



Policy Name:	Privacy Policy	Policy Number:	EL0-022
Date Approved:	21 st February, 2018	Approved By:	Management Committee
Date Issued:	22 nd February, 2018	Review Date:	21 st February, 2021

1. Aim

Early Links is committed to protecting personal information in accordance with our obligations under the Privacy Act 1988 and Privacy Amendment (Enhancing Privacy Protection) Act 2012.

The purpose of this document is to outline how Early Links will comply with these legislative requirements.

The supporting systems and procedures will ensure that there are some guidelines and consistency on the following:

- What kind of personal and sensitive information that Early Links collects and holds.
- How Early Links will collect and hold personal and sensitive information.
- The purposes for which Early Links collects, holds, uses and discloses personal and sensitive information.
- How people can access their personal and sensitive information held by Early Links and seek the correction of such information.
- How people can make a complaint about the way Early Links collects, holds, uses or discloses personal and sensitive information, and how Early Links will deal with Privacy related complaints.
- Whether Early Links is likely to disclose personal or sensitive information to overseas recipients, and where those recipients might be located.

2. Scope

This policy applies to all Early Links stakeholders, including children, families/carers and all workers for Early Links (employees, volunteers, students, contractors, and third parties/partners), community members, donors and sponsors.

3. Policy

Early Links Privacy Policy ensures that we manage personal information (including sensitive information) in an open and transparent way (Australian Privacy Principle 1).

3.1. What is Personal Information

Personal information will only be collected if it is reasonably necessary for Early Links service activities and functions (Australian Privacy Principle 3). Examples of personal information

Early Links would collect includes a person's name, address, a photograph, details of education qualifications or an email address. We will collect relevant information depending on your relationship with Early Links:

3.1.1. Employee Records – personal information in relation to the employment of an individual. This may include any of the following information:

- Recruitment, training, disciplining or resignation
- Termination of employment
- Terms and conditions of employment
- Personal and emergency contact details
- Performance or conduct documents
- Hours of employment
- Detail of salary or wages
- Membership of a professional or trade association
- Trade union membership details
- Leave records – annual, long service, personal/carers, parental or other leave;
- Taxation, banking or superannuation details
- Working with children check
- Criminal Record Check.

3.1.2. Client Files – personal information collected from children and their families to assist us in providing safe, relevant and effective advice and support in relation to early intervention strategies for children living with a disability.

3.1.3. Donor/Sponsor details – personal information collected from community members, workers and/or clients who provide financial or in-kind support to the work of Early Links.

3.2. What is Sensitive Information

Sensitive information can only be collected with the individual's consent, and where it is reasonably necessary for Early Links service activities and functions (Australian Privacy Principle 3).

Sensitive information may include any of the following information or opinion about an individual:

- racial or ethnic origin
- political opinions
- membership of a political association
- religious beliefs or affiliations
- philosophical beliefs
- membership of a professional or trade association
- membership of a trade union
- sexual orientation or practices
- criminal record

- health information about an individual.

3.3. Collection of personal information

Where possible, Early Links will collect personal information directly from the individual it relates to (or their legal guardian). In some instances, Early Links may need to obtain personal information from third parties, like in the instance of the employment of an individual, where Early Links may obtain work history information from a referee. Where reasonable, Early Links will notify the individual that this personal information has been collected. Early Links will only collect personal information by lawful means (Australian Privacy Principle 3).

3.4. Unsolicited personal information

Should Early Links receive personal information that they did not request and determine that they could not have obtained this information using the lawful means identified in section 3.3. Early Links will destroy this information (Australian Privacy Principle 4).

3.5. Use and disclosure

3.5.1. Personal information which is collected for the primary purpose of Early Links service delivery, activities and functions will not be disclosed for secondary purposes unless the individual consents to the disclosure of the information or; the secondary purpose is directly related to the primary purpose or; the disclosure of information is required under Australian law (Australian Privacy Principle 6).

3.5.2. Early Links will not disclose personal information, including sensitive information, for the purpose of direct marketing or fundraising without the consent of the individual (Australian Privacy Principle 7).

3.5.3. Early Links will not disclose personal information to an overseas recipient unless required by Australian law (Australian Privacy Principle 8).

3.5.4. Early Links will not adopt a government related identifier (such as a Medicare number) as a unique identifier, nor will we disclose any identifiers we store (Australian Privacy Principle 9).

3.6. Data Quality and Correction

3.6.1. Early Links will take reasonable steps to ensure the all personal information collected from stakeholders is accurate, complete and up to date. Parents/carers will be required to up-date their details annually, or whenever they experience a change in circumstances. Computer records will be updated as soon as new information is provided. In the event that Early Links discloses personal information we will reasonably ensure it is accurate and relevant as per our commitment to data quality (Australian Privacy Principle 10).

3.6.2. Similarly, should Early Links believe that personal information stored is out of date, or an individual requests to update personal information, they will take reasonable steps to correct the information and will update computer records (Australian Privacy Principle 13).

3.7. Data Security

Early Links is committed to securely storing the personal information we collect and will take all reasonable steps to prevent the unauthorised access, misuse, loss or disclosure of such information. In the event that Early Links no longer needs, or is no longer required under Australian law to store personal information, we will de-identify and/ or destroy the information (Australian Privacy Principle 11).

If the personal information of a person supported by Early Links or their parent/carer were to be lost, damaged or the security of their personal information were to be compromised, Early Links would notify the parent/carer within 48hrs of becoming aware of this situation. Early Links would also notify the Privacy Commissioner and any other and external agencies required and take all reasonable steps to minimise the impact of the data breach and remediate the situation. If personal or sensitive information is used for the purpose of evaluation, case studies or research, including in Assessment tasks completed by Student Placements, we will ensure that any documents provided are de-identified.

3.8. Access and Correction

Where reasonable, Early Links will allow individuals access to their personal information in a prompt and convenient manner. Parents/carers wishing to access their personal information must make written application to the Service Manager, who will arrange an appropriate time for this to occur. The Service Manager will protect the security of the information by checking the identity of the applicant, and ensuring someone is with them while they access the information to ensure the information is not changed or removed without the Service Manager's knowledge.

In the event that Early Links believes that access to personal information: poses a risk to health and safety; unreasonably impacts the privacy of others; or relates to anticipated legal proceedings between Early Links and the individual, Early Links may reasonably refuse access and will outline the decision in writing.

3.9. Anonymity and pseudonymity

Individuals have the right to not identify themselves in relation to a particular matter, unless it is impractical to do so, or where it is required by law or court/tribunal order (Australian Privacy Principle 2).

3.10 Complaints

All hard copy documents are uncontrolled.		
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This policy is available to all stakeholders in an appropriate form and/or as requested by an individual. There is no fee to view this policy. The Privacy Policy is available on the Early Links website (in development), a printed copy is available at the Early Links Offices, and a copy can be emailed or posted upon request.

The Service Manager will deal with privacy complaints promptly and in a consistent manner, following the Early Links Complaints and Feedback procedures. Where the aggrieved person is dissatisfied after going through the complaints process, they should refer to the Office of the Australian Information Commission website www.oaic.gov.au and submit a Privacy Complaint Form. Alternatively they should phone the hotline on 1300 363 992.

3.11. Advocacy/legal advice/independent support

Early Links welcomes the inclusion of support for families which is external to the organisation, to assist families in their interactions with Early Links. Assistance may be provided by a friend, family member, staff member, translator, community visitor, advocate or anyone else who is acceptable to the family / person. Where necessary, Early Links will offer assistance to a family by making a referral to an advocacy service with the consent of the family.

4. References

Disability Service Standards

Standard 1 – Rights	
Practice Requirement 1	Each person is aware of their rights and can expect to have them respected
Practice Requirement 2	Service providers are to uphold and promote the legal and human rights of each person
Standard 6 - Service Management	
Practice Requirement 1	Each person receives quality services which are effectively and efficiently governed
Practice Requirement 2	Each person receives quality services that are well managed and delivered by skilled staff with the right values, attitudes, goals and experience

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QA4	4.2.1	Professional standards guide practice, interactions and relationships.
	4.2.3	Interactions convey mutual respect, equity and recognition of each other's strengths and skills
QA5	5.2.3	The dignity and the rights of every child are maintained at all times
QA6	6.1	Respectful supportive relationships are developed and maintained

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QA7	7.1.1	Appropriate governance arrangements are in place to manage the service
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National Regulations

Regs	181	Confidentiality of records kept by approved provider
	181-184	Confidentiality and storage of records

National Quality Standard
 Education and Care Services National Regulation
 Privacy Act 1988
 Australian Privacy Principles
 Privacy Amendment (Enhancing Privacy Protection) Act 2012
 United Nations Convention of the Rights of a Child
 Freedom of Information Act 1989
 Child Protection Act 1998
 NSW Children and Young Person's (Care and Protection) Act (1998)
 Children Legislation Amendment (Wood Inquiry Recommendations) Act (2009)
 NSW Disability Service Standard 1

5. Persons Responsible

All employees are responsible for:

- Implementing this policy.
- Recording documentation in an accurate and strengths based way.
- Maintaining Privacy and Confidentiality responsibilities as outlined in their employment contract.
- Ensuring that changes to enrolment and other relevant information about children/ and parent/carers is updated in the service records.

Service Manager is responsible for:

- Responding to requests from parents/carers and workers to see information held about themselves.
- Organising for Confidentiality Forms to be signed by volunteers/students.

Management Committee is responsible for:

- Approval of this policy.

6. Definitions

APP entities – refers to the organisations and Australian Government agencies that these principles apply to, including Early Links.

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Management Committee– the governing body of Early Links, comprised of elected or appointed members who jointly oversee the activities and legal responsibilities of the organisation.

Family – refers to the parents/caregivers of the children that receive support from Early Links.

Early Links – all Early Links Incorporated services and programs.

Manager – refers to the Service Manager.

Staff – refers to employees and volunteers of the organisation.

Service Manager – person responsible for supervising all staff members.

Visitor – any person who is visiting An Early Links service who is not a staff member, client or family.

Worker – anyone who is carrying out work, in any capacity, for Early Links. This includes employees, contractors/subcontractors and their employees, labour hire employees engaged to work in the organisation, outworkers, apprentices, trainees, students on work experience and volunteers.

This document must be read in conjunction with the Policies and Procedures that it supports

Commencement With Service Policy	ELP-016
Family Law and Access Policy	ELP-018
Record Keeping and Retention Policy	ELP-019
Child Protection Policy	ELO-002
Social Networking Usage Policy	ELO-016
Medical Conditions Policy	ELP-008
HIV / AIDS Policy	ELO-019
Ethics Policy (Committee)	ELG-027
Confidentiality Policy	ELO-044
Providing Client advocacy & support Policy	ELO-045
Staff Grievance	ELO-040
Social Networking Usage Policy	ELO-028
Conflict of Interest Ethics Policy Staff	ELP-036