

POLICY

Privacy and Confidentiality

1. PURPOSE

The purpose of this policy is to define the manner in which EPIC Support Services will maintain privacy and confidentiality in its dealings with its participants, its employees and with the general public.

2. SCOPE

This policy applies to all EPIC Support Services employees, directors, volunteers, contractors and members who are engaged in EPIC Support Services activities.

3. POLICY STATEMENT

EPIC Support Services respects every individual's legal right to privacy. This policy sets out EPIC Support Services practices relating to the collection, holding, use and disclosure by EPIC Support Services of personal and sensitive information relating to an individual, as required by the Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth) (Law).

EPIC Support Service's legal obligations are set out in full in the Australian Privacy Principles contained in the Act. You can find these on the Privacy Commissioner's website at www.oaic.gov.au

RESPONSIBILITIES

It is the responsibility of every person in scope to ensure he or she complies with this policy. Where a person is unsure of his or her obligations under this policy, they should contact their manager for clarification of any issues.

CONTENTS 1. MEANING OF WORDS

1.1 In this policy:

Anonymity is where an individual is not required to and does not identify him or herself when engaging with EPIC Support Services.

Government contract (Federal / State) is any funding agreement between a government agency and EPIC Support Services that requires EPIC Support Services to disclose personal and/or sensitive information about individuals to that agency.

Government record Personal or sensitive information collected by EPIC Support Services in connection with a government contract.

Consent is a voluntary and informed agreement by an individual to something EPIC Support Services does. Where EPIC Support Services considers that a person is unable to give this consent to the use of his or her personal information for a particular purpose, EPIC Support Services will ask that person's parent or guardian to provide the consent.

Direct marketing is the promotion of EPIC Support Services fundraising, direct mail appeals, wills and bequests activities, EPIC Support Services training, employment, educational resources and programs to individuals and informing individuals of issues of disability services generally.

Health records are part of personal information and sensitive information, and include information or an opinion about a person's health or disability. In the case of EPIC Support Services, most health records that are subject to the Law are collected for the purpose of assessing participants and placing employees and volunteers in positions in Australia.

Personal information is information, or an opinion, about an individual who is reasonably identifiable, whether or not that information or opinion is recorded in some way, and whether or not the information or opinion is true. Personal information collected by EPIC Support Services includes contact details, educational qualifications, personal history and personal financial information.

Primary purpose – there are a large number of EPIC Support Services activities that are primary purposes for which EPIC Support Services collects information. Some examples are:

- The provision of disability services

- Assessing, placing and engaging with EPIC Support Services employees, contractors, Directors and volunteers;
- providing training;
- conducting assessments and reference checks such as police checks through a third party (i.e. Criminal History Check, CV Check, etc...)
- soliciting donations from the public;
- collecting personal histories and images for EPIC Support Services archives and publications.

Pseudonym is a pet name or nickname that is used by an individual engaging with EPIC Support Services where EPIC Support Services is not obliged to collect that individual's true name.

Secondary purpose is, in the case of personal information, a purpose that is related to the primary purpose and, in the case of sensitive information, a purpose that is directly related to the primary purpose.

Sensitive information is part of personal information and includes information EPIC Support Services may collect such as racial or ethnic origin, religious beliefs, membership of a professional or trade association, criminal record, or health information.

Solicited information is personal information that EPIC Support Services takes active steps to collect.

Unsolicited information is personal information about an individual that EPIC Support Services has not asked for but receives in some other way.

2. OPEN AND TRANSPARENT MANAGEMENT OF INFORMATION

2.1 EPIC Support Services will make this policy publicly available on its website at www.epicss.com.au and will take reasonable steps to provide a copy of this policy, free of charge, to anyone who asks for it. A person may request a copy of the policy by contacting EPIC Support Services:

Post:

EPIC Support Services Services Pty Ltd
PO Box 760
Belmont Victoria 3216

Tel: 0474 977 777

Email: feedback@epicss.com.au

2.2 When asked to do so by an individual, EPIC Support Services will take reasonable steps (subject to the Law) to let the person know, generally, what sort of personal information EPIC Support Services holds about that person, for what purposes, and how it collects, holds, uses and discloses that information.

2.3 EPIC Support Services has in place procedures, including this policy, to ensure that it complies with the Australian Privacy Principles, and that individuals may approach EPIC Support Services with any questions or complaints about EPIC Support Service's compliance with the Law.

3. ANONYMITY AND PSEUDONYMITY

3.1 Where it is not unlawful or impracticable, individuals dealing with EPIC Support Services will be given the option of not identifying themselves, or of using a nickname, when dealing with EPIC Support Services.

3.2 While it may not be always possible or lawful to allow individuals this choice, in cases where it is possible, EPIC Support Services will give individuals this option.

4. COLLECTION

Personal Information

4.1 EPIC Support Services has diverse operations. Because of that, EPIC Support Services collects personal and sensitive information from individuals for many different purposes. This means that, each time EPIC Support Services collects personal information, it will give the individual tailored advice that complies with paragraph 4.4.

4.2 EPIC Support Services will only collect personal information (other than sensitive information) when the information is reasonably necessary for or directly related to one of more of the EPIC Support Services functions or activities and it will only collect personal information by lawful and fair means.

4.3 Where it is reasonable and practicable to do so, EPIC Support Services will only collect personal information from the individual it relates to.

4.4 At or before the time EPIC Support Services collects personal information from an individual, or as soon as practicable after that, EPIC Support Services will advise the individual of matters specifically related the personal information being collected, and will take reasonable steps to ensure that individual is aware of the following:

4.4.1 That EPIC Support Services is the collector, and how to contact EPIC Support Services

4.4.2 The facts and circumstances of the collection – for example, whether the information is collected over the phone, by software applications (e.g. cookies, web analytics), via social media applications (including but not limited to Facebook, LinkedIn, YouTube, etc...), or from a third party;

4.4.3 That the individual is able to access that information and ask for it to be corrected;

4.4.4 The purposes for which the information is collected, both the primary purpose, and where there is a related purpose, that secondary purpose;

4.4.5 Organisations (or the types of organisations) to which EPIC Support Services usually discloses information of the kind being collected;

4.4.6 Details of any Australian law or a court/tribunal order that requires the information to be collected;

4.4.7 Whether or not that information will be transferred overseas (including information stored in the cloud) and to what countries (if known); and

4.4.8 The main consequences (if any) for the individual if all or part of the information is not provided by that individual.

4.5 If EPIC Support Services collects solicited information about an individual from a third party, EPIC Support Services will take reasonable steps to ensure that the individual is or has been made aware that the information has been collected, how it was collected, and from whom, and will comply with the requirements of paragraph 4.4.

4.6 Where it receives unsolicited personal information, EPIC Support Services must decide within a reasonable period of time whether that personal information about an individual could have been lawfully collected by the EPIC Support Services itself, and:

4.6.1 If so, the information will be dealt with in accordance with this privacy policy and paragraph 4.4 will be complied with in relation to that information; or

4.6.2 if not, and the information is not contained in a Government record, EPIC Support Services will, as soon as practicable, but only if lawful and reasonable to do so, destroy the information or ensure that the information is de-identified, unless under a Government contract the information must be dealt with under another law.

Sensitive Information

4.7 EPIC Support Services will not collect sensitive information about an individual unless:

4.7.1 The individual has consented to the collection of that information and the information is reasonably necessary for EPIC Support Services to carry out one or more of its functions or activities; or

4.7.2 The collection of the information is required or authorised by or under an Australian law or a court/tribunal order; or

4.7.3 There are some special situations under the Law that allow the use or disclosure of sensitive information without consent. In each case, if it does this, EPIC Support Services will comply with the relevant Australian Privacy Principle or Rules made by the Privacy Commissioner about this use of disclosure. Some of these special situations are:

- (a) Where EPIC Support Services reasonably believes the use or disclosure is necessary to lessen or prevent a serious threat to the life, health or safety of an individual or to public health or safety;
- (b) EPIC Support Services has reason to suspect an individual may have done something unlawful or engaged in serious misconduct that relates to EPIC Support Services functions or activities, and EPIC Support Services needs to disclose the information so that it can take appropriate action; or
- (c) EPIC Support Services reasonably believes that the use or disclosure is reasonably necessary to assist another person to locate a person reported as missing.

The complete list of these special situations is contained in the Law.

5. USE AND DISCLOSURE

Primary purpose

5.1 EPIC Support Services may use personal information collected from an individual for a primary purpose notified to that individual.

5.2 Where the information is sensitive information, EPIC Support Services may only use that information for a primary purpose or a directly related purpose the individual has consented to.

5.3 Whether or not an individual has consented to the use or disclosure, in the case of any obligation EPIC Support Services has under a Government contract, EPIC Support Services is entitled to comply with a requirement under that Government contract to disclose personal or sensitive information to the Government agency funding the activity.

Secondary Purpose

5.4 EPIC Support Services may sometimes use or disclose personal information about an individual for a secondary purpose. However, EPIC Support Services will

only use or disclose personal information about an individual for a secondary purpose in limited circumstances. EPIC Support Services will, wherever reasonably possible, seek consent from individuals before using their personal information for a secondary purpose.

5.5 EPIC Support Services may use personal information about an individual for a secondary purpose if:

5.5.1 The individual has consented to the use or disclosure; or

5.5.2 The individual would reasonably expect EPIC Support Services to use or disclose the information for the secondary purpose and the secondary purpose is;

(a) If the information is sensitive information, it is directly related to the primary purpose; or

(b) If the information is not sensitive information, it is related to the primary purpose; or

(c) The use or disclosure of the information is required or authorised by or under an Australian law or a court/tribunal order; or

(d) Some special situations set out in the Law allow the use or disclosure of personal information without consent. In each case, if it does this, EPIC Support Services will comply with the relevant Australian Privacy Principle or Rules made by the Privacy Commissioner. Some of these special situations are:

(i) Where EPIC Support Services reasonably believes the use or disclosure is necessary to lessen or prevent a serious threat to the life, health or safety of an individual or to public health or safety;

(ii) EPIC Support Services has reason to suspect an individual may have done something unlawful or engaged in serious misconduct that relates to EPIC Support Services functions or activities, and EPIC Support Services needs to disclose the information so that it can take appropriate action; or

(iii) EPIC Support Services reasonably believes that the use or disclosure is reasonably necessary to assist another person to locate a person reported as missing, or

(iv) EPIC Support Services reasonably believes that the use or disclosure of the information is reasonably necessary for an enforcement body's enforcement related activities (and EPIC Support Services will make a written note that EPIC Support Services has used the information for that purpose).

The complete list of these special situations is contained in the Law.

6. DIRECT MARKETING

6.1 EPIC Support Services may only use personal information about an individual for direct marketing where an exception applies under the Law. In every situation where EPIC Support Services is permitted to use or disclose personal information for direct marketing, EPIC Support Services will allow the individual to 'opt out' and will act on the individual's request to 'opt out'.

6.2 EPIC Support Services may use personal information (other than sensitive information) about an individual for direct marketing if:

6.2.1 EPIC Support Services collected the information from the individual:

(a) And the individual would reasonably expect EPIC Support Services to use or disclose the information for direct marketing;



(b) EPIC Support Services has provided a simple means so that the individual can easily request not to receive direct marketing communications from EPIC Support Services; and

(c) The individual has not made a prior request to EPIC Support Services to not receive direct marketing communications from EPIC Support Services.

6.2.2 EPIC Support Services collected the information from someone other than the individual and:

(a) Either the individual has consented to the use or disclosure for the purpose, or it is impracticable to obtain the individual's consent; and

(b) In each direct marketing communication with the individual, EPIC Support Services includes a prominent statement that the individual can ask not to receive further direct marketing communications from EPIC Support Services; or

(c) EPIC Support Services otherwise draws the individual's attention in some other way to the fact that the individual may make that request; and

(d) The individual has not made a request asking EPIC Support Services to stop sending direct marketing communications.

6.3 If EPIC Support Services uses or discloses personal information about an individual for:

6.3.1 Direct marketing, an individual may ask EPIC Support Services to stop sending direct marketing communications from EPIC Support Services and EPIC Support Services must do that within a 14 days after receiving the request unless exceptional circumstances apply; or

6.3.2 Where the personal information is used for the purpose of facilitating direct marketing by other organisations on behalf of EPIC Support Services, an individual may request EPIC Support Services not to use or disclose the individual's information for direct marketing by other organisations and EPIC Support Services must act on that request within 14 days after receiving the request (unless exceptional circumstances apply).

6.4 The individual may request EPIC Support Services to be provide details of where his or her personal information came from (e.g. which other organisation) and EPIC Support Services must do so within 14 days after receiving the request (except in exceptional circumstances) unless it is impractical or unreasonable to do so.

6.5 EPIC Support Services will not charge any individual for the making of, or to give effect to, these requests.

7. TRANSBORDER DATA FLOWS

7.1 Occasionally, EPIC Support Services may transfer personal information to an organisation (other than EPIC Support Services or the individual concerned) that is in a foreign country or, EPIC Support Services may store some personal information on databases that are in the cloud. In most cases, where EPIC Support Services transfers information, the information will be de-identified.

7.2 EPIC Support Services will only send information overseas if it has taken reasonable steps to ensure that the transferred information, will not be held, used or disclosed by the recipient organisation inconsistently with the Australian Privacy Principles. Some ways EPIC Support Services will assess this are:

7.2.1 Is the organisation receiving the information subject to a law, binding scheme or contract which effectively upholds principles for fair handling of the information that are substantially similar to the Australian Privacy Principles and there are ways an individual can enforce the privacy right or

7.2.2 Has the individual concerned consented to the information transfer after having been advised that EPIC Support Services will not be taking reasonable steps to ensure that the transferred information is held, used or disclosed by the recipient consistently with the Australian Privacy Principles; or

7.2.3 is the use or disclosure of the information is required or authorised by or under an Australian law or a court/tribunal order; or

7.2.4 Are there special situations set out in the Act that permit the trans-border transfer of personal information? In each case, if it transfers information because of a



special situation, EPIC Support Services will comply with the relevant Australian Privacy Principle or Rules made by the Privacy Commissioner.

8. DATA QUALITY

8.1 EPIC Support Services will take all reasonable steps to ensure that the personal information it collects is accurate, complete and up-to-date and relevant, having regard to the purposes of the use or disclosure of the personal information that is collected.

9. DATA SECURITY AND HANDLING

9.1 EPIC Support Services will take all reasonable steps to protect the personal information it holds from misuse, interference (which may include measures to protect against computer attacks), loss and unauthorised access, modification or disclosure.

9.2 EPIC Support Services data handling practices are regularly reviewed. All sensitive information is separately stored and shared among employees on a need to know basis only.

9.3 Participant management records (that include personal, sensitive and health information) are stored on separate databases and are accessible only to those who require the information to undertake this activity e.g. support workers, therapists and management.

9.4 Training and guidance to EPIC Support Services personnel has been established to support this privacy policy.

9.5 EPIC Support Services will take all reasonable steps to destroy or permanently de-identify personal information about an individual that it holds, if the information is no longer needed for any purpose for which it is able to be used or disclosed, and where there is no law or Court/tribunal or Government contract that requires EPIC Support Services to keep the information.

10. ACCESS AND CORRECTION

10.1 If EPIC Support Services holds personal information about an individual, and the individual requests access to that information, EPIC Support Services will provide the individual with access to that information unless any of the following exceptions apply:

10.1.1 EPIC Support Services reasonably believes that giving access would pose a serious threat to the life, health or safety of any individual, or to public health or public safety; or

10.1.2 Giving access would have an unreasonable impact upon the privacy of other individuals; or

10.1.3 The request for access is frivolous or vexatious; or

10.1.4 The information relates to existing or anticipated legal proceedings between EPIC Support Services and the individual, and the information would not be provided by the process of discovery in those proceedings; or

10.1.5 providing access would reveal the intentions of EPIC Support Services in relation to negotiations with the individual in such a way as to prejudice those negotiations; or

10.1.6 Providing access would be unlawful; or

10.1.7 Denying access is required or authorised by or under an Australian law or a court/tribunal order; or

10.1.8 Both of the following apply:

(a) EPIC Support Services has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates the EPIC Support Services functions or activities has been or is being or may be engaged in; and

(b) Giving access would be likely to prejudice the taking of appropriate action in relation to the matter; or



(c) providing access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or

(d) Giving access would reveal evaluative information generated within EPIC Support Services in connection with a commercially sensitive decision-making process.

10.2 EPIC Support Services will respond to an access request within a reasonable period after the request is made and will give access to the personal information in the manner requested by the individual, if it is reasonable and practicable to do so. EPIC Support Services may, in appropriate circumstances, charge the individual an appropriate (and not excessive) fee for giving access to the personal information.

10.3 If EPIC Support Services refuses to give access to personal information in the manner requested by the individual or because one or more of the exceptions referred to in paragraph 10.1 of this policy apply, EPIC Support Services will give the individual a written notice about the refusal that complies with the regulations to the Law and includes information about how a person can complain about the refusal.

10.4 An individual can ask EPIC Support Services to correct personal information held by EPIC Support Services. EPIC Support Services will respond to the request within a reasonable period of time after the request is made and will take reasonable steps to correct the information to ensure that it is accurate, up to date, complete, relevant and not misleading. EPIC Support Services may also take such itself, if EPIC Support Services it finds personal information it holds about an individual is inaccurate, out of date, incomplete, irrelevant or misleading.

10.5 If EPIC Support Services refuses to correct the personal information when requested to do so by an individual, EPIC Support Services will give the individual a written notice about the refusal that complies with the regulations to the Law and includes information about how a person can complain about the refusal.

10.6 Where EPIC Support Services has previously disclosed personal information about the individual to another APP entity, an individual can



request EPIC Support Services to notify that APP entity of corrections made to their personal information. EPIC Support Services will take all reasonable to give that notification unless it is impracticable or unlawful to do so.

10.7 An individual can request EPIC Support Services to attach a statement to information saying that the information is inaccurate, out of date, incomplete, irrelevant or misleading. EPIC Support Services will answer that request within a reasonable period after it is made and will take reasonable steps as are to ensure the statement is able to be seen by the users of the information.

11. COMPLAINTS

11.1 EPIC Support Services will consider complaints made by an individual in relation to:

11.1.1 A decision by EPIC Support Services to refuse access to personal information requested by the individual; or

11.1.2 A decision not to correct an individual's personal information; and EPIC Support Services will respond within a reasonable period after the complaint is received. The EPIC Support Services response to a complaint is final.

11.2 Any individual may make a complaint about how EPIC Support Services handles an individual's personal information to the Office Australian Information Commissioner (OAIC). Further information is available on the OAIC website: www.oaic.gov.au/privacy/privacy-complaints

12. CONTACT DETAILS

12.1 All queries or complaints regarding this Privacy Policy, or requests for access to, or correction of, personal information should be directed to the Chief Executive Officer, EPIC Support Services as follows:

Post:
EPIC Support Services Pty Ltd
PO Box 760



Belmont Victoria 3216

Tel: 0474 977 777

Email: feedback@epicss.com.au

13. REVIEW

13.1 This Privacy Policy will be reviewed every three years, or earlier when there are any changes to the Law and updated as required.

RELATED DOCUMENTS
Authority to collect, use or disclose participant information
Participant Documents and Records
Privacy Statement

RELEVANT LEGISLATION OR STANDARDS
Privacy and Data Protection Act 2014
Protected Disclosure Act 2012