

<b>SENSES FOUNDATION (Inc)</b>	
<b>POLICY</b>	
<b>Privacy and Confidentiality</b>	
<b>Policy Number</b>	<b>S:001</b>
<b>Relates to Standard</b>	<b>4</b>
<b>Number of Pages in this Policy</b>	<b>6</b>
<b>Review Date</b>	<b>December 2010</b>

## **PURPOSE**

The purpose of this policy is to define the manner in which Senses Foundation will maintain privacy and confidentiality in its dealings with its clients, its employees and with the general public.

## **POLICY STATEMENT**

### **Privacy and confidentiality relating to clients, their families and the general public**

Senses Foundation values and respects the information gathered relating to its clients and their families, employees and the general public.

Information will not be passed on to any third parties without the informed consent of the individual. Information will not be used for any secondary purpose other than what could be reasonably assumed from the clearly stated primary purpose.

Should any of its clients, employees or members of the general public wish to see a copy of this Privacy Policy Senses Foundation will make this policy available.

In accordance with the National Privacy Principles, Senses Foundation will abide by the following guidelines:

### **Personal Information**

Personal information is information or an opinion (including information or an opinion forming part of a database) collected and recorded about an individual whose identity can be ascertained from that information or opinion.

### **Health Information**

Health Information is information or an opinion about and individual's

- The health or a disability (at any time); or
- Expressed wishes about the future provision of Health Services to him/her ; or
- A health service provided, or to be provided.
- Other personal information collected to provide, or in providing, a health service.

## **Sensitive Information**

Sensitive information is information or an opinion about any individual's

- Racial or ethnic origin
- Political opinions
- Membership of a political association
- Religious beliefs or affiliations
- Philosophical beliefs
- Membership of a professional trade association
- Membership of a trade union
- Sexual preferences or practices
- Criminal record

## **Collection of Information**

Only information necessary to the legitimate functions and activities of Senses Foundation will be collected.

Senses Foundation will only collect health information relevant to the provision of the organisation's services.

Information will be collected in an open and honest fashion. Senses Foundation will not collect information covertly or deceptively.

When collecting information, individuals will be informed of its collection either verbally or in writing via a collection statement carried on all Senses Foundation information gathering resources, except in the case of direct marketing.

At the point of collection, Senses Foundation's identity, contact details, primary purpose of collection and disclosure details will be clearly stated.

Where ever possible Senses Foundation will collect information directly from the individual concerned.

Senses Foundation web-site will contain the privacy statement which clearly states the information being recorded on-line.

When collecting sensitive information Senses Foundation will obtain informed consent, except when such information is necessary for the performance of any service function or activity provided by Senses Foundation.

## **Use and Disclosure**

Senses Foundation will only use or disclose sensitive or health information for the primary purpose or a reasonably assumed secondary purpose as stated at the time of collection.

In the case of a secondary purpose which is not reasonably assumed from the primary purpose, informed consent will be obtained prior to sensitive or health information being disclosed, unless use or disclosure is authorised by law or necessary to prevent/lessen a serious or imminent threat to someone's life, health or safety.

In the provision of health services Senses Foundation maintains the right to disclose information to a 'responsible person' for an individual (including a partner, family member, carer, guardian or close friend) if that individual is incapable of giving or communicating informed consent.

Where appropriate Senses Foundation will include an "opt-out" clause which is clearly displayed and gives individuals the opportunity to discontinue receiving correspondence from Senses Foundation. If an "opt-out" clause is indicated by an individual, Senses Foundation agrees to safely and securely dispose of all information relating to that individual and cease future correspondence.

### **Data Quality**

Senses Foundation will, at the time of collection, attempt to ensure that information received is accurate, complete and up-to-date. Staff receiving information will read back written information or verbally re-confirm what has been said is accurate.

In the case of health service provision information, individual information will be updated annually through internal procedures.

### **Data Security**

Only key staff involved within a department's function will have access to health and sensitive information.

The Senses Foundation administration building is protected via security alarms and surveillance.

The Senses Foundation information donor data-base is secured by password security. Only the Data Base Manager, and the Senior Manager, Commercial have full access to the information. The location of data-base is physically secured when not in use.

All sensitive information is kept secured. It is only accessible by the Senior Manager, Manager or direct employee responsible for its primary use.

Information that is no longer required for Senses Foundation functions or activities will be disposed of via paper shredding.

### **Openness**

Senses Foundation's privacy statement is available upon request to any seeking such information.

The Privacy policy in its entirety can be obtained from Senses Foundation upon request.

Upon request Senses Foundation will take reasonable steps to let an individual know what sort of personal information it holds, for what purposes, and how it was collected, how it is used and disclosed. Individuals seeking this information may do through the Senior Manager, Corporate or, where appropriate, through the Senior Manager, Commercial.

### **Access and Correction**

Senses Foundation will provide an individual with access to that information upon request by the individual, except to the extent that:

- providing that information would pose a serious and imminent threat to life or health of an individual; or
- providing access would have an unreasonable impact upon the privacy of other individuals; or
- the request for access is frivolous or vexatious; or
- the information relates to existing or anticipated legal proceedings between Senses Foundation and the individual, and the information would not be accessible by the process of discovery in those proceedings; or
- providing access would reveal the intentions of Senses Foundation in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
- providing access would be unlawful; or
- denying access is required or authorised by or under law; or
- providing access would be likely to prejudice an investigation of unlawful activity.

Senses Foundation may, in cases where information is commercially sensitive, give the individual an explanation of the commercial sensitivities rather than direct access to the information.

Senses Foundation will not charge any fees for information access other than in the case of photocopies being required in which case these will be charged at a rate set by Australia Post.

Senses Foundation will correct, at the individual's direction or upon discovery, any incorrect information kept about an individual.

If for any reason Senses Foundation decides not to provide access to information, the individual will be informed as to the reason access is denied.

### **Anonymity**

Wherever it is lawful and practicable, Senses Foundation will allow individuals to enter into transactions with Senses Foundation anonymously.

## **Complaints**

If any client, employee or member of the general public believe that Senses Foundation has not acted in accordance with this privacy policy and/or the Privacy Act they may lodge a complaint with the Senior Manager, Corporate or where relevant, the Senior Manager, Commercial, in person, in writing, by phone, fax or e-mail. The complaint will be dealt with promptly and confidentially.

If Senses Foundation has not resolved the complaint to the individual's satisfaction, they may refer their complaint to the Federal Privacy Commissioner by:

- Phone 1300 363 992

Or write to

- Director of Complaints  
Office of the Federal Privacy Commissioner  
GPO Box 5218  
Sydney NSW 1042

## **Privacy and confidentiality relating to the operations of Senses Foundation**

A Board member, employee, volunteer, student or any other person working for Senses Foundation either paid or unpaid shall not, either during or after the term of employment, engagement or service (except as authorised or required by the employee's duties) disclose to any other person, firm, corporation or organisation or use or attempt to use in any manner which may injure or cause loss directly or indirectly to the Senses Foundation, without the previous consent in writing of the Chief Executive Officer, or in the case of a Board member, the President, any information relating to the Senses Foundation or any information concerning or relating to the business, activities or clients of the Senses Foundation.

During the term of employment, engagement or service and as far as reasonable thereafter, the Board member, employee, volunteer, student or any other person working for Senses Foundation either paid or unpaid shall use their best endeavours to prevent the disclosure of any confidential information relating to the Senses Foundation to a third party.

All notes, memoranda, records, programs, media and writings in either electronic or hardcopy, made by the Board member, employee, volunteer, student or any other person working for Senses Foundation either paid or unpaid, related to the affairs of the Senses Foundation shall be and remain the property of the Senses Foundation and shall in any event be handed over by the Board member, employee, volunteer, student or any other person working for Senses Foundation either paid or unpaid, to the Senses Foundation at the end of the term of employment, engagement or service.

The restrictions contained in this Policy shall continue to apply after the termination of employment, engagement or service without limiting point of time but shall cease to apply to information, which may come into the public domain.

Senses Foundation agrees not to pass on sensitive information about any Board member, employee, volunteer, student or any other person working for Senses Foundation either paid or unpaid, to any third parties without their consent.

Senses Foundation acknowledges the Public Interest Disclosure Act 2003 and acknowledges that any person may make an “appropriate disclosure” to a “proper authority” – as determined in the Act.

**Approved by resolution of the Board 17<sup>th</sup> January 2008**