

PRP 001 – Privacy

Version	Date	Approved	Review
Final	2 June 2008	A/Executive Officer	Subject to legislative change
1.1	18 Nov 2008	A/Chief Executive Officer	Subject to legislative change
1.2	17 July 2015	Chief Executive Officer	Subject to legislative change

Purpose

This Privacy Policy of NSW Consumer Advisory Group – Mental Health Inc. trading as Being (thereafter referred to as BEING) outlines what personal and sensitive information is collected, what happens to the information collected, how it is used, how it is stored and how it can be changed or altered if it is incorrect or out of date.

Scope

This policy applies to the whole of BEING: the Board, staff, volunteers and contractors.

Legal Framework

BEING is bound by the Commonwealth *Privacy Act 1988* and *Private Sector Amendment Act (2000)*. This Act sets out individual rights and BEING's responsibilities relating to any personal and sensitive information we hold about consumers and stakeholders. The National Privacy Principles (NPPs) set out ten principles that must be followed when handling someone's personal and sensitive information.

PRP 001.1 Privacy

- a) When BEING represents views and opinions of a consumer, it is done with the express consent from that consumer to be named as someone with a lived experience of mental illness.

- b) Consumers have the right to have their view represented by BEING anonymously. BEING will indicate this request for anonymity in some form e.g. note on file, or data field in an electronic database.
- c) Except where required by the constitution, BEING does not share personal or sensitive information that may be stored on any database with any third party or organisation.
- d) The constitution provides that all members of BEING are able to access the database of BEING's membership. This database will contain only names, together with the date on which membership commenced, and the date of Cessation. All other information will be kept confidential and not shared with any third party or organisation.
- d) BEING may be approached for consumer opinions by external parties. BEING will in all cases contact consumers ourselves on the third party's behalf and pass on appropriate referral information back to that third party with the consumer's permission.

PRP 001.2 National Privacy Principles

1. Sensitive Information (NPP 10) – Consumers and other stakeholders

Under the NPPs, health information is considered “sensitive” information and any organisation that collects or holds “sensitive” information about their consumers, stakeholders, clients or members, must abide by the NPPs. As a representative organisation for consumers of Mental Health services, BEING does hold sensitive information and is committed to ensuring the safety, confidentiality and protection of that information.

2. Collection (NPP 1)

- a) BEING collects only the information necessary to provide consumers with the highest standard of service. This includes name, address, phone number, email address, organisational membership and consumer disclosures.
- b) Where BEING has obtained information about consumers indirectly, i.e. a third party organisation, BEING will take all reasonable steps to inform people that it holds such information.

3. Use and Disclosure (NPP 2)

- a) BEING only uses or discloses personal information for the purpose for which it was collected.

- b) Personal Information about consumers will only be used or disclosed by BEING in ways which have been made explicit and about which consumers have given express consent.
- c) BEING is bound to disclose personal or sensitive information about consumers as required by law.

4. Data Quality (NPP 3)

- a) BEING will take all reasonable steps to ensure that personal information collected, used or disclosed about consumers and other stakeholders is as accurate and as current as possible.

5. Data Security (NPP 4)

- a) BEING ensures that all personal information is kept securely. BEING takes reasonable steps to protect personal information of consumers from misuse, loss, unauthorised or unnecessary access, alteration or disclosure.

6. Openness (NPP 5)

- a) BEING's Privacy Policy is available to anyone who requests it and can be obtained from our website on www.being.org.au, or by calling 02 9332 0200.
- b) BEING has a Complaints policy for anyone who believes their information is not being handled properly or in accordance with this Privacy policy. A copy of BEING's complaints procedure may also be obtained through the website at www.being.org.au or by calling on 02 9332 0200.

7. Access and Correction (NPP 6)

- a) Access to consumer information can only be done by staff in the performance of their duties or specifically at the request of the consumer to whom the information relates subject to 7 b) below.
- b) BEING will provide access to personal information it holds about you upon request. In some circumstances, BEING may not be able to comply, where it means someone else's privacy may be breached.
- c) Upon request, BEING will correct any out-of-date or inaccurate information. BEING will do this either over the phone, face-to-face or by other means of communication.

8. Identifiers (NPP 7)

- a) BEING does not use identifiers or reference numbers assigned by other organisations or government departments or services.
- b) BEING may assign identifiers or references to personal information records such as database numbers for newsletter mail outs.

9. Anonymity (NPP 8)

BEING will provide the option of consumers interacting with BEING anonymously, wherever it is practicable.

10. Trans-border Data Flows (NPP 9)

BEING will only send personal information to a third party in a foreign country with prior consent from the person the information relates to or if the information has protection substantially similar to the National Privacy Principles outlined in the *Act*.

Contact details

For any questions about BEING's Privacy Policy contact our office by telephone 02 9332 0200, or e-mail info@being.org.au

Copies of BEING's Privacy Policy may be down-loaded from BEING's website <http://www.being.org.au>

The Office of the Federal Privacy Commissioner's web-site contains detailed information on privacy obligations including a copy of the Privacy Act <http://www.privacy.gov.au>.

Associated Policies

- Complaints – GRP 001
- Client and Stakeholder Management – CSMP 001