. The APP's regulate the handling of personal information by Australian and Norfolk Island Government agencies and some private sector organisations.

3. Responsibilities

3.1. Organisation

- Oversight adherence by all workers to the Privacy Act 1988 inclusive of the Australian Privacy Principles.
- Provision of training in Privacy as a mandatory requirement.
- Ensuring Centacare policies and procedures are developed and maintained to comply with the Privacy Act 1988 inclusive of the APP's.

3.2. Privacy Officer

- Ongoing monitoring to ensure currency and compliance with Privacy legislation including:
 - Assisting in any review of the Privacy Policy.
 - Mapping any changes required to policies and procedures as needed.
 - Assisting in reviews/audits of privacy practices.
 - Assisting as required in the development of privacy training/awareness.
- Available as a resource (information seeking only) to Executive Managers in relation to privacy including the investigation and responding to any complaints and/or allegations of privacy breaches.

3.3. Managers

- Ensuring workers are familiar with and adhere to the requirements of the Privacy Act 1988 and the APP's.
- Ensuring workers have read and comply with the requirements set out in this policy.

3.4. Workers

- To be familiar with and adhere to the requirements of the Privacy Act 1988 and the APP's.
- To read and comply with the requirements set out in this policy.
- Participate in relevant training

4. Collection of Personal Information

Centacare does collect personal information, and maintains records for our own purposes and proper administration. We will at all times endeavour to only collect information we need to enable us to provide a service to you or to carry out a particular function or activity. Your personal information will be stored securely and will only be accessed by, those in the organisation who have:

- a direct role in providing the service, function or activity
- a quality assurance responsibility i.e. auditing, supervision
- an administrative role related to records management

The main way we collect information about you is when you give it to us. For example, when you:

- Enquire about our service
- Commence receiving a service with us, and throughout the time we provide the service
- Make a complaint and want to be kept informed of the progress
- Ask us for information (but only if we need your personal information to answer you)
- Ask for access to information Centacare holds about you

We may also collect contact details and some other personal information if you are on one of our committees or participating in a meeting or consultation with us.

Sometimes Centacare is required to use an assigned identifier provided to us by a Commonwealth/Federal Government agencies (e.g. Medicare number). We will limit the use of these identifiers and will not use or disclose them unless:

- It is necessary to fulfil our obligations to the agency that assigned the identifier or,
- If it is required or authorised by or under and Australian law or a court/tribunal order or,
- For a purpose (Refer to heading 5 'Disclosure' in this policy)

When collecting personal information about you, regardless of the source, we will take such steps as are reasonable in the circumstances to ensure you know why we need the information and what we will do with it. We will endeavour to do this at the time of collection or, if not practicable, as soon as we can after collection.

At times it may be necessary for us to not disclose why the information is being collected. This may occur where it:

- May pose a serious threat to the life, health or safety of an individual or pose a threat to public health or safety
- May jeopardise the purpose of collection or the integrity of the personal information collected and there is a clear public interest in the purpose of collection
- Would be inconsistent with another legal obligation, for example, by breaching a statutory secrecy provision, a client's legal professional privilege, or a legal obligation of confidence
- Where the impracticability of notification, including the time and cost, outweighs the privacy benefit of notification.

4.1. Collecting sensitive information

Sometimes we may need to collect sensitive information about you, for example if it is reasonably necessary to enable us to provide appropriate services to you, or for us to function properly as an organisation. Sensitive information might include for example information or an opinion about your racial or ethnic origin, health, sexual orientation, criminal history, political belief, religious or philosophical belief, trade union membership and biometrics.

Sensitive information about you would only be collected when the following apply:

- It is relevant
- You have consented; or
- The collection is required by law; or
- The collection is necessary to prevent or lessen a serious imminent threat to the life or health of any individual.

4.2. Indirect collection

In the course of providing a service to you we may at times collect information about you from someone else. This may occur when:

- You are also receiving services from another organisation or agency.
- We receive a referral from another Agency prior to you commencing service with us. The information we receive in this circumstance will usually be your name and contact details, but may include other basic information.

If we need to collect information about you from someone else we will always try to seek permission from you beforehand. In the case of our clients this may mean utilising our 'Authority to Exchange Information' form.

At times we may receive other personal information that is unsolicited – or has not been requested by us. Examples of this could include:

- misdirected mail
- unsolicited correspondence to us – such as an employment application sent to us on an individual's own initiative and not in response to an advertised vacancy

To ensure your privacy, any unsolicited personal information or other basic information of the kind referred to above we receive that is not reasonably necessary for, or directly related to our service delivery will be destroyed or de-identified as soon as practicable if it is lawful and reasonable to do so unless otherwise consented by the provider.

Information collected about you indirectly will not be used or disclosed in any way without consent unless the law requires it to be so used, disclosed or retained.

4.3. Anonymity

You can always refuse to supply personally-identifying information, with the understanding that it may prevent you from engaging in certain activities. For example, if you wish to make a complaint anonymously, we will be unable to provide feedback to you in relation to that complaint. However, for most of our functions and activities we will usually need your name and contact information to enable us to provide appropriate services.

We will wherever it is lawful and practicable, give you the option of not identifying yourself such as when you are making a telephone enquiry about a service. However there are exceptions which relate to court proceedings and proceedings before a tribunal, as well as mandatory reporting requirements, and where it is not practicable to do so.

Certain legislative requirements apply to Family Dispute Resolution (FDR) (matters mediated by a Family Dispute Resolution Practitioner under the Family Law Act). FDR clients are exempted from the right to remain anonymous. However, in cases where we are required by law to disclose your details, then obviously we must do so.

4.4. Collection through our website

Centacare has a public website – www.centacare.org.au.

We may at times collect personal information via our website, which would only occur when you provide your email address to subscribe to receive newsletters and/or be part of a blog group related to a particular program via the Centacare website.

4.4.1. Where comments are allowed via blogs and other forums, personal information is only disclosed that has been provided by you in these areas to the extent you create a unique public user profile, which includes your user name, description about you, comments, and your forum and blog posts.

Please be aware that any information you post or disclose in these areas becomes public information. We advise you to not post personal information in your profile, as other users can view this. If, at any time, you provide personal information about another person, you warrant that you have made that person aware of this Privacy Policy and that you have obtained that person's consent to provide their personal information to us.

Our newsletter and blog subscriptions will always provide a simple means for you to request not to receive further communications (opting out), and will always comply with that request.

4.4.2. Analytic and cookie tools

We use a range of tools provided by third parties, which may include Google and our web hosting company to collect or view website traffic information. These sites have their own privacy policies.

To improve your experience on our site, we may use 'cookies'. Cookies are an industry standard and most major web sites use them. A cookie is a small text file that our site may place on your computer as a tool to remember your preferences. You may refuse the use of cookies by selecting the appropriate settings on your browser, however please note that if you do this you may not be able to use the full functionality of our website.

- 4.4.3.** The information collected by these tools may include the IP address of the device you are using and information about sites that IP address has come from, the pages accessed on our site and the next site visited. We use the information to maintain, secure and improve our website and to enhance your experience when using it.

4.5. Social Networking Services

We may at times use social networking services to communicate with the public about our work. If you communicate with us using these services we may collect your personal information, but we only use it to help us to communicate with you and the public. The social networking service will also handle your personal information for its own purposes. These sites have their own privacy policies.

4.6. Email lists

We may collect your email address, and if you provide it, other contact details when you subscribe to our email lists. We only use this information for the purpose of sending you updates relevant to the activity you subscribed to.

4.7. Electronic forms

If you fill in an electronic form on our website we can contact you using any of the contact details you've supplied if you have requested us to do so. The information on completed electronic forms will be kept for as long as we need it to provide the relevant service or information you have requested.

5. Disclosure

Centacare will endeavour at all times to gain your consent for information sharing. When seeking consent to use or disclose personal information, including sensitive information, Centacare has an 'Authority to Exchange Information' form which must be completed and signed by you prior to sharing information.

We will generally only use and disclose your personal information for the purpose for which it has been collected.

However, we may at times be required to use or disclose information without your consent. This may occur if we reasonably believe use or disclosure is necessary to lessen or prevent a serious threat to the life, health or safety of any individual, or to public health or safety, or we are required by law – such as:

- Mandated Notification
 - Child protection Act 1993

Centacare is obliged by law to notify child protection services if they suspect on reasonable grounds that a child/young person has been or is being abused or neglected, and the suspicion is formed in the course of the person's work (paid or voluntary) or in carrying out official duties.
 - Section 67ZA of the Family Law Act 1975

Some Centacare Services operate in accordance to the Family Law Act and are obliged to report abuse or the risk of abuse to the prescribed child welfare authority. Centacare may make such disclosures of other information as is reasonably believed necessary to enable the authority to properly manage the matter the subject of the notification.
- To provide information pursuant to the order of a court or tribunal or issued by the appropriate authority
- To report notifiable diseases under public health legislation
- There is reasonable belief that it is reasonably necessary for a law enforcement body to carry out certain functions.
- To report Missing persons

If we use or disclose personal information for a secondary purpose we will make a written record of that use or disclosure.

5.1. Disclosure to service providers

At times we may be required to disclose your personal information to other service providers. This may occur if it is required as part of funding agreements, where a partnership or collaboration exists with another agency (see 5.1.1.), or where we are required by law. It may also occur if we believe a person is at risk of harm, and adverse outcomes may result unless appropriate services are provided. (See 5.1.2. and 5.1.3.).

Any service providers we disclose your personal information to are required to comply with the Australian Privacy Principles and to have their own Privacy Policy.

5.1.1. Partnerships/Collaborations

These relationships may be formal or informal and may involve the use of Memorandums of Understanding (MOU). Centacare only enters into these relationships where it would enhance services through the provision of an integrated response to clients.

5.1.2. Information Sharing Guidelines (ISG)

In addition to compliance with the APP's, Centacare as a signatory to the SA Governments' Information Sharing Guidelines for promoting safety and wellbeing (ISG), has a contractual obligation to comply with the requirements of the Master Agreement.

South Australian Cabinet has endorsed the ISG to apply to all government agencies and relevant non-government organisations. The ISG endorse the sharing of information without consent, when it is believed a person is at risk of harm (from others or as a result of their own actions) and adverse outcomes can be expected unless appropriate services are provided.

5.1.3. Family Safety Framework

The Framework involves an agreement across Departments and Agencies including Centacare to ensure a consistent understanding and approach to domestic and family violence, with a focus on women's and children's safety and the accountability of perpetrators, which involves the sharing of information pertaining to high risk families.

The objective of the framework is to ensure the safety of women and children at high risk of death or serious harm due to family and domestic violence.

Information sharing through the Family Safety Framework is supported by the Family Safety Framework Information Sharing Protocol, approved by Cabinet and the Privacy Committee of South Australia.

5.2. Disclosure of personal information overseas

Centacare will take reasonable steps to protect privacy if we send personal information about you to a third party in a foreign country. This means Centacare will only transfer personal information to a third party in a foreign country if we reasonably believe that the recipient is subject to a law, binding scheme, that imposes principles substantially similar to the APP's or you have expressly consented.

If you consent to personal information being sent to a foreign country where it cannot be guaranteed they have similar laws we will provide you with a clear written statement explaining the potential consequences of providing consent, and will not be accountable under the Privacy Act and you will not be able to seek redress under the Privacy Act.

Where we are required or authorised by or under an Australian law or a court/tribunal order, we may disclose personal information to an overseas recipient.

6. Quality of Personal Information

Centacare will take reasonable steps in the circumstances to ensure that personal information is accurate, complete and up to date, both for our use and for the purpose of disclosure as relevant to the purpose. This includes maintaining and updating personal information when we are advised by you that your personal information has changed, and at other times as necessary.

Centacare has processes in place from commencement of, and throughout service provision to ensure personal information is maintained at the highest level of quality, and that information is accurate, up-to-date, complete and relevant.

7. Storage and Security of Personal Information

7.1. Centacare will ensure reasonable steps are taken to protect personal information of all records, whether electronic or otherwise held from misuse, interference and loss from unauthorised access, modification or disclosure. This will occur through a range of processes including:

- Ensuring current and up-to-date policies and procedures are in place including those for IT security and physical security
- Regular training of workers regarding their responsibilities under the Privacy Act
- Regular monitoring and review of our work practices
- “Supervision to an appropriate degree of the staff responsible for such practices”

- 7.2. Where personal information handling is outsourced to other parties, we will take reasonable steps to ensure the third party meets our obligations under the Privacy Act.
- 7.3. All stored client information is protected from unauthorised access through the use of secure passwords and user log-ons or other security procedures.
- 7.4. Unless required by or under Australian law or a court/tribunal order, Centacare will take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for any purpose for which the information may be used or disclosed under APP 6.

8. Accessing and correcting personal information

- 8.1. You have the right to ask for access to personal information that we hold about you, and ask that we correct that personal information. Access will only be granted where the record relates directly to you.
- 8.2. You can ask for access or correction by contacting us and we must respond within 30 days. If asked, we must give you access to your personal information, and take reasonable steps to correct it if we consider it is incorrect, unless there is a law that allows or requires us not to.
- 8.3. If you request access to your information or request correction to it we will ask you to verify your identity before we give access. This will include any other person authorised to make a request on your behalf, such as a legal guardian. We will try to make the process as simple as possible.
- 8.4. We have strict guidelines relating to accessing your personal information. Our process is as follows:
 - When you request access to your personal information, the manager is notified and they will consult with the Executive Manager as soon as possible after the request has been made. The Manager will review your personal information, and take steps to ensure access to any confidential or sensitive third party information will be restricted.
 - You will be provided with an opportunity to review your personal information in the presence of a Manager or delegate. During this time you are able to take notes. If you request a copy of your documents, the Manager or delegate must refer this request to our Director.

Access to personal information may be refused where we are authorised under a Commonwealth Act. An example of when refusal may occur is when legislative requirements apply, such as the Family Law Act provisions relating to Family Dispute Resolution Practitioners.

- 8.5. If we refuse to give you access to or to correct your personal information, we will notify you in writing setting out the reasons and the available complaint mechanisms you may access regarding that refusal.
- 8.6. We will always endeavour to ensure the information we hold is accurate, up-to-date, complete, relevant and not misleading. We will update information if we are satisfied the information we have is inaccurate, out-of-date, incomplete, irrelevant or misleading, having regard to its purpose, or if you request we correct it.
- 8.7. If we make a correction and we have disclosed the incorrect information to others, you can ask us to tell them about the correction. We must do so unless there is a valid reason not to.
- 8.8. If we refuse to correct your personal information, you can ask us to associate with it (for example, attach a link) a statement that you believe the information is incorrect and why.
- 8.9. When taking steps to identify and correct incorrect personal information we will consider whether we still need the personal information for a permitted purpose, or whether reasonable steps must be taken to destroy or de-identify the information.

9. How to make a complaint

Centacare has a feedback and complaints process for anyone who may wish to register a complaint with us about the way we handle personal information. Our feedback and complaints process is explained to our clients and/or their guardian/carer on commencement of service. The process is also explained on our website. If you need help lodging a complaint, you can contact us.

If you make a complaint to us, we may give a copy of the complaint to the person you are complaining about, and where relevant other affected parties.

If you wish to make a complaint you can:

- Complete the 'Tell us what you think' form (available at all our sites and on our website) and give it to your worker, leave it at reception or mail it to us.
- Write a letter and mail it to: Centacare Complaints Coordinator, 45 Wakefield Street, Adelaide SA 5000
- Email your feedback to: enquiries@centacare.org.au
- Telephone us on: (08) 8210 8200

If we are unable to resolve your complaint or you do not believe that your concerns have been dealt with adequately you can contact the Health and Community Services Complaints Commissioner by telephoning: (08) 8226 8666 or Country SA toll free 1800 232 007.

10. Related Documents

Title	Document Source
Confidentiality Policy (CRR2004)	Centacare
Information Sharing Guidelines (Appendix) (CRR2004.2)	Centacare
Client Rights Policy (CRR2001)	Centacare
Feedback and Complaints Policy and Procedure (CRR2002)	Centacare
Client Services Policy (SD1001)	Centacare
Client Induction Guidelines (SD1001.1)	Centacare
Client Records Policy and Procedure (SD1002)	Centacare
Communications Policy (GA5005)	Centacare
Collaboration and Strategic Positioning Policy (GA5010)	Centacare
Centacare Privacy Statement	Centacare

11. Legislation and Standards

Title	Document Source
Privacy Act 1988	Cth Legislation
Family Law Act 1975 (Section 10E)	Cth Legislation
Family Law Amendment (Shared Parental Responsibility) Act 2006	Cth Legislation
Guardianship and Administration Act 1993	State Legislation
Public Health Act 2011	State Legislation

12. Resources

Title	Source
Office of the Australian Information Commissioner	Office of the Australian Information Commissioner

13. Monitor and Evaluate

This policy will be monitored for compliance and effectiveness by the Quality Implementation Team, and Centacare Internal Audit Guidelines.

This document will follow a three to five year review cycle depending on risk assessment. Interim reviews will occur at any time as required in response to either feedback or changes in legislation, policy or practices, such as when our information handling practices change. This will be done to ensure the information is current, useful and easy to understand. Updates will be publicised on our website and through our email lists.

14. Version Control and Change History

Version	Approved Date	Approved By	Short Description for Development or Review (NEW/SCHEDULED/INTERIM)	Review Completed By	Consultation Process
V1.0	Jun-2003	QIT	New - Development	Administrative Services	QIT Committee
V2.0	27-Nov-2006	QIT	Scheduled Review	Identifying & Meeting Community Needs Team	QIT Committee
V2.1	25-Oct-2010	QIT	Interim Review – Recommendation by FaHCSia following client complaint.	Executive Manager, FRS	QIT Committee
V2.2	29-Nov-2010	QIT	Interim Review – Implementation of new principles/practice for all government agencies and NGO's.	ISG Workgroup through HR Quality Team	Staff and management all Units
V2.3	25-Feb-2011	QIT	Interim Review – Amendment to approval process	ISG Workgroup through HR Quality Team	QIT Committee
V3.0	27-May-2013	QIT	Scheduled Review	Client Services Quality Team Systems Improvement	QIT Committee
V4.0	24-Nov-2014	QIT	Scheduled Review – to update document to be compliant with the 13 New Australian Privacy Principles as per the Privacy Act 1988.	Client Services Quality Team/Systems Improvement	Exec. Managers; Duddy Shopov Lawyers.