

1. Background

HCO understands that privacy of personal information is essential. We respect and value the privacy of HCO workers, Clients, and others and we will only collect and use personal information in ways that are described in this policy and, in a way that is consistent with the rights of individuals and our obligations under the law.

2. Purpose

- 2.1** The purpose of this policy is to document the governing principles that will guide the management of privacy at HCO.
- 2.2** HCO is committed to complying with the national Privacy Act, 1988 and the associated Australian Privacy Principles, the SA Information Sharing Guidelines, the requirements of the Office of the Australian Information Commission (OAIC) and the NDIS Practice Standards.
- 2.3** HCO is committed to protecting the privacy of its workers, Clients and others when collecting, holding, using and disclosing personal information.

3. Scope/Application

- 3.1** This policy outlines the approach to maintaining privacy at HCO including the governing principles that ensure the appropriate management of personal information of workers, Clients and others for whom HCO may collect personal information.
- 3.2** This policy applies to all HCO officers and HCO workers.

4. Policy statement and principles

- 4.1** HCO respects the privacy rights of all individuals for whom HCO may collect personal information.
- 4.2** HCO will identify and manage the creation, collection, storage and sharing of all applicable personal and sensitive documentation, in accordance with HCO's policies, procedures and frameworks and applicable legislative and regulatory requirements.
- 4.3** HCO works from the principle that individuals have the right to know what information HCO may collect about them, how it may be collected, why it is collected, where and how it is stored, who has access to the information, how we use it and to whom the information may be disclosed.
- 4.4** HCO's principles on the collection, use and disclosure of personal information are:

4.4.1 The kind of information HCO may collect and hold may include:

(a) Personal information such as:

- Name, address, telephone number, other contact details
- Birthdate, marital status, gender
- Names and contact details of family members, legal guardians, nominees and significant others

- Finance and banking details
- Work and education history
- Centrelink information
- Medicare and Health fund information
- Photos and videos
- Personal computer MAC addresses
- Outputs of automated processing/AI decision making.

(b) Sensitive information such as:

- Racial or ethnic origin
- Religious beliefs or affiliations
- Sexual orientations or practices
- Health information including that of a physical and psycho-social nature
- Information about diagnoses and disability of individuals
- Genetic information
- Criminal record information.

4.4.2 Collection of personal and/or sensitive information

HCO will collect information with the consent provided directly by:

- (a)** the individual
- (b)** their authorised representative
- (c)** from another third party.

4.4.3 Storage of personal and/or sensitive information

(a) HCO may store information as a:

- digital record stored on its local servers.
- digital record with a third party data centre based in Australia.
- hard copy record/document stored at HCO head office or HCO site office(s).
- hard copy record/document stored at a registered off site storage facility.

(b) HCO will take all reasonable steps to:

- secure and protect the information it holds
- restrict access in accordance with our legislative and regulatory requirements and HCO policies and procedures.

(c) HCO commits to periodically review and take all reasonable steps to retain personal data for the period necessary and securely deidentify or dispose of obsolete data in accordance with our legislative and regulatory obligations.

4.4.4 The purposes for which HCO may collect, hold, use and disclose personal and/or sensitive information

- (a)** HCO may collect, hold and use our worker's personal and/or sensitive information for the primary purpose of employment or engagement as providers of disability services and supports.
- (b)** HCO may collect, hold and use our Client's personal and/or sensitive information for the primary purpose of providing the services and support to our Clients as set out in their Service Agreements.
- (c)** HCO may collect, hold and use contractors and suppliers personal information for the primary purpose established in individual arrangements to supply a service.

4.4.5 The circumstances in which HCO may disclose information to a third party

HCO will only disclose an individual's personal and/or sensitive information to a third party:

- (a)** where the information is related to the primary purpose for which the information was collected.
- (b)** with the expressed consent of the individual or their legally appointed representative.
- (c)** for a secondary purpose with the expressed consent of the individual or their legally appointed representative.
- (d)** in a response to a medical emergency.
- (e)** if required by law including, but not limited to:
 - the NDIS Commission – deaths, abuse, serious injury, neglect, restrictive practice.
 - State Authorities (SA) – child abuse (CARL), notifiable WHS incidents (SafeWork SA).
 - Other bodies – OAIC (privacy breaches), SA Coroner, SA Police (if criminal).
 - a court or tribunal order.
 - any relevant Royal Commission or parliamentary inquiry.

4.4.6 Privacy impact assessments will be documented for high risk or emerging data activities.

4.4.7 Access and correction of personal and/or sensitive information

- (a)** HCO recognises the right of any individual for who we hold information, to have access to their information. HCO will provide access to information upon request including the ability to have the information corrected. Requests for access and correction will be facilitated by the HCO Privacy Officer.
- (b)** HCO will notify all individuals in advance where data collection involves automated decisions or AI systems, explaining logic and impact, and offering an opt-out.

4.4.8 Complaints

HCO recognises the right of any individual for who we hold information to make a complaint if they believe their privacy may have been breached. HCO will provide options to individuals on how to report breaches and/or make complaints including directly through HCO's complaint system or to external regulatory bodies, including their rights to administrative remedies and/or civil claims for serious invasions of privacy.

4.4.9 HCO will respond to, investigate and report privacy breaches in accordance with our legislative and regulatory requirement and HCO policies and procedures.

5. Roles and responsibilities

5.1 HCO Board is responsible for adhering to and endorsing the Privacy policy.

5.2 Chief Executive Officer (CEO) has primary responsibility for the implementation of the Privacy policy.

5.3 Privacy Officer has responsibility for:

5.3.1 providing advice on HCO privacy policy to officers, HCO workers, Clients and Client representatives.

5.3.2 oversight of privacy audit in accordance with the HCO internal audit program.

5.3.3 facilitating access and correction requests, managing and where applicable and appropriate reporting and/or investigating complaints or concerns in regard Privacy breaches.

5.4 All HCO officers and workers have a responsibility to comply with this policy and all related policies, procedures and instructions.

6. References

6.1 GOV.04 HCO Information and records management policy

6.2 HCO Employment contract

6.3 HCO Code of conduct

6.4 C-AF 9 Client consent

6.5 C-AF 10 Client consent to release/disclose information

6.6 HCO's Privacy statement

6.7 Client privacy and dignity procedure

6.8 HCO Client privacy easy-read

6.9 POL 5 Information and Communication Technology

6.10 POL 15 Cybersecurity

6.11 HCO's Data breach response plan

6.12 *Privacy Act 1988 (Cth) and including Schedule 2 Privacy and Other Legislation Amendment Act 2024*

6.13 *Notifiable data breaches scheme*

6.14 *SA Information sharing guidelines*

6.15 *NDIS Act Secrecy Provisions*

6.16 *NDIA Privacy Policy*

7. Glossary of terms/definitions

7.1 Primary purpose – The purpose for which HCO collects personal information is known as the 'primary purpose' of collection. This is the specific function or activity for which HCO collects the personal information.

7.2 Secondary purpose – A purpose other than the primary purpose.

7.3 Personal information – Is defined as any 'information or opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not and whether the information or opinion is recorded in a material form or not'.

7.4 Sensitive information – Sensitive information is defined in the Privacy Act to include information or an opinion about such things as an individuals racial or ethnic origin, political opinions, religious or philosophical beliefs, membership of a trade union or other professional body, criminal or health information.

7.5 Automated processing – The use of software and technologies to automate business processes and functions in order to accomplish defined organisational goals, such as producing a product, hiring and onboarding an employee, or providing customer service.

7.6 Express consent – Express consent is given explicitly, either orally or in writing.

7.7 MAC address – Media Access Control address assigned as a unique identifier to all network devices.

7.8 Senior Management – A member of the Executive and/or has one or more direct Line Manager Reports.

7.9 Line Manager – Includes an worker's Manager in circumstances where the worker directly reports to the Manager.

7.10 Worker – An HCO employee, contractor, student or volunteer involved in the delivery of HCO services and supports.

8. Revisions

Revision	Minor, major or editorial revision	Description of revision(s)
Date: 7/12/2022 Version: 2.0	Major	Update to new policy template and include current organisational, regulatory and legislative requirements. Authorised by: Sue Horsnell Role: CEO
Date: 16/02/2024 Version: 2.1	Minor	Update to policy template. Authorised by: Sue Horsnell Role: CEO
Date: 20/08/2025 Version: 2.2	Minor	Update formatting, inclusion of AI and other digital technologies. Authorised by: Sue Horsnell Role: CEO

Document authorisation: HCO Board
Board Chair: Graham Rix

Implementation date: 7/12/2022

Signature:



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