

Privacy Policy

1. Purpose

The purpose of this document is to provide a framework for the Disability Advocacy Network of Australia (DANA) in dealing with privacy considerations related to the collection, holding and administering of personal information.

DANA is sometimes provided with people's information via unsolicited means such as emails from individuals seeking assistance. Any information received in this way will be treated in accordance with this policy.

2. Legislative Context

DANA is bound by the *Commonwealth of Australia Privacy Act 1988*, which sets out a principles for the privacy of individuals including how DANA will collect, use, and/or disclose an individual's personal information or personal health information.

3. Definitions

Privacy is the legislated right of an individual to have some control over how their personal information is collected, used, and/or disclosed.

Personal information is any information that can be used to personally identify an individual such as name, address, telephone number, email address, profession or occupation or any other identifying details such as health information, geographical location, etc.

Confidentiality refers to the obligation of DANA as an organisation that collects information to keep the information it has been entrusted with secret. DANA has a separate Confidentiality Policy.

4. Policy

DANA's vision is of a nation that includes and values people with disabilities and respects human rights for all.

As part of work to realise this vision DANA collects and administers a range of personal information for the purposes of strengthening and supporting disability advocacy organisations across Australia.

DANA recognises its legal and ethical responsibilities and obligations to protect and maintain the privacy of individuals' personal information. DANA will ensure:

- the privacy of those providing their information is respected and protected; and
- that individuals and organisations cannot be identified in any disseminated material unless their consent has been given.

DANA also recognises the essential right of individuals to have their information administered in ways which they would reasonably expect – protected on one hand, and made accessible to them on the other. These privacy values are reflected in, and supported by, DANA's core values and philosophies.

The Board of DANA is committed to protecting the privacy of personal information which DANA collects, holds and administers.

DANA has adopted the following principles contained as minimum standards in relation to handling personal information:

A. Consent for the collection and usage of personal information

DANA will

- Seek the person's specific, free and informed consent for the collection and use of their personal information for DANA's primary functions or a directly related purpose, or for any other purpose.
- Where DANA identifies an issue in relation to securing specific, free and informed consent from an individual, DANA will explore options and avenues to ensure individuals can still raise issues important to them and/or participate in data collection processes. This may include but is not limited to the use of de-identified information.

B. Collection of personal information

DANA will:

- Collect only information which DANA requires for its primary function and collect that from the person themselves wherever possible;
- If collecting personal information from a third party, be able to advise the person whom the information concerns, from whom their personal information has been collected;
- Ensure that stakeholders are informed as to why DANA is collecting the information and how DANA will administer the information gathered;
- Collect sensitive information only with the person's consent or if required by law. (Sensitive information includes health information and information about religious beliefs, race, gender and others); and
- Collect sensitive information about an individual if such collection is necessary to prevent or lessen a serious and imminent threat to the life or health of any individual, where the individual whom the information concerns:
 - is physically or legally incapable of giving consent to the collection; or
 - physically cannot communicate consent to the collection.

C. Legally required disclosures of personal information

DANA may also be required to disclose personal information as part of investigations or in reporting its concerns to relevant persons or authorities, that an unlawful activity has been, is being or may be engaged in.

DANA may also be required to disclose personal information for:

- the prevention, detection, investigation or remedying of seriously improper conduct or prescribed conduct;
- the preparation for, or conduct of, proceedings before any court or tribunal, or implementation of the orders of a court or tribunal.

In the event it is necessary to make these types of disclosures DANA will take appropriate steps to ensure the person, whose information is being disclosed is informed that this is the case.

D. Storage and Destruction of personal information

DANA will

- Store personal information securely, protecting it from unauthorised access by use of various methods including locked storage of paper records and password protected computerised records; and
- Destroy personal information once is not required to be kept for the purpose for which it was collected, including from decommissioned laptops and mobile phones;

E. Provision of access to people to their personal information

DANA will

- Provide people with access to their own information, and the right to seek its correction; and
- Correct the held information as soon as possible.

5. Privacy Policy Complaints Process

DANA will ensure there is an easy process for people to complaining about a breach of privacy.

If a person believes their privacy has been breached, they can contact the DANA CEO to raise their concerns. All complaints and queries will be treated confidentially.

DANA may ask the person to detail their concern in writing. If the person is unable to detail their concern in writing DANA will ensure the person has the assistance of an independent advocate to support them to detail their concerns.

DANA will investigate and respond to any complaints about breaches of privacy in a timely and respectful manner, including advising of the outcomes of the investigation and any changes to policies or practices.

DANA will also advise people as to their options for seeking an independent investigation of their complaint or a further independent investigation in the event they are not satisfied with DANA's response.

DANA will include this Privacy Policy on its website.

DANA will update its Privacy Policy and updated versions of the policy will be posted to the DANA website.

6. Compliance with this policy

DANA will ensure all board members and staff are aware of this policy and its requirements.

DANA will provide a copy of this policy to all new staff and/or Board members and will ensure they receive the necessary induction, training or support to ensure compliance with this policy.

7. Related Policies

- Complaints Handling Policy
- Confidentiality Policy
- Conflict of Interest Policy
- Records Management Policy

8. Contacts

For questions about this policy, contact:

DANA Board Chair: chair@dana.org.au

or

DANA CEO: 0439 399 755 email: ceo@dana.org.au

9. Authorisation

Version	1.2022
Approved by Board on	January 2022
Scheduled review date	January 2024
Relevant Legislation (as amended at Board approval date)	Commonwealth of Australia <i>Privacy Act 1988</i>