

Policy Statement

Children by Choice complies with the Australian Privacy Principles contained in the *Privacy Act 1988* and this privacy policy will be freely and readily available to service users.

1. Collection and use of personnel and client information

- Children by Choice collect and hold personnel and client personal information to provide a quality counselling and information service to them. Personal information is information about an identified individual or a reasonably identifiable individual. Personal information collected by Children by Choice typically includes names, date of birth and contact details.
- The organisation will only collect personal information from personnel or clients that is necessary, and by lawful and fair means.
- The organisation will only use personnel and client personal information for the main purpose the organisation told the personnel or client it was needed for. Personnel and client information may also be collected so that Children by Choice can contact personnel or clients about their care or for administrative purposes in circumstances where personnel or a client would reasonably expect such use.
- Personnel and client information is also collected to assist Children by Choice to maintain a quality counselling service and to review statistical evidence of its work. The organisation will ensure that personnel and client information is de-identified for statistical evidence uses.
- Where reasonable and practicable, Children by Choice will only collect personal information about personnel and clients, from them directly. The information is collected when our personnel deal with clients in person or over the phone, when clients send correspondence (including email), when clients complete a form, when clients use Children by Choice's resources or when personnel are engaged with the organisation for the purposes of volunteering or working.
- In some circumstances, such as where the organisation relies on publicly available information to update the personnel or client's contact details, they may not be aware that the organisation has collected information about them. Children by Choice will take reasonable steps to let clients or personnel know that it holds their personal information, unless it is obvious from the circumstances that they know or would expect the organisation to have the publicly available information.

2. Data Quality

- Once Children by Choice has personal information about personnel or a client, it will take reasonable steps to keep it accurate, complete and up-to-date.

3. Anonymity

- Under privacy legislation, a client can choose to remain anonymous if it is lawful and practicable to do so, and Children by Choice will respect any client's request for anonymity.

4. Unsolicited Personal Information

- If a client tells a staff member information that the staff member did not ask for, the staff member will check if that information, if it is personal information, is necessary to provide the client's service.
 - If it is, this information is kept in the same way that it keeps other information about clients and in compliance with the Australian Privacy Principles;
 - If not, the information will be destroyed or de-identified.

5. Notification of Unsolicited Collections of Personal Information

- When Children by Choice receives personal information about a client from another person, provider or organisation, it undertakes to notify the client of the personal information collected and will allow the client the opportunity to access and/or amend this information.

6. Disclosure of Personal Information

Children by Choice does not disclose personal information of personnel or clients to other organisations unless:

- The personnel or client gives their consent for a disclosure or disclosures;
- It is required by law;
- It is necessary as part of their engagement with the organisation as an employee or volunteer;
- It is necessary to provide a client with a service they have requested; and/or
- It is necessary on health or public safety grounds.

7. Access and Correction

- If personnel or client asks, Children by Choice will tell them what personal information the organisation holds about them, and what Children by Choice does with it, subject to some limited exceptions permitted or required by law. Such requests must be made in writing to the manager of Children by Choice via email coord@childrenbychoice.org.au.
- Children by Choice will facilitate access to the personnel or client by allowing an inspection of their personal information in person, or by providing copies or a summary of relevant documents, depending on what is most appropriate in the circumstances, following receipt of the request. Any charge Children by Choice requests for providing access will be reasonable for covering administrative costs.
- If the personnel or client can show the organisation that the personal information is inaccurate, incomplete, not up-to-date, irrelevant or misleading, Children by Choice will take reasonable steps to correct it.
- Note that the organisation does not need to provide access to personal information in several types of situation, for example: where a request is frivolous; or where to provide access would pose a threat to health or public safety, unreasonably interfere with another person's privacy, or be a breach of the law. If Children by Choice refuses access, it will advise the client in writing of the reasons for doing so.

8. Security

- Children by Choice will take reasonable steps to protect personal information held by it from misuse and loss, and will destroy or permanently de-identify personal information it no longer needs. The security measures Children by Choice employs to protect personnel and client information include physical measures (only personnel with keys are allowed unsupervised access to the premises) and technological measures (access controls, including passwords for access to each computer and for individual programs/ services where personal information is stored, fire wall protection etc.).
- Children by Choice will report any breaches of privacy by its personnel to any funding body that requires this as part of their funded work.
- In the event personnel cease to be employed, volunteering or a client of this organisation, any personal information which Children by Choice holds about them will be maintained for such period as required to comply with legislative and professional requirements, following which time the information will be destroyed securely.
- Personal information will only be transferred outside of Australia in accordance with the Information Privacy Act 2009 Clause 33.

9. Questions and Complaints

If the personnel or client has any questions or complaints about how Children by Choice have handled their personal information:

- The personnel or client can discuss their concerns, if they feel comfortable, with the person providing their service;
- They may raise their concern with the manager of Children by Choice via email coord@childrenbychoice.org.au
- If the personnel or client lodges a formal complaint, Children by Choice will endeavour to respond to the complaint within a reasonable timeframe following the Complaints Policy
- If the personnel or client is still concerned after speaking to a Children by Choice representative, they can contact the Australian Information Commissioner <http://www.oaic.gov.au/privacy/making-a-privacy-complaint>