

# Customer Information Privacy Policy



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Responsible officer: Privacy Officer

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Supersedes notification: Supersedes: Privacy Policy

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## Purpose

This statement describes the personal information handling practices of EACH and gives customers an understanding of the type of personal information that EACH manages.

## References

- Health Records Act 2001(Vic)
- Health Services Act 1988(Vic)
- Privacy and Data Protection Act 2014 (Vic)
- Health Records and Information Privacy Act 2002 (NSW)
- Information Privacy Act 2009 (Qld)
- Health Records (Privacy and Access) Act 1997 (ACT)
- Personal Information Protection Act 2004 (Tas)
- Privacy Act 1988 and the Australian Privacy Principles
- Family Violence Protection Act 2008 (Vic)
- The Children Legislation Amendment (Information Sharing) Act 2018 (Vic)

## Definitions

**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.

**Customer:** EACH is committed to being a customer centric organisation. Our broad definition of customer means we are inclusive of all people who interact or engage with us, either externally or internally. Our customers include consumers, clients, participants, patients, carers, the community, stakeholders, partners, staff, volunteers and members.

**EACH Personnel:** 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 EACH.

## Introduction

EACH is committed to protecting individuals' rights to privacy. EACH complies with federal and state legislation relating to confidentiality and privacy as they apply in each jurisdiction. All personnel within EACH maintain the highest standards of professional practice and codes of conduct regarding the confidentiality of personal information.

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EACH personnel receive training and understand their obligations under the laws and ethical codes of professional conduct relating to privacy and confidentiality and always ensure that the privacy of client information is protected.

## Consent

When we collect your personal information, our personnel will discuss the content of this policy with you and request your consent to the collection. If you do not consent to collection of your personal information, the level or type of service that we can offer to you is limited. Most of our services require collection of relevant personal information as this enables us to provide you with the most appropriate care, support and/or treatment.

## Anonymous

It is the right of an individual not to identify him or herself when accessing services from EACH. If you choose not to disclose your identity, the level or type of service that we can offer is limited and each time you access any of our services you will be asked for information which you have previously given. Most of our services require collection of your personal information as this enables us to provide you with the most appropriate care, support and/or treatment.

## Collection

Information is collected in a respectful, lawful and non-intrusive way. Wherever possible, information is collected directly from you rather than from a third party. We will advise you if we have collected information about you from a third party.

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.

We also collect personal information related to our members, our volunteers and employees and others who participate in the functions and operations of EACH.

## Use and Disclosure

We only use your personal information for the purpose for which it was given to us, or for purposes that are directly related to one of our functions or activities relevant to you. Personnel who are involved with your care, support and treatment will access your personal information. Information that is essential for your continuing care and EACH's management,

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funding and quality assurance may be accessed by other appropriate personnel within EACH. For example, some administrative staff may have access to personal information in the course of their duties. The extent of this access is limited to information that is relevant for them to perform their official duties.

We do not disclose personal information to other organisations or anyone else unless:

- You have consented to the disclosure;
- You would reasonably expect, or have been told, that information of that kind is usually passed to those individuals, bodies or agencies;
- It is otherwise required or authorised by law;
- It will prevent or lessen a serious threat to somebody's life or health;
- It is reasonably necessary for a law enforcement function.

Some information 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 that will help us to provide better overall healthcare for the community. As this information is not personally identifiable, specific consent to this is not required.

For some services, information may be shared to assess or manage family violence risk, or to promote the wellbeing or safety of a child. This information may be shared without your consent if there is a serious threat to your or another person's life, health, safety or welfare. It may also be shared without your consent if it is necessary to assess or manage family violence risk to a child, or to promote the wellbeing or safety of a child.

Some of our funding agreements with government require transfer of personal files and information back to the funding body at the conclusion of the contract.

EACH is a national organisation. Personal information may be transmitted to organisations outside your home state. This will only be done where you have given explicit consent, or where the recipient organisation is subject to similar, binding privacy obligations and it is reasonably believed that you would give consent and it is impracticable for you to do so.

We do not intend to disclose your personal information to overseas recipients.

Organisations that we regularly disclose information to include:

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- The Department of Health and Human Services (Vic) is an organisation to which we may be required to disclose personal information and return files, for example at the conclusion of funding contracts.
- The National Disability Insurance Agency (NDIA). The National Disability Insurance Scheme Act 2013 s55(1) gives the NDIA the power to require production of information that is, among other matters, relevant to the functions of the NDIA.
- Those organisations included in the Family Violence Information Sharing Scheme (Family Violence Protection Act 2008 (Vic)) and Child Information Sharing Scheme (The Children Legislation Amendment (Information Sharing) Act 2018 (Vic)).

## Data Quality

We take steps to ensure that the personal information we collect is accurate, up to date and complete. This includes maintaining and updating personal information when you advise us that your personal information has changed, and at other times as necessary.

## Data Security

We take reasonable steps to protect the personal information we hold against loss, unauthorised access, use, modification or disclosure and against other misuse. These steps may include password protection and encryption of digital information, and securing paper files with physical access restrictions.

Access to personal information held on computer systems is controlled and monitored. Only personnel required by their duties to have access to client records and information systems are authorised to access such information.

When no longer required, personal information is destroyed in a secure manner in accordance with the law and the requirements of our funding agreements.

## Access and Correction

Access to your personal information is available to you on request. However, information relating to others or where the information would otherwise be exempt from disclosure by law will not be given. Proof of identity must be presented to us before personal information will be released. A fee may be charged for this service.

Requests should be in writing and addressed to the Privacy Officer.

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If we do not agree to provide access to personal information, we will advise you of the steps to take to seek a review of, or to appeal our decision (as applicable).

Whilst EACH is not a government agency, because we provide services under contract with government, we do receive requests for personal information under *Freedom of Information* legislation. This would occur when an individual receiving services at EACH has made a request for access to their personal information directly with the government agency responsible for administering and funding that service. EACH is contractually obliged to comply with these requests.

You can take steps to request a correction of your personal information held by us. Requests should be in writing and must provide evidence to support the requested changes. If we do not agree to make the requested changes to personal information, you may make a statement about the requested changes and we will attach this to our file.

## How to contact us

Contact us to obtain further information regarding this privacy policy or to provide any comments.

Telephone 1300 00 EACH (1300 00 3224)  
Email [privacyofficer@each.com.au](mailto:privacyofficer@each.com.au)  
Post 20 Melbourne St. Ringwood. 3134

If you have concerns about the way we handle your personal information, or you would like to make a complaint relating to privacy matters, please use the above contact details. Your concerns will be referred to the EACH Consumer Liaison Officer who will conduct an investigation into the matter if this is required.

Privacy complaints:

- Will be treated seriously,
- Will be dealt with properly,
- Will be dealt with in a confidential manner, and
- Will not affect the standard of services that you receive from us.

## Information collected online by EACH.

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## Collection

It is our usual practice to collect information about all visitors to our online resources. That information is very limited and only used to identify generic visitor behavioural patterns. Sometimes we use third party platforms to deliver information. These are sites hosted and managed by organisations other than ourselves. Before deciding if you want to contribute to any third party site you should read their privacy policy.

There are several methods and packages that we use to collect visitor behaviours on each of our online platforms. We use Google Analytics on our websites. Information and data collected through Google Analytics is stored by Google on servers in the United States of America, Belgium and Finland. You can opt out of the collection of information via Google Analytics by downloading the Google Analytics Opt-out browser add on.

When you visit any of our online resources, our metric tools may collect the following information about your visit for statistical purposes:

- server address
- top level domain name (for example .com, .gov, .au, .uk etc.)
- the date and time of your visit to the site
- the pages you accessed and documents downloaded during your visit
- the previous site you visited
- if you've visited our site before
- the type of browser used.

We record this data to maintain our server and improve our services. We do not use this information to identify anyone personally.

## Cookies

Most of our online platforms use sessions and cookies. The core functionality on these platforms will be largely unaffected if you disable cookies in your browser but you may be unable to access some advanced functions.

## Use and disclosure

We do not give personal information collected online to other agencies, organisations or anyone else without consent unless the individual would reasonably expect, or has been told, that information of that kind is usually passed to those agencies, organisations or individuals, or the disclosure is otherwise required or authorised by law.

## Data quality

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We will correct any personal information that we hold about you on request.

If you are on one of our automated email lists, you may opt out of further contact from us by clicking the 'unsubscribe' link at the bottom of the email.

## **Data security**

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. In relation to our own servers, we take all reasonable steps to manage data stored on our servers to ensure data security.

## **Access and correction**

For information about how to access or correct personal information collected on our website see 'Access and correction' (above) in this document.

## **Related Policies/Documents**

*Information Security*

## **Implementation Procedures**

*Collection and use of personal and sensitive information*

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