



**Council  
to Homeless  
Persons**

# Organisational policy

## Privacy

[chp.org.au](http://chp.org.au)



## 3.15 Privacy

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### Policy statement

CHP collects and administers a range of personal information for the purposes of employing staff, selecting volunteers, recording membership information and delivering services. The organisation is committed to protecting the privacy of personal information it collects, holds and administers.

CHP 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.

CHP is bound by the thirteen [Australian Privacy Principles](#) (APPs) from Schedule 1 of the [Privacy Amendment \(Enhancing Privacy Protection\) Act 2012](#).

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

- collect only information that is required for its primary functions
- ensure that stakeholders are informed as to why we collect the information and how we administer the information gathered
- use and disclose personal information only for our primary functions or a directly related purpose, or for another purpose with the person's consent
- store personal information securely, protecting it from unauthorised access
- provide stakeholders with access to their own information, and the right to seek its correction.

# Application

## Application of the APPs at CHP

Under APP 1 there is a list of prescribed matters that must be specifically addressed in an organisation's privacy policy. The headings numbered one to seven below address this mandatory information.

### 1. The kinds of personal information CHP collects and holds

CHP collects and holds six distinct categories of personal information:

1. Information about people who contact the Homelessness Advocacy Service (HAS) for assistance. The information collected can include things such as: demographic information (e.g. date of birth, country of birth, language), contact details (e.g. phone number, email address), information that supports service evaluation, responses to surveys, referrals and case notes
2. Very basic information about individual members and people representing member organisations such as phone numbers and email address
3. Information about prospective employees and volunteers such as can be found in resumes and correspondence or collected as part of the interview process.
4. Unsolicited personal information collected in the course of undertaking surveys (note: surveys are done via secure online survey tools e.g. Survey Monkey). Any unsolicited information collected that is not reasonably necessary for, or directly related to, one or more of CHP's primary functions or activities will be destroyed or de-identified.
5. Information about people CHP engage to undertake to do media activities (e.g. interviews). The information collected can include: demographic information, contact details and personal history related to their homelessness and housing experience.

### 2. How CHP collects and holds personal information

HAS:

Personal information collected for HAS is collected by a HAS advocate. Information is usually collected over the phone however can also be collected during office visits or via email or written correspondence. People contacting HAS for assistance have the right to remain anonymous or to use an alias and are under no obligation to disclose any information they don't want to disclose.

HAS client information is entered and stored on a secure online client management system, the Service Record System (SRS). SRS is a web-based system hosted by Infoxchange Australia that offers a secure

web link for every session while it is being used by CHP. All SRS infrastructure hosted by Infoxchange is maintained in a secure environment which meets or exceeds the Australian Government Protective Security Protocols. SRS is not hosted in a public 'cloud' environment such as those provided by Microsoft, Google or Amazon and information is stored in Australia not overseas.

Information is stored, audited and backed-up in a controlled and centralised manner by Infoxchange and is not stored on CHP's network.

SRS makes sure all client data remains secure and confidential by using:

- password protection
- strict access restrictions
- comprehensive backup and disaster recovery facilities
- a time-out system if access is inactive for a period of time
- 24-hour security to protect servers as well as electronic surveillance, photo IDs to authorise entry, and battery and generator backup to mains power.

CHP managers can also run an audit to see who has accessed client records and when they have been accessed.

Other CHP activity:

#### *Recruitment*

Personal Information relating to the recruitment of employees and volunteers is collected through resumes sent to CHP (i.e. mail, email or hand delivered) and general recruitment processes (eg phone calls, interviews, referee checks). This information is securely stored in locked HR filing cabinet and on the secure CHP server.

#### *Members*

Some very basic information such as phone numbers and email addresses about individual members (note there are fewer than 10 individual members) and people representing member organisations. This information is collected by the Office Manager via application forms and over the phone and stored on the secure CHP network.

#### *Online Surveys*

Any personal information collected through surveys is done via secure online survey tools (at time of writing Survey Monkey is used). Such information is stored on the online tool but can only be accessed by CHP and requires a password. Data is exported as required to CHP's secure network.

### *Media*

Information collected about someone agreeing to participate in an external media activity (eg interview, story) is collected by the Media and Communications Officer. In some circumstances the individuals are from CHP's PESP team and in these instances information is accessed after liaising with the Team Leader of PESP. In rare circumstances the person might be identified by an external service, and in this instance the information is only collected after discussion with the relevant worker and consent from the person agreeing to do the media engagement.

Information collected about someone agreeing to participate in an internal media activity (eg video) is collected by a member of the Policy and Communications program, often in collaboration with a member of Consumer Programs. For video and audio recordings a release form has to be signed by the person being interviewed granting CHP the right to make an audio and/or visual recording of the interview.

Information can be collected over the phone, during office visits or via email or written correspondence.

## **3. The purposes for which CHP collects, holds, uses and discloses personal information**

CHP will only collect, hold and uses and disclose personal information if it is necessary for one or more of the organisation's primary functions.

HAS:

The collection of personal information (eg case notes) by HAS is a requirement of the Department of Human Services (the funding body) and is a necessary element of meeting service quality standards CHP is reviewed and accredited against. Any personal information collected, held, used or disclosed by HAS is done so to support the delivery of the service the program is funded to provide.

The collection of personal information also supports internal CHP quality improvement processes and de-identified data assists us to improve the homelessness system more broadly (for example by analysing what people complain about). On this final point any data that is reported externally (for example to funding bodies) is aggregated and de-identified.

HAS only collects personal information that a client contacting the service for assistance would reasonably expect to be collected in order to best assist them. The same is true in terms of using or disclosing personal information in the course of delivering a service. For example a client who contacted HAS because they needed advocacy support for new accommodation due to health issues might reasonably expect us to collect information about their health and disclose that information to an appropriate external service (eg housing service) in order to best assist them.

Whilst not mandated to do so under the APP's the HAS advocate, unless it is not practicable to do so (eg client cannot be contacted), will advise the client when they are going to disclose any personal or sensitive information (eg discussing case with an external agency, attempting to resolve a complaint) and get consent to do so. Similarly before making a referral on behalf of the client consent will be sought to send referral unless not practicable to do so.

When a person contacts HAS for assistance they are advised:

'Any personal information we collect is used to help us best assist you and to improve our service and the homelessness system. You under no obligation to disclose any information you don't want to.

Our privacy policy, which you can find on our website, sets out how you can access, and if necessary correct the information we collect about you and how to complain should you feel we have breached your privacy or done something else you are not happy with.'

Other CHP activities:

#### *Recruitment*

Personal Information is collected and held as part of the recruitment of employees and volunteers to assist CHP to make appropriate appointments. CHP will not disclose such information unless requested to do so by the applicant or it is necessary because CHP is made aware of a legal and/or health issue that makes disclosure necessary. Note in the latter case CHP is bound by APP 6 which covers use or disclosure of personal information.

#### *Members*

Information about individual members is collected to support the effective management of the membership data base and to support communicate with members. Personal information about members is not used or disclosed.

#### *Media*

Information is collected by Media and Communications Officer to support the organisation of media activities (eg interviews, photos). Any information collected is stored securely on the CHP network.

Information is only disclosed when there is written consent to do so. Any information disclosed is done so for the purpose of preparing for a media engagement (eg providing background information for an interview) and only information relevant to the specific media engagement is disclosed. Media subjects are given the option to remain anonymous (eg. use a pseudonym) in any resulting media coverage.

#### *Consumer register*

#### *Surveys*

Unsolicited personal information collected in surveys support CHP's effort to improve its services, engage with the community, raise awareness about homelessness and advocate for solutions. Personal information provided in a survey is not used or disclosed without consent. Any survey results that are reported externally (for example to funding bodies) are de-identified.

#### **4. How an individual can access personal information about the individual that is held by CHP and seek the correction of such information**

CHP allows individuals access to the information it holds about them within a reasonable time after they have made a written or verbal request for access. To ensure all correspondence is documented, if it is possible requests for access to information should be in writing. Before providing access to personal information CHP may ask the person to specify what type of information they would like. Access will be facilitated in a manner requested by the individual if reasonable and practicable to do so.

In rare instances, CHP may refuse to give an individual access to requested information, for instance because it may put another person at risk. Unless CHP is unable to do so, it will provide the individual with the reason they have been refused access.

CHP may decide it can only provide limited information, for example if by providing complete information another person's privacy may be breached. Unless CHP is unable to do so, it will provide the individual with the reason the request has been limited.

It is important personal information we hold about people is accurate, complete and up-to-date. If a person advises us any person information is inaccurate or is not up to date it will be corrected.

HAS:

The most likely scenario in which a person wants access to their personal information is a client of HAS wanting to access to their file. If a client of HAS wants to access their personal information the HAS advocate will discuss what information is required and how the client would like the information presented (eg hard copy, email etc). Every effort will be made to meet reasonable requests and make the process client centered and sensitive to individual circumstances.

#### **5. How an individual complains about a breach of the APPS and how CHP will deal with such a complaint**

If a person feels there has been a breach of the APPS and wishes to make a complaint the CHP Complaints Policy should be followed. In simple terms the complaint can be made verbally or in writing and can be directed to whoever the person affected feels is the most appropriate staff member. CHP takes any complaints very seriously and will endeavour to resolve them, as far as is possible, to the complainant's satisfaction.

If a person needs any advice or assistance with issue relating to Privacy, such as determining what constitutes a breach of the APPs, they can contact the Office of the [Australian Information Commissioner](#) on [1300 363 992](#).

## **6. Whether CHP is likely to disclose personal information to overseas recipients**

CHP is highly unlikely to disclose any personal information to overseas recipients. The only exception would be if it was necessary as part of HAS service (eg a HAS client had moved overseas and a referral had to be made). However in such circumstances consent would be sought if practicable to do so.

## **7. Adoption, use or disclosure of government related identifiers**

CHP does not use government related identifiers for any of its activities.

## **Disclosing information without consent or implied consent**

There may be circumstances where CHP discloses personal information without consent or implied consent. These are covered in sub clause 6.2 (b to e) of the APPs. The key elements are that:

- the use or disclosure of the information is required or authorised by or under an Australian law or a court/tribunal order
- a permitted general or health situation exists in relation to the use or disclosure of the information (see section 16A and 16B of the Privacy Act for permitted general and health situations respectively)
- CHP reasonably believes that the use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

Before disclosing personal information in these circumstances careful consideration should be given to whether these exemptions are met. Disclosing personal information in these circumstances must not occur without permission from the CEO or delegate.

## **Giving information to the police**

There may be circumstances where police make a request for information about an individual. If CHP believes that the use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body it may decide to disclose the information, though the relevant exemption (APP 6.2 e) does not compel disclosure. If the decision is made to give information to police, the request for information should be formally documented (eg email from a police station, badge number, rank, name and a statement that the information is necessary for the purpose of a law enforcement activity).



Any decision to disclose information to the police should not be made without discussion with the relevant line Manager or CEO. Disclosing personal information in these circumstances must not occur without permission from the CEO or delegate.

## **Sensitive information**

Sensitive information is information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, sexual preferences, criminal record and health information about an individual.

For general CHP activities CHP will not collect sensitive information about an individual unless the individual consents and the information is reasonably necessary for one or more of the CHP's functions or activities.

Sensitive information is routinely collected by the HAS advocates as it is a necessary element of the service the program is funded to deliver. In line with APP 3.4 (sub clause) consent for collection of sensitive information from HAS clients is not required as CHP is a non-profit organisation and both of the following apply:

- the information relates to the activities of the organisation (HAS)
- the information relates solely to the members of the organisation, or to individuals who have regular contact with the organisation in connection with its activities.

However the HAS advocate does not compel clients to disclose any sensitive information and clients can disclose as little or as much sensitive information as they feel is appropriate. Further, people contacting HAS for assistance have the right to remain anonymous or to use an alias.

Under the APPs the HAS advocate is permitted to disclose sensitive information if the individual would reasonably expect them to do so and it directly related to the service being delivered to them (the primary purpose).

However unless it is not practicable to do so (eg we cannot contact the client), the HAS advocate will advise the client they may disclose sensitive information (eg discussing case with an external agency, resolving a complaint) and will get consent to do so. Similarly before making a referral on behalf of the client consent will be sought to send referral unless not practicable to do so.

## **Disposal of records**

CHP will hold the information of unsuccessful applicants for volunteer and paid positions for a minimum of 6 months and a maximum of and 12 months. After this period all personal and sensitive information of unsuccessful applicants will be destroyed. CHP uses a secure record disposal service for this purpose.

HAS client records are held and destroyed in line with the [Public Record Office Standard 08/14 \(classification 5.2.1\)](#). There are a number of circumstances that impact on how long a file is held (eg involvement with Child Protection) however as a guide for a single adult records are destroyed seven years after last contact.

## The CHP website

CHP recognises the importance of protecting the privacy of all users and protecting the security of information held on the website. CHP follows the Guidelines for the Federal and ACT Government Websites as issued by the Australian Privacy Commissioner.

The CHP website is operated by an external service provider. CHP can analyse visits to the website through Google Analytics.

No attempt is made to identify users or their browsing activities except, in the unlikely event of an investigation, where a law enforcement agency may exercise a warrant to inspect the service provider's logs. The website contains links to other sites. CHP is not responsible for the content and the privacy practices of other web sites and encourages users to examine each site's privacy policy.

The website contains some personal information about PESP members as a way of promoting the program. Any information published about PESP members is done so with their consent.

## Responsibility

- CEO
- Management group

## Related policies and documents

- Publications and electronic information policy
- Board of Directors code of conduct policy
- Staff ethical code of conduct policy
- Risk management policy
- Communications policy
- Media relations policy
- Personnel files policy
- Social media policy