

# PRIVACY POLICY

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Date Written:	September 2023	Board Endorsed Date:	24/10/2023
Responsible Officer:	Chairperson	Next Review Date:	24/10/2026

## 1. Introduction

Health Voyage values and respects the privacy of all individuals. Health Voyage is committed to protecting and upholding privacy to the highest standards and ensuring legislative compliance with the Privacy Act 1988 (Cth) (Privacy Act), the Australian Privacy Principles and all relevant privacy legislation in New South Wales, including the Privacy and Personal Information Protection Act 1998 (NSW) and the Health Records and Information Privacy Act 2002 (NSW).

## 2. Purpose

This Privacy Policy describes how we collect, hold, use and disclose personal information, and how we maintain the quality and security personal information.

## 3. Scope, Roles & Responsibilities

This policy applies to all employees, volunteers, and contractors involved in the provision of health services within Health Voyage (*All Staff*).

## 4. Policy

### 1. Data Collection and Consent

- a. Data Collection – Health Voyage collects and maintains health information and personal data only as required by law and for the purpose of delivering health services. We adhere to the principles of data minimisation, collecting only the information necessary for the intended purpose.
- b. Consent - Informed and voluntary consent from individuals must be obtained before collecting health information or personal data. Records of consent are maintained, and individuals have the right to withdraw consent at any time.
- c. Transparent Communication – Health Voyage discusses the collection, use, sharing, and disclosure of personal, health, or sensitive information at various stages from initial contact to ongoing services.
- d. Ongoing Process - Consent is continuously sought, ensuring information is current and accurate.
- e. Express Consent - Consumers are informed about why their information is collected, how it's protected, and must give explicit consent for external sharing.
- f. Implied Consent - Basic demographic information and inquiry details are collected from the initial contact unless the customer opts out explicitly.

### 2. Informed Consent

- a. Empowering Choices - Consent is based on competence, voluntariness, specificity, and understanding.
- b. Consumer Involvement - Consumers are involved in decisions about their care, respecting their individuality and responsibility for their health.

### 3. *Anonymity*

- a. Respecting Privacy – Consumers have the right to remain anonymous, although this might limit the extent of services offered.

### 4. *Collection*

- a. Purposeful Collection - Information is collected to provide tailored, quality services. When Health Voyage is contacted information is recorded, including from an initial inquiry before receiving under Health Voyage. We only collect personal information for purposes that are directly related and necessary to our activities and the services that we provide, and which is essential to the quality and effective administration of our services.
- b. Information related to Staff – Health Voyage collects personal information related to our Staff and others who participate in the functions and operations of Health Voyage. Only the information necessary to facilitate employment with Health Voyage and meet compliance requirements will be collected. All records of a personal and confidential nature are maintained securely, and access restricted to authorised personnel.
- c. Respectful Methods - Information is collected directly from the customer wherever possible. Third-party collection is transparent, and customers are informed.

### 5. *Use and Disclosure*

- a. Purposeful Usage - Personal information is used for intended purposes, respecting legal duties and customers' rights. Any other use requires explicit consent from the individual.
- b. Limited Access – Only staff directly involved in customer care can access personal information. Administrative access is restricted and relevant to official duties.
- c. Non identifiable data - Some information that Healthy Voyage collects is used to help plan our services, for reporting purposes to our funding bodies and for quality improvement. This information may also be used for research to help us to provide better overall healthcare for the community. As this information is not personally identifiable, specific consent to this is not required.
- d. Data Sharing – Health Voyage will not disclose personal information to other organisations or anyone else unless:
  - There is consent for the disclosure.
  - It would be reasonably expected, or have been told, that information of that kind is usually passed to those individuals, bodies, or agencies.
  - It prevents or lessens a serious threat to somebody's life or health.
  - It is reasonably necessary for a law enforcement function.
  - It is otherwise required or authorised by law.
- e. Domestic violence or child safety exceptions - For some services, information may be shared to assess or manage domestic violence risk, or to promote the wellbeing or safety of a child. This information may be shared without the customers consent if there is a serious threat to the customer's or another person's life, health, safety, or welfare. It may also be shared without consent if it is necessary to assess or manage domestic violence risk to a child, or to promote the wellbeing or safety of a

child. Ensure compliance with legal requirements under the Children and Young Persons (Care and Protection) Act 1998 and Crimes (Domestic and Personal Violence) Act 2007.

- f. Only within Australia – Health Voyage does not intend to disclose personal information to overseas recipients.

#### *6. Data Quality*

All Staff at Health Voyage take steps to ensure collected information is accurate, current, and complete. This includes maintaining and updating personal information when we are advised that personal information has changed, and at other times as necessary.

#### *7. Data Security*

- a. Robust Data Security Measures – Health Voyage uses methods including password protection, encryption, physical onsite server access, and physical access restrictions to safeguard personal information. Health Voyage takes all reasonable steps to manage data stored on our servers to ensure data security.
- b. Data Storage - All health records and personal information are securely stored in compliance with the Health Records and Information Privacy Act 2002 (NSW). Access to these records is restricted to authorised personnel on a need-to-know basis.
- c. Secure Disposal - Health records and personal data are retained for the legally mandated period as per the Health Records and Information Privacy Act 2002 (NSW). After this period, data is securely disposed of to ensure it cannot be retrieved or accessed.

#### *8. Access and Correction*

- a. Consumer Rights - Access to personal information is available on request, subject to proof of identity. Information relating to others or where the information would otherwise be exempt from disclosure by law is not to be given. Requests are made in writing wherever possible, requests are assessed by the Clinical Lead or Manager of the service. If we do not agree to provide access to personal information, the steps to take to seek a review or to appeal our decision (as applicable) are explained.
- b. Correction Requests - Requests for corrections are considered, if we do not agree to make the requested changes to personal information, a statement about the requested changes can be made and attached to the EMR.

#### *9. Training and Awareness*

All Staff receive induction in privacy practices and understand their obligations under the Health Voyage Code of Conduct relating to privacy and confidentiality and always ensure that the privacy of customer and staff personal information is protected.

#### *10. Complaints*

Concerns or complaints can be forwarded to [contact@healthvoyage.org.au](mailto:contact@healthvoyage.org.au) for investigation in line with QM05 Complaints, Compliments, Suggestions and Other Feedback Policy and associated procedure.

### *11. Privacy Breaches*

A privacy breach is unauthorised access or disclosure of Health Voyage staff, customer, or organisational information. A privacy breach may trigger reporting obligations under the Privacy Act 1988 (Cth). All privacy breaches are escalated to the CEO through QM Complaints, Compliments, Suggestions and Other Feedback Procedure.

### *12. Online Information Collection*

- a. Limited Data Collection - Information about online visitors is collected to understand generic patterns, ensuring privacy is respected, this is through Google Analytics.
- b. Third-Party Platforms - When third-party platforms are used, customers are encouraged to review their privacy policies. There are inherent risks in transmitting information across the internet and we do not have the ability to control the security of information collected and stored on third party platforms.
- c. Cookies - Most platforms use cookies for functionality, and users can opt out if they choose.

### *13. Leadership and Governance*

Our leadership and governance structures are committed to upholding the privacy rights of individuals and ensuring compliance with all relevant privacy legislation.

### *14. Review and Update*

This policy is subject to regular review to ensure its effectiveness and compliance with evolving privacy legislation and best practices.

## **5. Key Terms/Definitions**

**Consumer:** Health Voyage is committed to being a person-centred organisation. Our broad definition of consumer means we are inclusive of all people who interact or engage with us, either externally or internally. Our consumers may include clients, participants, patients, carers, the community, stakeholders, partners, staff, volunteers and members.

**Consent:** Refers to the agreement of the customer (or authorised representative) to a proposed action. Consent can be expressed or implied and must be current, specific, voluntary and the customer must have the capacity to understand what they are consenting to and its effects.

**All staff:** All employees (whether employed full-time, part-time, fixed term or on a casual basis) Board members, volunteers, students, contractors and sub-contractors performing work on behalf of Health Voyage.

**Health Information:** All information, (personal and health) collected to provide, or while providing, health services

**Implied Consent:** In situations where we have not yet or are unable to obtain express consent, consent to record and store information a customer has provided may be inferred.

**Informed Consent:** Ensures that consent is properly obtained, is legal, ethical and a professional requirement on the part of staff and supports person-centred care.

**Personal information:** means information or an opinion about an identified individual, or an individual who is reasonably identifiable whether the information or opinion is true or not; and whether the information or opinion is recorded in a material form or not.

**Sensitive Information:** Information or an opinion about an individual's race, ethnic origin, political opinion, beliefs or affiliations sexual preference or criminal record. It also includes health information.

## **6. Related Documents and Legislation**

- a) *Data Breach Response Procedure*
- b) *ICT02 Information Security Policy*
- c) *ICT03 Data Retention and Destruction Policy*
- d) *QM05 Complaints, Compliments, Suggestions and Other Feedback Policy*
- e) *Complaints, Compliments, Suggestions and Other Feedback Procedure*
- f) *My Health Record Act 2012 (Cth)*
- g) *Privacy Act 1988 (Cth)*
- h) *Health Records and Information Privacy Act 2002 (NSW)*
- i) *National Disability Insurance Scheme Act 2013*
- j) *Crimes (Domestic and Personal Violence) Act 2007 No 80*
- k) *Children and Young Persons (Care and Protection) Act 1998 (NSW)*

## **7. Review**

Health Voyage's Privacy Policy will be reviewed every three (3) years and updated as necessary to reflect changes in laws, regulations, and our organisation's needs and goals.

## **Authorisation**

*Board of Directors*

*24/10/2023*