

Privacy and Information Management Policy

1. Ability SDA Privacy Policy

- Ability SDA is required to collect, use and disclose personal information relating to its tenants, SIL Providers, Contractors, suppliers and Employees in the performance of its business activities.
- This policy sets out guidelines to assist Ability SDA and its Employees comply with the requirements of the Privacy Act 1998 (C) ("**Privacy Act**") and the National Privacy Principles ("**NPP**") in relation to the collection, storage, use and disclosure of records containing individuals' Personal Information.

2. Scope

- This policy applies to the collection, storage, use and disclosure by Ability SDA or a person acting on behalf of Ability SDA) of records containing individuals' Personal Information in Australia. The *National Disability Insurance Act 2013* and the *National Disability Insurance Scheme (Protection and Disclosure of Information—Commissioner) Rules 2018* set out the information handling requirements for the NDIS Quality and Safeguards Commission, including the use and disclosure of NDIS information. The Commissioner can only make disclosures of protected information in accordance with these rules.
- This policy does not apply to the collection, storage, use and disclosure of Personal Information where:
 - (a) the Personal Information is an Employee record; and
 - (b) the collection, storage, use and/or disclosure of the Employee record relates to Ability SDA employment relationship with the Employee.

3. Definitions

Employee Record means a record of Personal Information relating to the employment of an Ability SDA Employee.

Personal Information means information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

Sensitive Information has the meaning set out in the Privacy Act.

4. Collection of Personal Information

- Ability SDA is entitled to collect Personal Information by lawful and fair means. Personal Information must not be collected in an unreasonably intrusive way.
- A person who collects Personal Information on behalf of Ability SDA must comply with this Policy and the requirements of the Privacy Act.

5. Use and Disclosure of Personal Information

- Ability SDA will not use or disclose personal information about an individual for a purpose (the secondary purpose) other than the primary purpose of collection unless:
 - (a) both of the following apply:
 - the secondary purpose is related to the primary purpose of collection and, if the personal information is Sensitive Information, directly related to the primary purpose of collection;
 - the individual would reasonably expect Ability SDA to use or disclose the information for the secondary purpose; or
 - (b) the individual has consented to the use or disclosure; or
 - (c) Ability SDA has reason to suspect that unlawful activity has been, is being or may be engaged in, and uses or discloses the Personal Information as a necessary part of its investigation of the matter or in reporting its concerns to relevant persons or authorities; or
 - (d) the use or disclosure is required or authorised by or under law; or
 - (e) the use or disclosure is not inconsistent with the requirements of the Privacy Act.

6. Data Quality

- Ability SDA will take reasonable steps to make sure that the Personal Information it collects, uses or discloses is accurate, complete and up-to-date.

7. Data Security

- Ability SDA will take reasonable steps to protect the Personal Information it holds from misuse and loss and from unauthorised access, modification or disclosure.
- Ability SDA will take reasonable steps to destroy or permanently de-identify Personal Information (such as a job applicant's resume) if it is no longer needed.

8. Openness

- This Privacy Policy will be made available to anyone who asks for it.

- On request by a person, Ability SDA will take reasonable steps to let the person know, generally, what sort of Personal Information it holds, for what purposes, and how it collects, holds, uses and discloses that information.

9. Access and Correction

- If Ability SDA holds Personal Information about an individual, it will comply with legislative obligations to provide the individual with access to the information on request by the individual.
- If Ability SDA holds Personal Information about an individual and the individual is able to establish that the information is not accurate, complete and up-to-date, Ability SDA will take reasonable steps to correct the information so that it is accurate, complete and up-to-date.
- Ability SDA will provide reasons for denial of access or a refusal to correct Personal Information.

10. Security

- Ability SDA has implemented generally accepted standards of technology and operational security in order to protect Personal Information from loss, misuse, alteration or destruction.
- A person acting on behalf of Ability SDA must not transfer Personal Information to an individual without first establishing the identity of the recipient through the use of a personal identifier and/or cross check to recover such costs from the Employee.

11. Information Management

- Ability SDA places great importance on ensuring the integrity, confidentiality and accuracy of data of all kinds, particularly personal information.
- We collect and use certain types of information about our members, customers, staff and other individuals who come into contact with the organisation, in order to be able to provide our services and keep in touch with our users.
- This personal information will be dealt with properly however it is collected, recorded and used, in line with the Data Protection Act 1998.
- Ability SDA regards the lawful and correct treatment of personal information as paramount to successful operations. We will meet our legal obligations to comply with the act and apply principles of good information handling to all information that we collect, use, store and destroy. Data must be:
 - I. Processed fairly and lawfully
 - II. Processed for specified and lawful purposes
 - III. Adequate, relevant and not excessive
 - IV. Accurate, and where necessary kept up to date
 - V. Ensuring that Data Protection induction and training takes place and all staff and volunteers are made explicitly aware of their responsibilities
 - VI. Ensuring a data audit takes place annually
 - VII. Approving unusual or controversial disclosures of personal data

12. Security

- Ability SDA operates a number of security measures to minimise the potential of a security breach, including:
 - I. Keeping paper records containing personal information in locked facilities when they are not being used by a Data Processor
 - II. Ensuring paper records are disposed of in a secure manner
 - III. The use of technical security measures such as firewalls, anti-virus, and server back-ups
 - IV. Restricting access to office areas and IT equipment to employees, and visitors entering a work area or using IT equipment are accompanied at all times by a member of staff
 - V. Encouraging a clear desk policy and the use of incoming mail/message folders for all staff and volunteers
 - VI. Password protecting IT equipment (which locks after any short period of inactivity) and databases, as well as restricting access to certain information on the server by role or seniority of staff
 - VII. Reviewing the methods we use to collect, handle and store personal information regularly and implement the data protection action plan as required Ability SDA acknowledges that a potential threat to data security could be the staff themselves.

13. Data Recording and Storage

- Ability SDA aims to streamline its databases, helping to ensure that user's personal information is accurate and duplication is avoided.
- Ability SDA will regularly review its procedures for ensuring that its records remain accurate and consistent and, in particular:
 - Systems will be designed, where possible, to encourage and facilitate the entry of accurate data
 - Data on any individual will be held in as few places as necessary, and all staff and volunteers will be discouraged from establishing unnecessary additional data sets
 - Effective procedures will be in place so that all relevant systems are updated when information about any individual changes
 - Staff or volunteers who keep more detailed information about individuals will be given additional guidance on accuracy in record keeping
- A system of checking, updating and discarding old data takes place annually during the data audit.