

## PRIVACY AND CONFIDENTIALITY POLICY AND PROCEDURE

### Purpose

The purpose of this policy and procedure is to provide guidelines for the collection, use, and disclosure of personal and sensitive information in compliance with the Australian Privacy Principles (APPs) outlined in the Privacy Act 1988 (Cth) and other relevant legislation.

### Policy Statement:

Down Syndrome NSW (DS NSW) is committed to protecting the privacy and confidentiality of all personal and sensitive information collected, used, and disclosed during our operations. DS NSW recognizes that the privacy of our clients, members, volunteers, employees, and donors is essential to building and maintaining trust and confidence in our organization.

This policy and procedure apply to all personal and sensitive information collected, used, and disclosed by DS NSW, including but not limited to, client records, employee records, donor records, and volunteer records.

### Applicability:

All DS NSW Workers, Volunteers, Board Members and Participants.

### Roles and Responsibilities:

Board	Promote best practice, continuous improvement and a service delivery culture that promotes and supports privacy and confidentiality
CEO	Oversee the implementation of this policy and procedure. Ensure compliance of this policy and procedure. Manage non-compliance of this policy and procedure.
Management	Ensure compliance of this policy and procedure. Report non-compliance to the CEO.
Workers	Comply with this policy and procedure.
Participants	Comply with this policy and procedure.
Volunteers	Comply with this policy and procedure.

## **Procedure**

The procedure for privacy and confidentiality at DS NSW includes collecting personal and sensitive information only when necessary, using and disclosing such information only for the purpose for which it was collected or as authorized by law, and regularly reviewing and updating the policy and procedure:

### **1. Collection of Personal and Sensitive Information:**

DS NSW will only collect personal and sensitive information that is necessary for our functions and activities. We will inform individuals about the purpose of the information being collected and seek their consent, unless otherwise authorized or required by law.

### **2. Use and Disclosure of Personal and Sensitive Information:**

DS NSW will only use personal and sensitive information for the purposes for which it was collected, unless authorized or required by law or with the consent of the individual concerned. We will take reasonable steps to ensure that the information is protected from misuse, unauthorized access, modification, or disclosure. We will not disclose personal and sensitive information to third parties unless authorized or required by law or with the consent of the individual concerned.

### **3. Access to and Correction of Personal Information:**

DS NSW will provide individuals with access to their personal information upon request, except where the APPs permit or require us to refuse access. We will take reasonable steps to ensure that the personal information we hold is accurate, up-to-date, complete, relevant, and not misleading. If an individual believes that their personal information is incorrect, incomplete, or not up-to-date, they may request that we correct the information.

### **4. Complaints and Enquiries:**

Any complaints or enquiries regarding privacy and confidentiality should be directed to the designated Privacy Officer at DS NSW. The Privacy Officer will promptly investigate any complaints and take appropriate action to address the concerns raised. DS NSW will maintain records of complaints and their resolutions.

### **5. Breaches of Privacy:**

If DS NSW becomes aware of a breach of privacy, we will take immediate action to contain the breach, investigate the circumstances surrounding the breach, and notify affected individuals and the Privacy Commissioner, where required by law. DS NSW will review the circumstances surrounding the breach and take appropriate action to prevent similar breaches from occurring in the future.

### **6. Review and Update:**

DS NSW will regularly review and update this policy and procedure to ensure that it remains current, relevant, and effective. Any updates will be communicated to DS NSW employees, volunteers, and contractors, as appropriate.

## Associated Documents

- Code of Conduct
- Risk Management Policy and Procedure
- Client Protection Policy and Procedure
- Privacy, Dignity and Confidentiality Policy and Procedure
- Records and Information Management Policy and Procedure

## Definitions:

Term	Definition
Privacy	Information that is protected under law (normally under the Privacy Act 1988 (Cth))
Confidentiality	Different information contained in valid contracts and agreements.
Complaints	A statement that something is unsatisfactory or unacceptable.
Enquiries	An act of asking for information.
Disclosure	The action of making new or secret information known.

## Document Control

This policy will be reviewed every 3 years

Version	Date Commenced	Policy Owner	Change Description	Review Date	Policy Approver
V1.0	June 2023	COO	New Policy	June 2026	COO