



Confidentiality & Privacy Policy

Approved/effective date	130520
Due for review	130523

1. Basic Beliefs

Protecting the personal and health information of staff, volunteers, tutors, members and participants is a serious moral, professional and legal responsibility that Torquay Community House (TCH) recognise and accepts. Consequently, Torquay Community House collects and uses personal and organisational information to the extent necessary to fulfil its functions and responsibilities to its members and the community it serves.

2. Purpose

The purpose of this policy is to set out staff, volunteers, tutors, members and participants privacy rights and to document the framework that TCH will apply when collecting, storing and using personal information.

3. Scope

This policy applies to Board of Management, staff, volunteers, tutors and contractors.

4. Definitions (for the purposes of this policy):

- **Confidentiality** is the observance of any requirements to limit disclosure of information or restrict access to information to those with an approved and necessary need to know, whether the information is of a personal or organisational nature. Something is deemed confidential if it is:
 - private, personal information.
 - commercially sensitive.
 - provided in confidence; or
 - information which if inappropriately disclosed, would be detrimental to the good governance and lawful operations of the House.
- **Contractor** is an independent person, running their own business, and providing services under a commercial, rather than employment, contract for the delivery of a program within TCH.

- **Personal Information** is information or an opinion that identifies an individual. Examples of Personal Information TCH collect include: names, addresses, email addresses, phone and social media details.
- **Privacy** refers to a person's right of control over their personal information and what information about them can be collected and stored, who has access to such information, and the extent, manner and timing of the use of that personal information. It also refers to the extent of a person's ownership rights to their personal information and any right to view, verify, and challenge that information.
- **Staff** being an individual working at TCH who is directly engaged or employed by TCH.
- **Tutor/Leader** is a person charged with the instruction and guidance of another or others within the TCH programs.

5. Guiding Principles

TCH collects and administers a range of personal information for the enrolment in its programs and activities. This personal information is used to provide certain data to our funding bodies, for emergency contacts and to cover any other legal requirements.

TCH is committed to protecting the privacy of personal information it collects, holds and administers at all times and will follow these five guiding principles:

1. **Value:** Only collect the information we need to run our programs and activities safely, to facilitate effectiveness and productivity in research, grant applications and services. Torquay Community House will make sure information is accurate before TCH uses it. Only use identifiers if it is clearly allowed.
2. **Transparency:** Where possible, obtain the information directly from the person and be clear about what the information will be used for. Inform users about the personal information we collect and how and why we use and share it. Use fair and reasonable ways of collecting information. Let people access information about themselves and correct the information if the person thinks it incorrect.
3. **Choice:** Give users choice over the collection, use and sharing of their personal information.
4. **Anonymization:** Anonymize and aggregate personal information where individual identification is not necessary.
5. **Accountability:** Store personal information securely, protecting it from unauthorised access. Only use the information for the purpose TCH collected it.

6. Responsibilities

- 6.1 The Board will
- oversee and monitor the implementation and improvement of confidentiality and privacy procedures.
 - ensure that Board members will not disclose confidential information dealt with by the Board of Management to any third party without the prior permission of the full Board of Management. This requires a resolution of the Board to that effect.
- 6.2 The Coordinator will:
- take all reasonable steps to protect information from loss, misuse, unauthorized access, modification and disclosure; as detailed in the *Data Policy*.
 - establish and maintain good record management practices as identified in the *Record Management policy*.
 - develop security measures to protect the integrity, availability and confidentiality of information.
 - ensure personal or confidential records and information are not left in plain sight of persons not authorised to access such records and information.
 - take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for any purpose.
- 6.3 Staff, Volunteers, Tutors and Contractors will:
- only collect information needed for House operations – functions, responsibilities, services, **activities** or online courses.
 - inform and gain consent from someone prior to disclosing any personal information.
 - consult with an authorised representative if a person is unable to provide consent because of impairment.
 - remove any identifying information when using data for planning.
 - ensure anonymity when using surveys for quality improvement or any other purpose.
 - obtain signed written permission before obtaining and using photographs or video recorded
 - images of a person. For children, obtain permission from a parent or legal guardian.
 - ensure that any confidential information, in any format will not be copied, removed or transmitted outside of the House without the written permission of the Board of Management or the Coordinator.
 - not discuss a person's private or confidential information with other service providers or make referrals on behalf of that person without their prior knowledge and consent.

- be aware at all times of others who may be in close range and listening to a conversation either face to face or on the telephone when personal information is discussed.
- not provide information or any personal contact details of Board members, staff, tutors or volunteers without the approval of the person involved, other than in an emergency situation or as required by law. A message will be taken and passed on to the person involved.
- ensure that information is accurate, complete and up to date.
- not record or share any information which has been obtained through online learning classes or face to face learning classes without prior permission from the coordinator of Torquay Community House and all the participants attending the class.

7. Procedures / Guidelines

Torquay Community House recognise the importance of personal and confidential data of staff, volunteers, tutors, contractors, participant information and records and is committed to maintaining the privacy of this information.

The House will ensure that:

- all information collected is stored in a secure environment and locked when not in use.
- access will be restricted to authorised personnel as designated by the Board of Management in relation to staff and volunteer records or Coordinator for other records.
- child safety is of paramount importance. Accordingly, information about a child may be shared with Police, Court or Child Protection services without the need to inform parents. Refer to the TCH *Child Safe Policy*
- financial information relating to the payment of employees will be kept in the Account Manager's filing system.
- all Board members, staff and volunteers will undertake to respect the confidentiality of members, staff, volunteers, contractors and participants associated with Torquay Community House. They will be required to sign a **Privacy Undertaking Statement**.
- members, staff, volunteers, contractors and participants of the Torquay Community House can have access to the Privacy Policy.
- copy of policy on is accessible on the Torquay Community House website.
- privacy statement is included on all program enrolment forms

8. Reporting

'No additional reporting is required'

9. Evaluation

This policy will be reviewed as part of the House's three-year regular review cycle

10. Associated Documents

- Privacy Act 1988
- Information Privacy Act 2000 (Victoria)
- Children, Youth and Families Act 2005 (Victoria)
- Child Safe Policy
- 302-001 Privacy Undertaking Statement
- Staffing Policy
- Discipline Policy
- Conflict of Interest Policy