



MKQP23 Privacy Policy

1.0 Purpose

Moorditj Koort Aboriginal Health and Wellness Centre (MK) has guidelines for all employees regarding privacy in all of the company's operations.

2.0 Scope

The following policy is to be adhered to on a company wide level.

3.0 Responsibility

All employees.

4.0 References

Privacy Act 1988
National privacy principles

5.0 Definitions

GM General Manager
MK Moorditj Koort Aboriginal Health and Wellness Centre

6.0 Description

This Privacy Policy describes the ways and circumstances under which personal information is collected, stored, used and disclosed by MK. The Policy is intended both as a guide to MK staff and members and for the advice of the broader community. This policy complies with the Privacy Act 1988 and standard 3.3.1 of the Medicare Local Accreditation Standards.

6.1 Disclosure of personal staff information

Personal information concerning employees is confidential and will only be used for purposes for which the information is relevant.

Exceptions

Personal information may be used for purposes other than for which it was collected:

- with the consent of the person concerned;
- to prevent a serious threat to a person's health or life;
- as required or authorised by law;
- where reasonably necessary for the enforcement of criminal or revenue law.

Access

Employees have access to their personal information held by MK. Employees may also make corrections and additions to personal information to make sure that the information is accurate, up to date and complete. To do this, please contact the Business Administration Manager.

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6.2 Client Information

Any information, including personal details, relating to a client that is collected as part of any MK program will be treated as confidential and will only be used for purposes for which the information is relevant. All such information will be stored in a locked cabinet. Where this information is required to be archived, this will be done in accordance with MKQP018. Where the information is stored electronically, it will be accessible only by authorised staff.

Access

Clients have access to their personal information held by MK. Clients may also make corrections and additions to personal information to make sure that the information is accurate, up to date and complete.

6.3 Privacy on the web site www.PSCML.com.au **needs to change**

In complying with the Privacy Act 1988, MK provides the following advice to users of this web site about the collection, use, disclosure and storage of personal information.

The aim of this advice is to inform users of this site about:

- what personal information is being collected;
- who is collecting personal information;
- how personal information is being used;
- access to personal information collected on this site; and
- security of personal information collected on this site.

What personal information is being collected?

Unless this web site asks for specific personal information in order to respond to requests for information or to register users for particular services, only the following information will be collected when you use this site:

- your server address;
- your top level domain name (for example .com, .gov, .au, .uk etc);
- the date and time of your visit to the site;
- the pages you accessed and the documents downloaded;
- the previous site you visited; and
- the type of browser you are using.

This information is collected for statistical purposes and to enable us to improve the navigation functions of our web site.

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Who is collecting personal information?

The above information is collected by our Internet Service Provider. Where this site specifically asks for your personal information (for example to respond to requests for information or to register users for particular services), your personal information will only be collected by staff of MK who have responsibility for responding to such requests or administrating such registrations.

How is personal information used?

Personal information collected on this web site will only be used for the purposes stated at the time of collection. Your personal information will not be added to a mailing list or used for any other purpose without your consent.

6.3 Complaints Handling

Any complaints in relation to MK's handling of personal information should be directed to the General Manager. In most cases the complainant will be asked to lodge their complaint in writing and identify themselves so that MK can respond to them personally.

Unless a complaint can be dealt with immediately to the satisfaction of both parties, MK will provide a written response to the complaint within 30 days of its being received.

If an individual believes their complaint has not been appropriately handled by MK, they should contact the Office of the Federal Privacy Commissioner, Privacy Hotline 1300 363 992 (local call charge) or via www.privacy.gov.au

The following table is drawn from an extract provided by the Australian Taxation Office¹ "National Privacy Principles" and amended where applicable to incorporate MK's responsibilities.

¹ Australian Taxation Office "The National Privacy Principles in the Privacy Amendment (Private Sector) Act 2000 as at 10/01/2001"

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Table: National Privacy Principles

<p>Collection Collection of personal information must be fair, lawful and not intrusive. Collection must also be necessary for the business of the organisation. A person must be told the organisation's name, the purpose of collection, to whom it is usually disclosed, that they can get access to their personal information and what may happen if they choose not to give the information.</p>	<p>MK will only collect personal information necessary to undertake our programs, activities or functions.</p> <ul style="list-style-type: none">‡ Personal information about an individual will only be collected by lawful and fair means and directly from the individual wherever possible.‡ A contact name and telephone number for PSCML will be given to every individual who provides personal information.‡ We will ensure that each individual providing personal information is informed about and understands the purpose of PSCML collecting the information, to whom or under what circumstances their personal information may be disclosed to another party, and how they can access the information held about them by PSCML.‡ We will ensure that individuals providing personal information understand the consequences, if any, of providing incomplete or inaccurate information.
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<p>Use and Disclosure An organisation should only use or disclose information for the purpose it was collected unless the person has consented, or the secondary purpose is directly related to the primary purpose and a person would reasonably expect such use or disclosure, or, for personal information that is not health information, for direct marketing in specified circumstances, or in circumstances related to public interest such as law enforcement and public or individual health and safety.</p>	<p>MK will ensure that personal information will only be used for the purpose it was collected, or a directly related purpose, that would reasonably be expected by the individual providing the information.</p> <ul style="list-style-type: none"> ‡ If the identified information is to be used for a secondary or unrelated purpose, such as data analysis or research, we will obtain informed consent from the individual. ‡ Individuals will be given the opportunity to refuse such use or disclosure. ‡ If an individual is physically or legally incapable of providing consent, a responsible person (as described under the Act) may do so, if this is necessary to ensure the treatment or care of the patient, or for compassionate reasons. Providing consent under this clause does not mean the responsible person is given guardianship/power of attorney privileges. Such privileges are covered by State/Territory Guardianship legislation. ‡ We will only disclose personal information without consent where such disclosure is required by law, or, in some circumstances, for law enforcement, or in the interests of the individual's or the public's health and safety. ‡ We will keep records of any such use and disclosure. ‡ Information may be disclosed to a responsible person (as described under the Act).
<p>Data Quality An organisation must take reasonable steps to make sure that the personal information it collects, uses or discloses is accurate, complete and up-to-date.</p>	<ul style="list-style-type: none"> ‡ MK will update our databases or records as soon as possible after being advised by an individual of changes to their personal information held by MK.

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<p>Data Security An organisation must take reasonable steps to protect the personal information it holds from misuse and loss and from unauthorised access modification or disclosure.</p>	<p>All personal information held by MK will be:</p> <ul style="list-style-type: none">✦ if in paper form, received and stored in a secure, lockable location;✦ if in electronic form, password and firewall protected;✦ accessible by staff only on a “need to know” basis;✦ not taken from the Medicare Local offices unless authorised and for a specified purpose. <p>We will destroy or permanently de-identify personal information that is no longer required by the organisation.</p>
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<p>Openness An organisation must have a policy document outlining its information handling practices and make this available to anyone who asks.</p>	<ul style="list-style-type: none"> ✦ This policy will be made available to any person requesting access to it. ✦ A general statement describing our approach to privacy will be on public display at MK. ✦ If requested by an individual, we will provide more detail about our information-handling practices (i.e. what personal information of theirs is held and how it is handled by PSCML).
<p>Access and Correction Generally speaking, an organisation must give an individual access to personal information it holds about that individual on request.</p>	<p>Under normal circumstances this organisation will provide an individual with access to their personal information within 30 days of receiving a request for access.</p> <ul style="list-style-type: none"> ✦ There will be no fee associated with lodging a request for access, however, a small but reasonable administration fee may be charged. ✦ Provision of access to a person's personal information will be undertaken in a way that is appropriate to the person's particular circumstances, e.g. use of interpreters etc. ✦ If an individual believes that information held by PSCML is inaccurate or incomplete, PSCML will take steps to amend or correct the information. ✦ Some exceptions where PSCML may refuse access include: <ul style="list-style-type: none"> ✦ If it reasonably believes that a person's health or life may be seriously threatened or at risk by releasing the information; or ✦ If access would be unlawful or would prejudice a legal investigation; or ✦ If access would have an unreasonable impact on others' privacy. ✦ Under circumstances other than 6.4 where information is withheld, MK will ensure that its practices are consistent with the provisions of NPP 6. ✦ If information is withheld under 6.4, MK will provide an explanation to the individual as to the reasons why this was the case.

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<p>Identifiers Generally speaking an organisation must not adopt, use or disclose, an identifier that has been assigned by a Commonwealth government 'agency'.</p>	<p>Except where circumstances allow (NPP7.2), MK will not use Medicare or Veterans Affairs numbers or other identifiers assigned by a Commonwealth agency (or State/Territory body where this is prohibited under State/Territory law) to identify personal information.</p>
<p>Anonymity Organisations must give people the option to interact anonymously whenever it is lawful and practicable to do so.</p>	<p>Where it is lawful and practicable to do so, MK will allow individuals to provide information anonymously.</p> <ul style="list-style-type: none"> ✦ An individual who chooses to access the services of MK anonymously will be advised of any potential consequences resulting from their decision e.g. where the lack of a contact name or address may jeopardise care in an emergency situation. ✦ We will not automatically preclude an individual from participating in the activities of the organisation because they request anonymity.
<p>Transborder Data Flows An organisation can only transfer personal information to a recipient in a foreign country in circumstances where the information will have appropriate protection.</p>	<p>MK will only transfer personal information about an individual to someone who is in a foreign country if:</p> <ul style="list-style-type: none"> ✦ the individual consents to the transfer; or ✦ the recipient is bound by legislation that is substantially similar to the NPPs; or ✦ we have taken reasonable steps to ensure that the information will not be held, used or disclosed inconsistently with the NPPs.
<p>Sensitive Information An organisation must not collect sensitive information unless the individual has consented, it is required by law – or in other special specified circumstances, for example, relating to health services provision and individual or public health or safety.</p>	<p>MK will only collect sensitive information (as defined under the Act) about an individual, if:</p> <ul style="list-style-type: none"> ✦ the individual consents; or ✦ the collection is required by law; or ✦ such collection is consistent with the provisions of NPP 10 <p>For example, MK will comply with this principle for the collection of sensitive information for the purposes of our member database.</p>

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7.0 Documentation

7.1 Forms

MKQP306 Complaints Process

7.5 Work Instructions

MKQWI119 Archiving Documents

Version	Date of Revision	Section Affected	Amended by	Date

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