Central Queensland Indigenous Development Ltd
PRIVACY AND PERSONAL INFORMATION POLICY

CONTENTS

NOTES

CQID policies and procedures are to be made in alignment with the set template as implemented by the Quality Management Team. All policies and procedures are to contain the same formatting including font styles and sizing.

1 PURPOSE

The aim of this policy is to establish a framework for the responsible collection, storage, use and disclosure of personal information of both CQID employees and clients.

2 SCOPE

This policy applies to all current employees of CQID with access to client and employee information.

3 CONTENT

3.1 Data Collection

CQID will only collect personal the information necessary to for, or directly related to, the delivery of our programs and services, and will not collect unless it is reasonably necessary.

3.2 Client Information

CQID program areas will collect client personal and sensitive information to ensure we provide clients with the most appropriate assistance for their needs, and to meet contractual requirements under their respective funding agreement. CQID workers will inform clients of the reasons why the information is being collected and how it will be used.

Client information is retained both in hard copy and in the computerised form. This information is only available to the support workers directly linked to the client.

3.3 Employee Information

Employee personal and sensitive information is collected and used for Human Resource Management purposes. This information includes a resume, application for employment, contract of employment, pay records and performance management and development.

This information is retained both in hard copy and in the computerised form. This information is only available to the employee, their supervisor and manager, the CEO and Human Resource and payroll staff.

The accuracy of personnel details is essential to CQID for a number of reasons including:

- Compliance with industrial legislation
- In the case of an accident or emergency to notify family or next of kin
- For income tax deductions
- To ensure prompt receipt of organisational and taxation correspondence.

Accuracy of personnel details is the responsibility of each CQID staff member. Following a change of details, the Employee Personal Information Form must be completed and handed to the manager as soon as possible.

3.4 External Web Links

CQID provides links to websites outside of its website. These linked sites are not under CQID's control, and CQID cannot accept responsibility for the conduct of companies linked to its website.

4 PROCEDURE

4.1 ACCESS TO PERSONAL INFORMATION

CQID follow the 11 Information Privacy Principles which indicates how personal information is to be collected, handles and assessed.

4.1.1 Client Access

Under current legislation, clients may apply to access information contained in their file and to ensure that the information is accurate, complete, current and not misleading. A client wishing to access their file must write to the CEO, stating the information they wish to access.

4.1.2 Employee Access

CQID employees are able to view their individual files to access information contained in their file and to ensure that the information is accurate, complete, current and not misleading.

Files can be viewed in the presence of a CQID manager or their delegate and the file must remain in the office. The manager can organise to copy the contents of the file if requested.

If the request is accompanied by a subpoena or if the release of information is required by the law, the organisation may release information concerning current or former employees with consent of the CEO.

4.1.3 Access Exceptions

CQID May refuse access to personal information, where one of the exceptions under the Privacy Act (Cth) 1988 applies. These exceptions include:

1. Giving access would pose a serious threat to life, health or safety of an individual or to public safety
2. Giving access would have an unreasonable impact on the privacy of others
3. The information relates to legal proceedings and would not be discoverable
4. Giving access would be unlawful;
5. Denying access is required by a court

4.2 Complaints Process

Should a client or employee believe that there has been a breach of privacy, relating to the collection, use or storage of their personal information, are encouraged to make a complaint, in accordance with:

(a) The Feedback, Complaints and Appeals Policy; or
(b) The CQID Complaints Process Information Sheet

4.3 Use of Data

CQID will only use the personal information collected for the purposes for which it was collected, or other purposes that are agreed to between CQID and the client or staff member. Additional purposes may be required to comply with legislation. If this is the case, CQID will communicate to with the client or staff member that this has occurred.

4.3.1 Client Consent

Information can only be collected with written client consent and can only be used or given to another organisation when permission has been obtained by the client or unless required by law.

It is important that consent remain valid and signed by appropriate parties. Internal audits on files are to be done regularly to ensure that the consent date is within the last 12 months and that consent is for a current CQID employee.

4.3.2 Employee Consent

CQID is committed to protecting the privacy of current and former employees. To assist employees who want the organisation to provide personal information on their behalf management or their nominated representative will coordinate the response.

Employees must submit a written request to management with a minimum of one week's notice authorising management to release the required details to a nominated person or institution. Employees may authorise their supervisor or manager to provide a reference. Such authorisation must be done in writing and should include the position applied for and the duties.

4.3.3 Media Consent

CQID regularly produces photographs of people for teaching purposes, in its publications, promotional and marketing material in order to promote the organisation and encourage community awareness. The Media Consent Form must be completed for both adults and children in order to use a photograph, work sample or written comment.

4.4 Data Disclosure

Data disclosure refers to making information available to another party. CQID will only disclose data or information only under the following circumstances:

- where required by law
  eg. Under the Child Protection Act, CQID must comply with a Department of Child Safety request for information (section 159N Notice) to the extent it relates to information in the CQID's possession or control.

- with client or employee consent
  Refer to section 4.3 of this policy

- Where permitted by law.
  Eg. Under relevant funding agreements, CQID is required to report data performance; however this information will be de-identified for all reporting purposes.

4.5 Data Storage and Disposal

Personal information collected by CQID on staff and on clients who are accessing our services will be kept in hard copy and electronic files personal file.

4.5.1 Files and Paperwork

Hard copy files are stored in a secure location within the premises Records are kept in filing cabinets which are to be locked at the end of every day, there is to be no leaving of client files or confidential CQID documents left in CQID vehicles or visible on work desks.

4.5.2 Electronic Records and Passwords

Electronic information stored on computers can only be accessed by staff with the authority to do so. This information must be protected by a password which must be kept confidential at all times. Staff must change their password to something other than the default password given to them upon commencement of employment. Once a non-generic password is chosen, staff members must inform their program manager in the event of absence or emergencies.

CQID does not consent to records relating to children in care being stored or transferred overseas, including overseas service or cloud based storage overseas (Service Agreement DCSYW)

4.5.3 Records Disposal

Records are disposed on in accordance with the document retention and disposal schedule as determined by each program manager. Each manager is to record when records must be kept until and include such information in the program document register. Confidential information shall be disposed on in the locked confidential documents bin or shredded.

Should CQID receive personal information that is unsolicited, it has to be de-identified and destroyed, unless it can be determined that the information:

(a) Could have been collected in the usual way, and
(b) It is reasonably necessary in the delivery of our services.

4.6 Notifiable Data Breaches

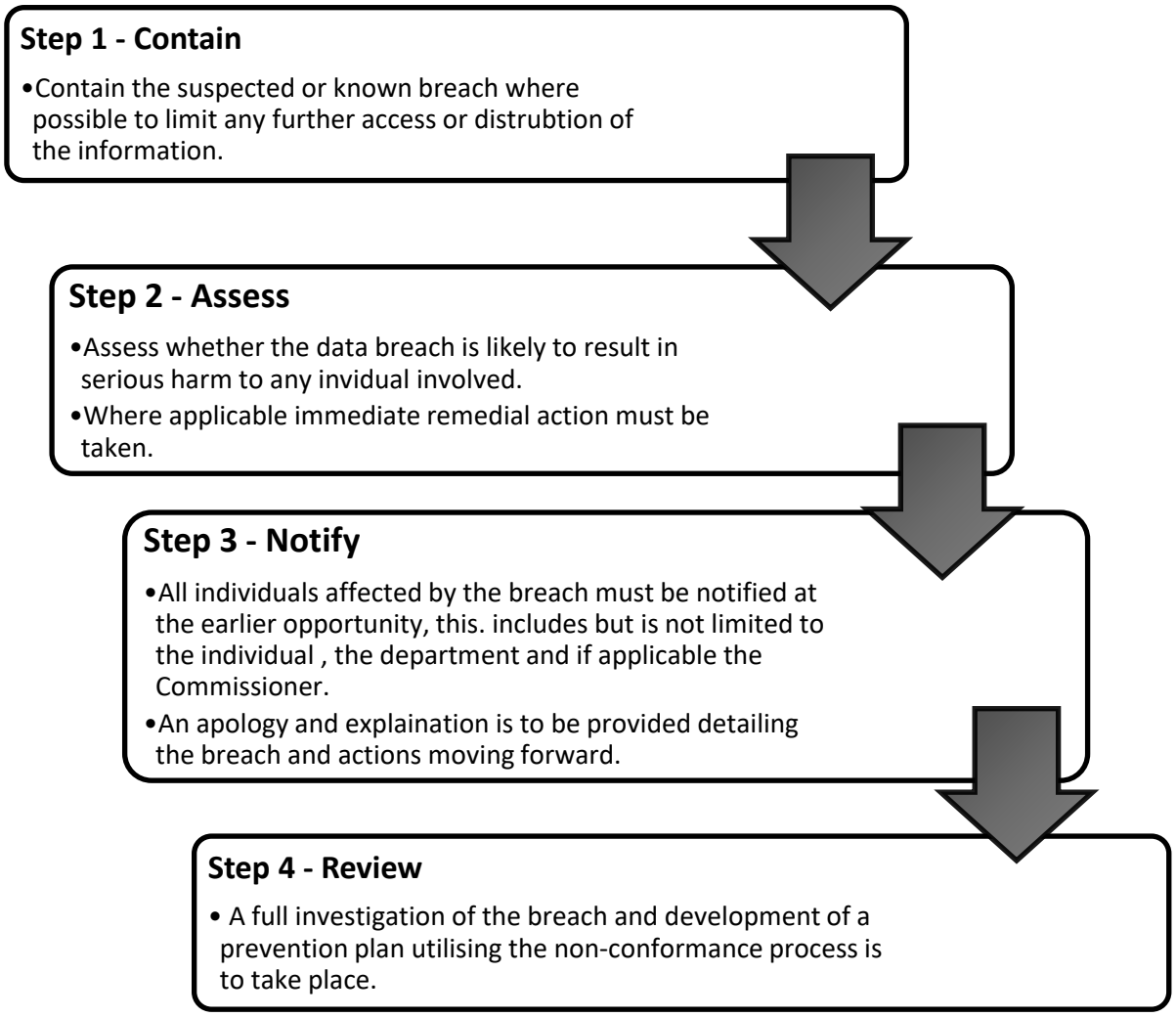
CQID has an obligation to notify departments of any breach of privacy requirements under the Information Privacy Act.

Breaches can include but are not limited to:

- Privacy of a single individual
- General loss of data
- Hacking of computer system
- Laptops being stolen
- Lost USB's

In any event, to ensure any potential harm is avoided or minimised Departments must be notified as soon as possible.

The following process is followed in relation to data breaches.



5 RESPONSIBILITIES

5.1 Managers and supervisors

It is the responsibility of all managers and supervisors to adhere to the provisions of the relevant legislation and content of this policy; managers and supervisors must ensure all their staff members fully understand the requirements of this policy.

5.2 Employees

It is the responsibility of all employees to adhere to the provisions of the relevant legislation and content of this policy.

6 DEFINITIONS

Personal Information –is information or an opinion about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion: i) whether the information or opinion is true or not, and ii) whether the information or opinion is recorded in a material form or not.

'Personal information' includes sensitive information, and is subject to higher standards protection

Sensitive Information – includes

(a) is information about an individual's racial or ethnic origin, political opinion, membership of a political association, religious beliefs or affiliation, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices, or criminal record
(b) Health information about an individual
(c) Genetic information about an individual that is not otherwise health information
(d) Biometric information or
(e) Biometric templates

7 RELATED LEGISLATION

- Queensland Information Privacy Act 2009
- Information Privacy Act (Qld) 2009
- Child Protection Act (Qld) 1999
- Privacy Act (Cth) 1988
- Fair Work Act (Cth) 2009
- Obligations of Contracted Service Providers - Information Privacy Act (Qld) 2009
- Notifiable Data Breaches Scheme
- Record Keeping Guide for Funded Non-Government Organisation
- DCSYW's Information Sharing Guidelines

8 RELATED DOCUMENTS

Feedback, Complaints and Appeals Policy

Records and Archive Management Policy

Complaints Process Information Sheet

Employee Personal Information Form - G:\ADMIN - Human Resources\New Employee Package\Employee Personal Information Form.docx

Media Consent Form Adult - G:\ADMIN - Forms\Media Consent Form Adult.docx

Media Consent Form Child - G:\ADMIN - Forms\Media Consent Form Child.docx

9 COMPLIANCE, MONITORING AND REVIEW

9.1 Compliance

All CQID employees are expected as part of their employment to adhere to all policies and procedures made by the Board an Executive Team. Any breaches of this Privacy and Personal Information Policy may result in disciplinary action up to and including:

- Removal of an employee's access to files.
- Formal warning
- Termination of employment.

9.2 Monitoring and Review

This policy will be monitored and reviewed as a part of the Quality Assurance process of CQID, through regular team meetings during policy sign off reviews as per the policy review schedule and policy review template. Proposed changes will are to be presented at Management/Executive meetings for discussion between the Executive and Management Teams. A Policy Approval Request for New or Amended Policy form must be completed and approved prior to being distributed to staff. Changes and dates of change must be documented in the approval and review section below.

10 APPROVAL AND REVIEW DETAILS

DOCUMENT TITLE:	Privacy and Personal Information Policy		
CONTENT OWNER:	Chief Executive Officer	**DOCUMENT AUTHOR:**	Lee Field-Hamson
DATE PUBLISHED:	7/8/2020	**VERSION APPROVED:**	6
REVISION DUE DATE:	7/8/2021	**ADMINISTRATOR:**	Compliance Officer
ADVISORY COMMITTEE TO CONTENT OWNER:	Management & Executive Teams		
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11 APPENDIX or APPENDICES