

1.0 PURPOSE

The purpose of this policy is to:

- clearly communicate the personal information handling practices of Autism Queensland (AQ);
- enhance the transparency of AQ operations; and
- give individuals a better and more complete understanding of the sort of personal information that AQ holds, and the way we handle that information.

This Policy explains our general information handling practices across AQ and provides information about how we collect, use, disclose and store your personal information.

2.0 SCOPE

This Policy applies to all clients and employees of AQ. A reference to “employees” or “staff” includes permanent, fixed-term, temporary and casual employees, directors, contractors, volunteers and other representatives acting on behalf of AQ in any capacity.

2.1 Exception in Relation to Employee Records

Under the *Privacy Act 1988* (Cth) (**Privacy Act**), the Australian Privacy Principles do not apply to an employee record held by the employing entity. As a result, this Privacy Policy does not apply to AQ’s treatment of an employee record, where the treatment is directly related to a current or former employment relationship between AQ and employee.

3.0 PRINCIPLES

AQ respects the privacy of all members, employees, volunteers, clients, families, donors, business partners and online users, and is committed to safeguarding the personal information provided to us.

3.1 Overview of AQ Programs and Services

AQ is a not-for-profit organisation with a mission to support people on the autism spectrum through responsive evidence-informed practice and advocacy. In carrying out this mission AQ engages employees and volunteers, and receives fees for services provided, donations, funding and support from members of the community, corporations, groups and governments. In providing all services, AQ complies with national and relevant state privacy principles and any additional obligations under the service agreement or funding contract.

3.2 Our Obligations Under the Privacy Act

This policy sets out how we comply with our obligations under the *Privacy Act 1988* (Privacy Act). We are bound by the Australian Privacy Principles (APPs) in the Privacy Act which regulate how organisations may collect, use, disclose and store personal information, and how individuals may access and correct personal information held about them.

3.3 Collection of Personal and Sensitive Information

If you would like to access any AQ services on an anonymous basis or using a pseudonym, please tell us. If this is possible and lawful, we will take all reasonable steps to comply with your request. However, we may not be able to provide the services in question if we are not provided with the personal information request

4.0 DEFINITIONS

Online Users refers to anyone who accesses the AQ website (**the website**): www.autismqld.com.au.

Personal Information as defined by the *Privacy Act 1988* (as amended) is information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether true or not, and whether recorded in a material form or not.

Sensitive Information as defined by the *Privacy Act 1988* (as amended) is information or opinion (that is also personal information) about an individual's 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 preferences or practices or criminal record or health, genetic, biometric information or biometric templates, that is also personal information.

5.0 COLLECTION OF INFORMATION

The nature and extent of personal and sensitive information collected by AQ varies depending on your interaction with AQ. AQ collects personal and sensitive information from clients, families, donors, business partners, employees and online users. Further information about the kind of information collected from each of these groups and the usage of such information is detailed below.

5.1 AQ Clients and Families

Kind of information that may be collected:

- contact details (name, address, email etc.);
- personal details including: date of birth, gender, income;
- identification details (if required);
- information on personal issues and experiences, relationships and care requirements;
- family and cultural background, language, religion, and supports clients may have in the community;
- areas of interest;
- health information and/or medical history;
- a child's authorised health contact, emergency contact, leave contact and person nominated to collect the client from any AQ service;
- financial information such as tax file numbers and bank account details;
- Centrelink Customer Reference Number;
- Childcare Subsidy information;
- court orders, including custody arrangements;
- photographs, video images, artwork or pictures.

How the information is collected:

- membership application;
- registration, including online registration;
- client intake and enrolment documentation;
- children's portfolios;
- photographs, video image or pictures;
- telephone conversation, email and other correspondence;
- survey and participating in social media related to AQ;
- in-person/meeting.

Purpose for which AQ uses the information:

- to provide AQ services;
- to provide clients/families with the most appropriate services for their needs;

- to meet any requirements of government funding for programs;
- to monitor and evaluate existing services and plan for future services;
- to produce annual reports and for research purposes which may involve contracted organisations;
- to comply with legal obligations.

5.2 AQ Donors

Information that may be collected:

- contact details (name, address, telephone numbers, email etc.);
- donation history.

How the information is collected:

- telephone, email; through AQ's secure fundraising portal, letter accompanying cheque.

Purpose for which AQ uses the information:

- to process donations and provide accurate receipts;
- to facilitate on-going fundraising and marketing activities;
- to comply with legal obligations;
- to provide transparency relating to donated funds, particularly for appeals for public donations.

5.3 AQ Business Partners

Kind of information collected:

- contact person's name;
- the name of the organisation which employs the person, telephone numbers, fax number, street and postal address, email address and position title;
- areas of interest by category and industry;
- bank details (if AQ is to receive payment or make payment for services received);
- Australian Business Number (ABN);
- type of support (e.g. workplace giving, goods in kind, program support, volunteering).

How the information is collected:

- communications, email, telephone

Purpose for which AQ uses the information:

- to provide/share information about AQ services/fundraising appeals and other relevant updates;
- to process donations and provide accurate receipts;
- to pay for services;
- to establish and manage partnerships;
- to receive services from you or the organisation which employs you;
- to manage AQ relationship with the business partner.

5.4 AQ People

AQ people include employees and prospective employees, delegates, contractors, volunteers and candidates for volunteer work.

Kind of information collected:

- contact details (name, address, telephone numbers, email etc.);
- personal details including personal details of emergency contact person(s);
- date of birth;
- country of birth, citizenship, residency and/or visa details;
- details of current/previous employment or volunteer involvement
- skills and experience;
- languages spoken and written;
- qualifications, driver's license details;
- information and opinions from referees for prospective employees/candidates for volunteer work.
- A Working with Children Check (Blue Card) and NDIS Worker Screening Clearance may be required for volunteer and paid positions at AQ. Individuals will be required to provide certain information to apply for these cards in accordance with relevant state and territory laws.
- In some situations, it is necessary for AQ to collect or receive information about an individual's health. In this circumstance, AQ will advise why the information is being collected and whether and to whom it will be released.

Purpose for which AQ uses the information:

- to provide AQ services;
- to process an application to become a volunteer or employee of AQ;
- to facilitate a placement in an appropriate service or position;
- to assist with services whilst an individual is employed or engaged as a volunteer with AQ;
- to provide feedback on performance as a volunteer or employee;
- to meet legislative responsibilities to all volunteers and employees;
- to obtain feedback from individuals about their experiences;
- to assist AQ to review and improve its programs and services to keep individuals informed about AQ developments and opportunities;
- to provide information about services;
- to facilitate further involvements with AQ (e.g. disability supports, membership, donor).

5.5 Online Users

To the extent that this Privacy Policy applies to online privacy issues, it is to be read as forming part of the terms and conditions of use of the AQ website and social media pages.

Kind of information collected:

- contact details (name, address, telephone numbers, email etc.);
- non-personal information e.g. visitor analytics for navigation and statistics;
- server address, browser type, date and time of visit;

Purpose for which AQ uses the information:

- to process donations, purchase orders, online bookings, purchases;
- to analyse website usage and make improvements to the website;
- AQ does not match the personal information collected with the non-personal information.

Additional information - The website may from time to time contain links to other websites. AQ stresses that when an online user accesses a website that is not the AQ website, it may have a different privacy policy. To verify how that website collects and uses information, the user should check that website's policy.

6.0 HOW WE COLLECT INFORMATION

Where possible, we collect your personal and sensitive information directly from you. We collect information through various means, including telephone and in-person interviews, appointments, intake and enrolment forms and questionnaires. If you feel the information that we are requesting, either on our forms or in our discussions with you, is not information you wish to provide, please feel free to raise this with us.

In some situations, we may also obtain personal information about you from a third-party source. If we collect information about you in this way, we will take reasonable steps to contact you and ensure you are aware of the purposes for which we are collecting your personal information and the organisations to which we may disclose your information, subject to any exceptions under the Act. For example, we may collect information about you from a health care professional, such as your doctor.

7.0 HEALTH INFORMATION

As part of administering AQ services, AQ may collect health information. For example, AQ collects health information (such as medical history) from some clients/families participating in AQ programs. When collecting health information from you, AQ will obtain your consent to such collection and explain how the information will be used and disclosed.

If health information is collected from a third party (such as your doctor), AQ will inform you that this information has been collected and will explain how this information will be used and disclosed.

AQ will not use health information beyond the consent provided by you unless your further consent is obtained or in accordance with one of the exceptions under the Privacy Act or in compliance with another law. If AQ uses your health information for research or statistical purposes, it will be de-identified if practicable.

8.0 USE AND DISCLOSURE OF PERSONAL INFORMATION

AQ only uses personal information for the purposes for which it was given to us, or for purposes which are related to one of our functions or activities.

For the purposes referred to in this Privacy Policy (discussed above under 'Collection of Personal and Sensitive Information'), we may also disclose your personal information to other external organisations including:

- Government departments/agencies who provide funding for AQ services;
- contractors who manage some of the services we offer to you, such as distribution centres who may send information to you on behalf of AQ;
- doctors and health care professionals, who assist us to deliver our services;
- other regulatory bodies, such as Workplace Health & Safety Queensland;
- former and prospective employers of current and prospective consenting AQ employees and volunteers, for purposes of reference-checking;
- our professional advisors, including our accountants, auditors and lawyers.

Wherever possible, steps are taken to ensure these external organisations comply with the Australian Privacy Principles (APPs) when they handle personal information and are authorised only to use personal information to provide the services or to perform the functions required by AQ.

Except as set out above, AQ will not disclose an individual's personal information to a third party unless one of the following applies:

- the individual has consented;
- the individual would reasonably expect us to use or give that information for another purpose related to the purpose for which it was collected (or in the case of sensitive information – directly related to the purpose for which it was collected);
- it is otherwise required or authorised by law;
- it will prevent or lessen a serious threat to somebody's life, health or safety or to public health or safety;
- it is reasonably necessary for us to take appropriate action in relation to suspected unlawful activity, or misconduct of a serious nature that relates to our functions or activities;
- it is reasonably necessary to assist in locating a missing person;
- it is reasonably necessary to establish, exercise or defend a claim at law;
- it is reasonably necessary for a confidential dispute resolution process;
- it is necessary to provide a health service;
- it is necessary for the management, funding or monitoring of a health service relevant to public health or public safety;
- it is necessary for research or the compilation or analysis of statistics relevant to public health or public safety;
- it is reasonably necessary for the enforcement of a law conducted by an enforcement body.

We do not usually send personal information out of Australia. If we are otherwise required to send information overseas, we will take measures to protect your personal information. We will protect your personal information either by ensuring the country of destination has similar protections in relation to privacy or we will enter into contractual arrangements with the recipient of your personal information to safeguard your privacy.

9.0 SECURITY OF PERSONAL AND SENSITIVE INFORMATION

AQ takes reasonable steps to protect the personal and sensitive information we hold against misuse, interference, loss, unauthorised access, modification and disclosure.

These steps include password protection for accessing our Information Technology (IT) systems, securing paper files in locked cabinets and physical access restrictions. Only authorised personnel are permitted to access this information.

Employees must ensure any breach or potential breach, no matter how minor it may appear at the time, is reported immediately to their manager and logged via the Salesforce Incident form. Potential breaches can result from:

- providing personal information or a client file without a legitimate reason or purpose;
- leaving files containing personal information unsecured (this might include leaving a page open on a computer screen); or
- providing passwords to unauthorised persons.

The Data Breach Response Plan describes how a breach is managed and if an investigation of the breach is required including reporting to the Office of the Australian Information Commissioner (OAIC) if/as required. AQ will report all Notifiable Data Breaches to any affected individuals and the (OAIC).

A Notifiable Data Breach occurs when:

- there is unauthorised access to or disclosure of information; or
- information has been lost;
- it is reasonably likely to result in 'serious harm' to an individual to whom the information relates.

If a privacy breach occurs, AQ will identify any affected individuals and assess whether they are likely to suffer serious harm. An investigation will be conducted within 30 days. If serious harm (including serious physical, emotional, financial or reputational harm) has occurred, AQ will notify the affected individual/s and the OAIC as detailed in the *Data Breach Response Plan*.

AQ will ensure all commercial contracts with parties with whom AQ shares information specify who is responsible for assessing and reporting privacy breaches. Where there are two or more parties involved in a breach, AQ will make a notification.

10.0 ACCESS TO AND CORRECTION OF PERSONAL INFORMATION

If an individual requests access to the personal information we hold about them, or requests that we change that personal information, we will allow access or make the changes unless we consider there is a sound reason under the Privacy Act or other relevant law to withhold the information, or not make the changes.

Requests for access and/or correction should be made to the Manager Client Safety & Wellbeing (Privacy Officer). For security reasons, you will be required to put your request in writing and provide proof of your identity. This is necessary to ensure personal information is provided only to the correct individuals and the privacy of others is not undermined.

In the first instance, AQ will generally provide a summary of the information held about the individual. It will be assumed (unless told otherwise) that the request relates to current records. These current records will include personal information which is included in AQ databases and in paper files, and which may be used on a day-to-day basis.

We will provide access by allowing you to inspect, take notes or print outs of personal information that we hold about you. If personal information (for example, your name and address details) is duplicated across different databases, AQ will generally provide one printout of this information, rather than multiple printouts.

We will take all reasonable steps to provide access or the information requested within 14 days of your request. In situations where the request is complicated or requires access to a large volume of information, we will take all reasonable steps to provide access to the information requested within 30 days.

AQ may charge you reasonable fees to reimburse us for costs we incur relating to your request for access to information, including in relation to photocopying and delivery cost of information stored off site. For current fees, please contact the Manager Client Safety & Wellbeing (Privacy Officer).

If an individual establishes that personal information AQ holds about her/him is not accurate, complete or up to date, AQ will take reasonable steps to correct our records.

Access will be denied if:

- the request does not relate to the personal information of the person making the request;
- providing access would pose a serious threat to the life, health or safety of a person or to public health or public safety;
- providing access would create an unreasonable impact on the privacy of others;
- the request is frivolous or vexatious;
- the request relates to existing or anticipated legal proceedings;
- providing access would prejudice negotiations with the individual making the request;

- access would be unlawful;
- denial of access is authorised or required by law;
- access would prejudice law enforcement activities;
- access would prejudice an action in relation to suspected unlawful activity, or misconduct of a serious nature relating to the functions or activities of AQ;
- access discloses a 'commercially sensitive' decision making process or information; or
- any other reason that is provided for in the APP's or in the Privacy Act.

If we deny access to information we will set our reasons for denying access. Where there is a dispute about your right of access to information or forms of access, this will be dealt with in accordance with the complaints procedure set out below.

11.0 COMPLAINTS

A privacy complaint relates to any concern regarding AQ privacy practices or handling of personal and sensitive information, including matters such as how information is collected or stored, how information is used or disclosed or how access is provided to personal and sensitive information.

Complaints about AQ privacy practices or handling of personal and sensitive information, will be managed in accordance with the Complaints & Feedback Management Policy.

Please refer to the Complaints Information on our website.

12.0 RELATED DOCUMENTS

Legislation

- Child Protection Act 1999 (Qld)*
- Disability Services Act 2006 (Qld)*
- Human Rights Act 2019 (Qld)*
- National Disability Insurance Scheme Act 2013 (Cth)*
- Privacy Act 1988 (Cth)*
- Working with Children (Risk Management and Screening) Act 2000 (Qld)*

Standards and Principles

- Australian Privacy Principles
- Human Services Quality Standards
- National Disability Standards (Cth)
- National Quality Framework
- NDIS Code of Conduct
- NDIS Practice Standards and Quality Indicators
- OAIC Notifiable Data Breaches Scheme
- Payment Card Industry Data Security Standards (PCI-DSS)

Internal

- All AQ data collection forms
- Client Informed Consent Form CS
- Consent to Provide Details to NDIS
- Consent Form – Personal Information (Psychology Services)
- Consent for Students and Volunteers on Practicum - Child
- Consent to Share and Store Information
- Complaints & Feedback Management Policy
- Data Breach Response Plan
- Data Collection and Records Management Policy & Procedure
- Request for Information Procedure
- Service Agreements
- Service Enrolment Forms

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