

PRIVACY POLICY

1.0 Purpose

The purpose of this policy is to outline the manner by which the Pilbara Community Legal Service will meet its commitment to management information responsibly whilst maintaining confidentiality in alignment with the Australian Privacy Principles (the “APPs”).

2.0 Scope

This policy applies to all Board of Management Directors, staff, students and volunteers of the Pilbara Community Legal Service.

3.0 Accreditation Context

Standard	Standard Requirement
Standard 6	Management of Information and Data

4.0 Definitions

For the purposes of this policy and related policy documents, the following definitions apply:

Sensitive Information means information that discloses or is likely to disclose a client’s:

- racial or ethnic origin;
- political opinions or associations;
- religious or philosophical beliefs;
- trade union membership or associations;
- sexual orientation or practices;
- criminal record;
- health or genetic information; or
- some aspects of biometric information.

5.0 Policy Statement

PCLS is committed to protecting and upholding the right to privacy of members, staff, volunteers, students, Directors and clients. PCLS collects, stores, and uses information about these individuals and the services that PCLS provides to them.

PRIVACY POLICY

PCLS is committed to transparency in its operations and to ensuring it is open to public scrutiny. It must also balance this with upholding the rights of individuals and members to privacy and of the organisation to confidentiality on sensitive matters.

PCLS will follow the guidelines of the APPs in its information management practices.

This policy will conform to the *Privacy Act 1988* (Cth) and the APPs which governs the collection, use and storage of personal information of all people who are involved with or otherwise interact with PCLS.

This policy applies to all records, whether hard copy or electronic.

PCLS will ensure that:

- (a) it meets its legal and ethical obligations as an employer and service provider in relation to protecting the privacy of clients and organisational personnel;
- (b) clients are provided with information about their rights regarding privacy;
- (c) clients and organisational personnel are provided with privacy when they are being interviewed or discussing matters of a personal or sensitive nature; and
- (d) all individuals understand what is required in meeting these obligations.

The Chief Executive Officer will ensure that a statement of this policy is accessible online and available to be provided to clients or members of the public upon request.

5.1 General Approach to Managing Sensitive Information

Staff will undertake all necessary steps to ensure confidentiality is maintained when dealing with sensitive information provide by clients including adhering to policies, procedures and guidelines relating to:

- opening, storage and closing of client files;
- file movement; or
- authorising release of information to third parties.

PCLS acknowledges that breaches of confidentiality are a serious matter, and all reported breaches must be subject to proper investigation and action, including action pursuant to the *Disciplinary Procedures* in appropriate cases.

5.2 Dealing with Personal Information

In dealing with personal information, PCLS staff will:

- ensure privacy for clients, staff, volunteers, or Directors when they are being interviewed or discussing matters of a personal or sensitive nature;

PRIVACY POLICY

- only collect and store personal information that is necessary for the functioning of the organisation and its activities;
- use fair and lawful ways to collect personal information;
- collect personal information only by consent from an individual;
- ensure that people know what sort of personal information is held, what purpose it is held for, and how it is collected, used, disclosed and who will have access to it;
- ensure that personal information collected or disclosed is accurate, complete, and up-to-date, and provides access to any individual to review information or correct wrong information about themselves;
- take reasonable steps to protect all personal information from misuse and loss and from unauthorised access, modification, or disclosure; and
- destroy or permanently de-identify personal information no longer needed and/or after legal requirements for retaining documents have expired.

6.0 Roles, Responsibilities and Delegations

ROLE	RESPONSIBILITY
Board of Management	The Board of Management is responsible for the review and approval of this policy.
Chief Executive Officer	<p>The CEO is responsible for ensuring the currency and operationalising of this policy.</p> <p>Additionally, the CEO is responsible for the content in PCLS publications, communications and website management and must ensure the following:</p> <ul style="list-style-type: none"> (a) appropriate consent is obtained for the inclusion of any personal information about any individual including PCLS personnel; (b) information being provided by other agencies or external individuals conforms to privacy principles; and (c) that the website contains a Privacy Statement that makes clear the conditions of any collection of personal information from the public through their visit to the website.
Staff, students and volunteers	All staff, students and volunteers are responsible for the management of personal information to which they have access.

7.0 Related and Supporting Documents

Legislation

Privacy Act 1988 (Cth)
Australian Privacy Principles (APPs)

Policy

Information and Records Policy

Procedures

Disciplinary Procedures

Operational Documents

Privacy Statement

8.0 Information

Title	Privacy Policy
Policy Reference	POL-INF-01
Policy Owner	Chief Executive Officer
Policy Approver	Board of Management
Category	Information Management
Approval Date	16 September 2024
Effective Date	16 September 2024
Change History	
Review Date	3 years