

# Down Syndrome Victoria Privacy Statement

Down Syndrome Victoria is committed to providing quality services and your right to privacy and confidentiality will be recognised, respected, and protected in all aspects of your contact with us. This statement outlines our ongoing obligations to you in respect to how we manage your Personal Information.

Down Syndrome Victoria complies with the *Privacy Data Protection Act 2014 (VIC)*, the *Health Records Act 2001 (VIC)* and the *Privacy Act 1988 (Cwth)* as well as the general protections for the right to privacy contained in the *Charter of Human Rights and Responsibilities Act 2006 (VIC)*.

## What is Personal Information and why do we collect it?

Personal Information is information or an opinion that identifies an individual. Examples of Personal Information we collect include: names, addresses, email addresses and phone numbers.

We collect your Personal Information in many ways including interviews, correspondence, by telephone, by email, via our website [downsyndromevictoria.org.au](http://downsyndromevictoria.org.au), from other publicly available sources and from third parties.

### **Down Syndrome Victoria will only request and retain Personal Information that is necessary to:**

- assess your eligibility for a service;
- provide a safe and responsive service;
- monitor the services provided; and
- fulfil contractual requirements to provide non identifying data and statistical information to a funding body.

Photographs and videos are classified as Personal Information under privacy legislation. We will only take photos or videos of you with your full and voluntary consent.

When we collect Personal Information we will explain to you why we are collecting the information and how we plan to use it.

## Sensitive Information

Sensitive Information is a type of Personal Information that is an opinion about an individual's racial or ethnic origin, political opinions, membership of a political association, religious or philosophical beliefs, membership of a trade union or other professional body, sexual preference or practices or criminal record.

Sensitive Information includes Health Information, which is information or an opinion about the physical, mental or psychological health or ability of an individual.

**Sensitive Information will be used by us only:**

- for the primary purpose for which it was obtained; or
- for a secondary purpose that is directly related to the primary purpose; and
- with your consent; or where required or authorised by law.

## Third Parties

Where reasonable and practicable to do so, we will collect your Personal Information only from you. However, in some circumstances we may be provided with information by third parties (such as other disability support services). In such cases we will take reasonable steps to ensure that you are made aware of the information provided to us by the third party.

## Disclosure of Personal Information

**Your Personal Information will only be disclosed:**

- for medical treatment or emergency;
- to outside agencies with your or your representative's permission;
- with written consent from a person with lawful authority; or
- when required by Commonwealth Law, or to fulfil legislative obligations such as mandatory reporting.

## Security and Destruction of Personal Information

Your Personal Information is stored in a manner that reasonably protects it from misuse and loss and from unauthorised access, modification or disclosure.

When your Personal Information is no longer needed for the purpose for which it was obtained, we will take reasonable steps to destroy or permanently de-identify your Personal Information.

We will retain records relating to the provision of your services in accordance with the *Record Principles 2014*, which is for 3 years after the 30th June of the year in which the record was made. This includes records relating to individuals who we have permanently ceased providing support to.

## Access to your Personal Information

You may access the Personal Information we hold about you, including to update or correct it, subject to certain exceptions. If you wish to access your Personal Information, please speak to a staff member.

In order to protect your Personal Information we may require identification from you before releasing the requested information.

### You have the right to:

- request access to Personal Information we hold about you;
- access this information; and
- make corrections if you consider the information is not accurate, complete or up to date.

However, in accordance with the *Privacy Data Protection Act 2014 (VIC)*, access may be denied in part or in total where:

- the request is frivolous or vexatious;
- providing access would have an unreasonable impact on the privacy of other individuals;
- providing access would be likely to prejudice an investigation of possible unlawful activity;
- providing access would pose a serious and imminent threat to the life or health of any individual; or
- denying access is required or authorised by or under law.

We aim to address all requests to access or correct information within 2 working days. We will not charge any fee for your access request, but may charge an administrative fee for providing a copy of your information.

## Maintaining the Quality of your Personal Information

It is important to us that your information is up to date. We will take all reasonable steps to make sure that your Personal Information is accurate and complete. If you find that the information we have is not up to date or is inaccurate, please advise us as soon as practicable so we can update our records and ensure we can continue to provide quality services to you.

## Policy Updates

Down Syndrome Victoria's *Privacy and Confidentiality* and *Records and Information Management* Policies and Procedures will be formally reviewed at least annually. Formal reviews will include client, staff and other stakeholder feedback.

## Privacy Policy Complaints and Enquiries

If you have any queries or complaints about our Privacy Statement please contact us at:

 1300 658 873  [info@dsav.asn.au](mailto:info@dsav.asn.au)

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