PVCE Privacy Policy

Peel Valley Community Enterprise (PVCE) is committed to meeting privacy obligations of the Privacy Act 1988 and the Australian Privacy Principles (APPs). This includes protecting the privacy of personal information we collect and hold whether we have requested such information or not.

**Scope**

This policy explains PVCE’s management of personal information it collects, uses and discloses. It also explains how personal information can be accessed or corrected.

This policy applies to all PVCE staff, volunteer workers and the Board of Management. Contractors are also required to fully comply with PVCE’s privacy obligations and policy.

**How PVCE collects personal information**

PVCE collects and holds information:

1. Provided by, at the request or with the consent of the person themselves, including participants, job applicants and staff
2. Provided by others, such as job applicants and people or organisations who refer someone to one of our services. PVCE requires that such referrals are only made with the consent of the person being referred.

**Types of information PVCE collects and holds**

The types of personal information PVCE collects and holds includes names, contact details, date of birth, gender, details of identification provided, who to contact in the case of an emergency and their contact details, licences held, employment related information and education and training attainment. PVCE only collects this information where it is reasonably necessary for the services PVCE provides.

Depending on the service a participant accesses and whether the person is an employee, PVCE may also collect sensitive information such as medical information, assessments, types of disability, racial or ethnic origin and criminal record. This type of personal information is only collected with the person’s consent, including consent given to any relevant Government Department where this information is reasonably necessary for the services PVCE provides.

**Why personal information is collected by PVCE**

Reasons PVCE collects personal information include:

1. To determine eligibility for a PVCE service
2. To provide a service to participants
3. To be able to provide a person with information they have requested, act on suggestions for improvement, receive feedback or resolve complaints
4. To meet PVCE’s contractual and regulatory obligations including with the government
5. To conduct surveys, research and analysis for business purposes
6. Because a person is or has been a staff member, has applied to work for PVCE or provides a service to PVCE

**Disclosure of personal information by PVCE**

Personal information is disclosed to third parties by PVCE:

1. Because PVCE is required to under contractual or regulatory requirements
2. To help participants access services they have requested or consented to
3. To arrange and provide associated services or activities
4. To assist participants transfer to another service provider
5. For audit purposes
6. If required or permitted by law
7. Otherwise with the person’s consent

PVCE is assisted by various third parties to deliver services including:

1. The Primary Health Network – Hunter New England and Central Coast
2. The National Disability Insurance Agency
3. The NDIS Commission
4. An internet service provider
5. Organisations that undertake external audits, including those required by contractual agreements

Where practical PVCE has agreements in place with these third parties as part of protecting private information held.

PVCE will not sell or receive payment for disclosing personal information.

**Protection of personal information**

PVCE takes practical and reasonable steps to make sure information collected, used and disclosed is accurate, up to date, complete, stored securely and only accessed by authorised persons for permitted purposes.

PVCE holds personal information in electronic and hard-copy formats. PVCE uses a range of measures to protect this information, including lockable cabinets and protection of computer systems with password and anti-virus software. We also have procedures for destroying personal information we no longer need, taking into account information that needs to be held in line with contractual and legal purposes.

Copies of personal information may be made and stored in an off-site, digital, secure location. Such copies are made to meet contractual, legal and business continuation needs.

**How personal information can be accessed**

A participant can request to see their PVCE file by asking their case worker or a manager. Similarly others, such as the carer of a PVCE participant, can request access to records that contain *their* personal information. They can also request a copy of the record(s). PVCE will respond to a request for a person to access records that contain their personal information as soon as practicable and within 30 days of the request being made to PVCE. Proof of identification must be supplied before access can be granted. PVCE will respond by providing the requested access or by providing reasons for refusing to do so.

Where PVCE believes the request could be refused under law, PVCE will seek advice from a relevant department or authority if PVCE deems this appropriate. Such records can include but are not limited to:

1. Records that also contain information about another person
2. Medical/psychiatric/psychological records (unless they were supplied by the participant or where the participant clearly has a copy or has previously seen a copy of the records)
3. Information provided by other third parties. Where a participant would like to see or have a copy of information provided by a third party, PVCE will advise the participant to seek the information from the author of the information, unless PVCE has written permission from the author to release the information to the participant.

Where the request to access records is referred to any Government department for consideration, PVCE will comply with any direction given by that organisation in relation to the provision or refusal of access to the records.

Any access by people to their personal records will be supervised by a PVCE staff member.

PVCE in some circumstances may charge a fee to cover administrative costs of retrieving a person’s personal information and providing it to them. PVCE will advise if there will be any such costs involved.

**How personal information can be updated or corrected**

PVCE will take reasonable steps to make corrections to personal information.

PVCE relies on participants advising us of any changes in their personal information. Participants are asked to do this by informing their case worker or a PVCE manager.

A person may request an update or correction of their personal information held by PVCE by informing PVCE of the changes required. This amendment is best submitted in writing, signed by the person and placed on the relevant file.

A participant may not alter original case notes. They may apply to have an amendment made to those notes which is to be submitted in writing, signed by the participant and placed on their file.

If PVCE refuses a request to update or change personal information, reasons why will be provided to the requestor.

**Dealing with PVCE anonymously or by using a pseudonym**

Requests for general information, provision of feedback, suggestions for improvement and complaints can be made to PVCE anonymously or by using a pseudonym. However, PVCE may be limited in its ability to effectively respond to requests, complaints and information provided anonymously or by using a pseudonym.

**How a person may complain about a breach of the Australian Privacy Principles**

PVCE treats complaints as an opportunity to improve our services and increase participant satisfaction with PVCE. As such it is appreciated if any complaints about PVCE, including in relation to Australian Privacy Principles, are lodged directly with PVCE. A staff member or manager will help a person make a complaint to a relevant Government department, where this assistance is needed, and the complaint is not viewed as frivolous or vexatious.

A person who is a participant of PVCE’s NDIS service can also complain about a breach of the Australian Privacy Principles by PVCE in relation to their personal information to the NDIS Commission.

A person can also complain about a breach of the Australian Privacy Principles by PVCE in relation to their personal information to the Australian Information Commissioner.

**Overseas recipients**

PVCE will not disclose personal information to any overseas recipients.

**Availability of PVCE’s Privacy Policy**

This policy will be reviewed regularly and the current version made available on the PVCE website. A printed copy is available on request to the Office Administrator. Requests for the policy in an alternative format may also be made and the policy will be made available in the requested format and within 30 days of the request if reasonable in the circumstances.

**Contact details of PVCE Head Office**

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