



## **TITLE**

Privacy and Confidentiality Policy

## **POLICY**

The ACT Mental Health Consumer Network (the Network) is committed to handling identifying information with openness, transparency and accountability. The Network respects the right to privacy and takes measures to protect identifying information of any individual making contact with the organisation for any purpose.

Consistent with the *Privacy Act 1988* (Cth) (the Act), this policy outlines how the Network manages identifying information and describes the type of information held, for what purposes it is held, and how it is collected, held, used and disclosed.

### **Collection Use and Storage of Information**

Identifying information is any material that identifies or could reasonably identify an individual. The information collected by the Network may include, where relevant, an individual's

- Name, preferred pronouns, address, gender identification and other demographic information
- Telephone number
- Email address
- Training, consumer representation and work experience
- Bank, taxation and superannuation details
- Details of any salary sacrificing arrangements
- Resume/curriculum vitae, position application/nomination and details such as relevant training/experience
- Emergency contact information
- Dietary requirements
- Photos or videos

Identifying information will generally only be used for the primary purposes of

- Responding to individual queries
- Processing and managing Network membership
- Processing registrations for community education

- Processing and managing of workers e.g. appointments, supervision etc
- Processing applications for opportunities such as sponsored places at conferences
- Reimbursements
- Distributing relevant information to workers, as appropriate
- Informing members about upcoming events

Information about individuals and organisations will only be accessed by Network employees. Information about individuals or organisations obtained by employees in the performance of their duties will be destroyed six months after it was last used, except if:

- a) The information relates to a complaint against the Network, in which case it will be retained for three years;
- b) The information relates to a legal matter where the Network is, directly or indirectly, the complainant or respondent, in which case the information will be retained for seven years;
- c) The information relates to an application to become a Consumer Representative will be retained for two years after the appointment has been approved by the relevant steering committee. Unsuccessful nominations will be retained for three months and referred to in case of the accepted nominee being unable to continue the appointment within this period;
- d) The information relates to a person's nomination to attend an event for which they are seeking sponsorship from the Network in which case it will be retained for three months after the nomination process was completed;
- e) The information is required to maintain an individual's membership of the Network, in which case it will be retained for as long after the person ceases being a member of the Network as is required by law at the time of cessation; and
- f) The information relates to a staff member, in which case it will be retained for as long after the person ceases being an employee of the Network as is required by law at the time of cessation.

Information stored on or retrieved from the Network's website will not be shared with any other organisation or individual.

**The Network will only disclose identifying information**

- For the primary purpose for which it was collected;
- Where the individual would reasonably expect this;
- Where the individual has consented; and/or
- As required by law.

The Network will not sell any information that it collects from an individual under any circumstance.

Permission must be obtained from the individual(s) concerned before discussing or forwarding identifying information to other people or organisations.

### **Protecting identifying information**

The Network stores information in different ways, including in paper and electronic formats.

The Network takes reasonable steps to protect identifying information from misuse and loss, and unauthorised access, modification or disclosure. Some of the ways the Network does this are:

- Confidentiality requirements for employees;
- Storing physical files containing identifying information in locked cabinets;
- Security measures for systems access;
- Providing a discreet environment for confidential discussions;
- Only allowing access to identifying information where the individual seeking access has satisfied the Network identification requirements;
- Access control for buildings;
- Electronic information is stored under a password protected computer system;
- Employee computers are set to sleep and require a password on reactivation when the worker steps away from their desk for longer than 10 minutes; and
- All hard copy information about an individual(s) which is not already in the public domain will be destroyed by shredding or disposed of in a locked secure waste bin. For members this will occur one year following resignation of membership, and for employees this will occur two years following cessation of their employment.

### **Sensitive information**

The Network will not collect information about an individual that reveals their racial or ethnic origin, political opinions, religious or philosophical beliefs or affiliations, membership of a professional or trade association, membership of a trade union, details of health, disability, sexual orientation, or criminal records without their consent.

### **Anonymity when dealing with the Network**

Individuals dealing with the Network have the right not to identify themselves in relation to a particular matter where it is lawful and practicable to do so.

### **Accuracy and correction of identifying information**

The Network aims to ensure information is accurate and up-to-date by updating its records whenever changes to information come to staff's attention and, where appropriate, create a note of the change and date it was made. The Network effectively manages information which seems likely to be inaccurate or out of date.

### **Dealing with unsolicited information**

The Network will not retain unsolicited information that it could not have lawfully collected.

### **Using our website**

The Network may record anonymous information such as internet protocol (IP) address, time, date, referring uniform resource locator (URL), pages accessed and documents downloaded, type of browser and operating system. The Network's website may contain links to or from other websites. The Network is not responsible for the privacy practices of other websites. This privacy policy applies only to the information we collect on the Network's website.

### **Access to personal information**

The Network acknowledges that individuals have the right to access the personal information the organisation may have collected from them. If an individual wants to access their personal information held by the Network, they need to send a written request by:

- email to [actmhcnc@actmhcnc.org.au](mailto:actmhcnc@actmhcnc.org.au);
- post to ACTMHCN, Reply Paid 83404, Canberra ACT 2601; or
- hand delivery to Level 2, Room 11 Griffin Centre, 20 Genge Street, Canberra.

The Network will handle such requests in accordance with the Act.

### **Direct Marketing**

The Network may use individuals' identifying information for the purpose of informing them about Network events such as Consumer Representative Forums, training, information, consultation and issues groups, forums and workshops. If people do not want to receive this type of information they can contact the Network to request that staff adjust their mailing subscriptions and/or delete their contact details from Network distribution lists, as appropriate.

### **Information about Individuals**

As a non-service provider that does not engage in individual advocacy, the Network does not normally retain documents or information about individuals other than information related to their employment, membership or activities as a Network member. However, during the course of conversations with enquirers who wish to discuss personal circumstances, including health, the Network may occasionally receive identifying information which it will retain until contact with the individual(s) about the particular issue concludes. The Network will then destroy this information unless otherwise requested by the individual concerned.

### **Consumer Representatives: Communication with community members on general principles and issues**

Asking Consumer Representatives to observe the confidentiality and privacy of information will not prevent participants from communicating with other community members on general principles and issues as they need. If the Consumer Representative is unsure, it is important that they check and seek clarification from the relevant committee chair or other contact person.

### **Systemic Advocacy**

The Network makes submissions, delivers presentations and advocates on behalf of consumers. While based on the experience of consumers, Network staff will not refer to individual experiences unless they have

- Obtained written permission from the person concerned to use their experience; and
- Made every reasonable effort to de-identify the record of the experience.

In the event the person wishes to reveal their identity, Network staff will make every attempt to ensure the person's decision is an informed one; the person has had sufficient time to make the decision; and the person was not under pressure when making the decision. Network staff should also suggest the person discusses the decision with an appropriate third party, for example an advocate, family member or solicitor.