

Privacy Management Factsheet

Spinal Life Australia (SLA) respects the privacy of all people and is committed to safeguarding all personal information provided to SLA.

SLA is bound by the Australian Privacy Principles (APPs) in the Privacy Act 1988 (Privacy Act) which regulate how organisations may collect, use, disclose and store personal information, and how a person may access and correct their personal information.

For the purpose of this guideline the groups listed below will be collectively known as 'a person/ s'.

- Clients
- Members
- Donors
- Business partners
- Members of the public
- Employees – current, past and prospective including volunteers, students and contractors.

Please note: It is good privacy practice for employers to treat employee information in the same way as any other personal information they collect. Whilst employee information is still primarily included under the Fair Work Act and Regulations 2009 it has extra because aspects of it are included under the Privacy Act and APP's.

Consent

SLA will not gather information without individual consent. The *Consent Form – Privacy and Personal Information* is to be resigned annually.

Collecting Information

Personal Information

Where possible SLA collects personal and sensitive information directly from a person. SLA collects information through telephone and face-to-face interviews, emails, appointments, forms and questionnaires.

The information SLA collects includes but is not limited to:

- Name and contact details
- Personal details such as date of birth, gender etc
- Health information and / or medical information including photographs of equipment, home modifications or wounds and other interruptions to skin integrity
- Information relating to support needs
- Financial information
- Information relating to goals and aspirations
- Representative, advocate or carer details
- Guardian or administrator details
- Cultural background and /or preferred language
- Emergency contact details
- Work histories and educational qualifications
- Information on personal issues and experiences that may be relevant to providing supports and services.

Collecting information from third party sources

In some situations, SLA may also obtain information from a third-party source. If SLA collects information in this way, SLA will take reasonable steps to make the person aware of why SLA is collecting the information and the organisations to which SLA may disclose information, subject to any exceptions under the Privacy Act.

Collecting information from SLA's website

SLA may collect information from a person via SLA's website. By using SLA's website, a person automatically consents to SLA collecting their information. The type of information collected will vary according to how the website is used and could include name and contact details (if a person requests contact) and pages accessed.

SLA may also save e-mails if there is a legal requirement to do so or are otherwise permitted to do so under the Privacy Act.

SLA's website contains links to other websites, but these links do not constitute sponsorship or endorsement or approval of these websites.

Talent Release Files

The purpose of talent release files is to record details of activities that may involve web-based interactions, educational material, promotional information, and other activities such as contact with the media, speeches, event management, surveys and publication preparation.

Generally, SLA collects a person's information for talent release files directly from a person. Sometimes SLA may also collect information from a person's representative or from publicly available sources such as websites and telephone directories.

Contacts Lists

SLA maintains contact lists with contact information for people who may have an interest in SLA's services and supports. SLA uses these contacts lists to distribute information about activities and publications.

Generally, SLA collects personal information for contacts lists directly from a person, for example, where they have asked to be added to a list. SLA may also collect information from a person's representative or from publicly available sources such as websites and telephone directories.

Using and Disclosing Information

Personal Information

SLA will use a person's information only for the purpose for which it was collected and disclose information only if the person is reasonably aware of or has consented. The exceptions to this are:

- Where the safety of a person, their family, an SLA employee or other person is at imminent risk
- Where there is a suspected abuse, neglect and/ or exploitation incident
- Where records are subpoenaed or required by law
- When it is reasonably necessary to assist in locating a missing person
- When it is reasonably necessary for a confidential dispute resolution process

Sometimes a person is not in a position to give consent. In these situations, SLA's employees will obtain consent from next of kin, carers or other formal or informal advocates.

Where consent has been given, SLA may disclose information to external organisations including:

- The NDIS (National Disability Insurance Scheme) Commission.
- Other Government departments / agencies providing funding for SLA's services.
- Doctors and health care professionals, who assist SLA to deliver services.
- Referees for prospective employees and volunteers of SLA.

- Professional advisors, including SLA's auditors and lawyers.
- External auditors as required by Certifications and Registrations.
- Research companies engaged on SLA's behalf to conduct market satisfaction, feedback and other related projects to improve member's, clients and others experiences with SLA.

Disclosure to a third party will appropriately recorded (file notes for clients / members, employee file for employees, etc.) and information will include:

- Name of the person who disclosed the information
- If written or verbal consent was obtained
- Date and purpose of the disclosure
- Name of the person and agency to whom the information was disclosed.

SLA will not disclose a person's information to a third party for direct marketing.

Marketing, Communication and Engagement

SLA only uses a person's information in talent release files for undertaking communication initiatives and managing public relations. The personal information on talent release files will not be disclosed without specific consent unless required or authorised by law.

Contacts Lists

SLA only uses a person's information for managing client and member relations including the regular distribution of publications and communications. In some instances, SLA may use a third-party distribution centre to assist the distribution of group communications and publications. Information will only be used solely for the purpose of which it was intended and destroyed after use. All communications will be addressed exclusively to the recipient and will not contain any other person's information.

If a person does not wish to be contacted in this way or receive publications, they can advise SLA in writing.

Accessing and Correcting Information

Correcting and changing information

To ensure information collected is kept accurate, up-to-date and complete, SLA will conduct regular checks.

If a person believes that their information is inaccurate, incomplete or not up-to-date, they can ask SLA to amend it.

If the change is general such as an update to contact details, SLA will make the change, however in some circumstances SLA will amend the record by attaching comments noting the correct information or a statement that the person claims that the information is not accurate, complete or up-to-date. To preserve information integrity the original entry may not be deleted.

Accessing records

if SLA holds information about a person, they have a right to read any of their information under the conditions noted below:

- Requests from a person (or authorised representatives) to access information will be referred to the appropriate manager who will make sure the person is assisted to access their information.
- A person does not have to provide a reason for lodging a request
- No fees will be charged for lodging a request
- Persons may access physical records on the premises but may not remove them
- Photocopies of records will be provided within resource limitations

- SLA is the owner and controller of all records. No records may be removed from the premises without specific approval from the Chief Executive Officer (CEO), who may seek legal advice if necessary.

Refusing a request to access personal information

A request by a person to access their information may be refused if:

- SLA believes that giving access would pose a serious threat to the life, health or safety of the person or to public health or safety.
- Giving access would impact on the privacy of others.
- The request is frivolous or vexatious.
- The information relates to existing or anticipated legal proceedings and would not normally be accessible by the process of discovery in those proceedings.
- Giving access would reveal SLA's intentions in negotiations with the person and prejudice those negotiations.
- Giving access would be unlawful
- Denying access is required or authorised by or under an Australian law or a court / tribunal order.
- SLA suspects that there is unlawful activity or misconduct of a serious nature and giving access would prejudice appropriate action relating to the matter.
- Giving access may prejudice enforcement related activities conducted by, or on behalf of, an enforcement body.
- Giving access would reveal evaluative information in connection with a commercially sensitive decision-making process.

The decision to refuse a request must be made by the CEO.

Securing Information

SLA will protect the personal and sensitive information held against misuse, interference, loss, un-authorised access, modification and disclosure by password protecting systems and networks, securing paper files and restricting physical access. Only authorised workers can access these details.

Personal information no longer required will be destroyed in a secure manner or archived according to the *Records Management Procedure*.

Any actual or suspected privacy breach must be immediately reported to the Privacy Officer who will investigate and follow applicable incident procedures to make sure breaches do not reoccur.

SLA does not currently send information out of Australia.

Complaints

A privacy complaint relates to any concern about SLA's privacy practices or handling of a person's information such as how information is collected and stored, used or disclosed or accessed. The Privacy Officer will investigate all complaints and follow the appropriate *Feedback and Complaints Procedure* or the *Employee Grievance Procedure*.

Further information

More information about Privacy Law and the Australian Privacy Principles is available from the Federal Privacy Commissioner at [Office of the Australian Information Commissioner](#)