



8.5 Privacy and Confidentiality

Scope

This policy ensures that:

- Tenants' privacy and confidentiality is respected.
- Personal and sensitive information is handled appropriately.

Statement of Commitment

SGCH respects the privacy of all individuals in the workplace. Furthermore, SGCH is committed to ensuring that all employees and others involved in the management of SGCH comply at all times with their obligations under the *Privacy and Personal Information Protection Act 1998*.

SGCH will not disclose information given by a client to third parties. It will be kept confidential.

Information about a client may be passed between employees of SGCH where it is required in the normal course of their duties. SGCH will only provide an individual's personal information to external organisations where there is a lawful reason to do so or where an exemption has been granted and is documented in the Privacy Code of Practice for Community Housing Providers or there is a current signed authority.

General rules

Information collected for one purpose will not be used for another purpose, unless:

- The person concerned has consented in writing to the use of the information for other purposes
- Releasing the information is necessary to prevent or lessen a serious threat to the health or life of the individual to whom the information relates or another person, or
- The information is required by law.

Accessing information

Staff members will not access, use, modify, disclose or retain information about any individuals except in performing the official duties in relation to their role.

Information accessed may be sensitive and will not be accessed until the person has given their written consent or there is some legal requirement to access the information.

Information held

SGCH holds some information in relation to its clients, employees, contractors and other workplace participants. This information includes, but is not limited to:

- Tax file numbers.



St George Community Housing

Policies

Section 8 — Tenants' Rights and Participation

- Information relating to the personal background of these workplace participants (such as their home address, sex, date of birth, nationality, languages spoken, their employment history, their educational qualifications, any illnesses and details of contact people in the event of any emergency).
- Information documenting the work history of these workplace participants (such as their letter of appointment and back account details as well as records of any salary adjustments, written warnings, salary sacrifice documents and sick leave taken).

There are a variety of reasons why SGCH is required to hold this information. Some of these reasons include:

- Ensuring both SGCH and any workplace participants are meeting their obligations under relevant legislation as well as their contract of employment.
- Ensuring the health, safety and welfare of all workplace participants at times when they are performing work for SGCH.
- Ensuring appropriate insurance for workplace participants.

While SGCH does contract out some of its services, any of the above information will not be disclosed to any contractors without the prior consent being obtained from any affected individual.

There may be certain circumstances where SGCH is contacted in relation to some or all of the above personal information, for example, when an SGCH employee has applied for a loan with a financial institution and that financial institution contacts us to verify details of income being received. Prior approval must be given by the employee before SGCH can verify.

Applicants and tenants

Personal information is particularly sensitive and will not be disclosed unless:

- The person concerned has given their written consent.
- The information is connected with the administration or execution of the Housing Acts.
- There is some legal requirement to disclose the information.
- The person is a Member of Parliament or Minister representing a constituent.
- The information is required by law.

Staff may disclose an individual's personal information in joint meetings with other agencies where a service agreement, memorandum of understanding or similar document is in place and the Privacy Act or Code permits the disclosure, or when seeking the professional opinion of another staff member. However, they will withhold personal information that is not relevant to the matter being discussed.

SGCH will only document changes to personal information on record when the change is accurate.

Tenant files will be kept in such a way that they can only be accessed by personnel in SGCH who have a right to do so.



St George Community Housing

Policies

Section 8 — Tenants' Rights and Participation

Keeping the identity of people who make complaints confidential

The identity of a person making a complaint will always be kept confidential, unless it is required to be disclosed by law.

If the identity of a person making a complaint can be discovered from their hand writing or any other characteristic, SGCH will take steps to protect their identity. SGCH will do this because records of complaints against tenants are kept in the tenants' files. SGCH's records can be subpoenaed and made available to other people.

Disclosing information

Wherever practicable, SGCH will check that information is accurate before disclosing it. SGCH will only give information to the police if they can demonstrate that they are carrying out a formal investigation.

Appealing decisions or actions

Anyone who feels that there has been an unwarranted invasion of their privacy should contact our Privacy Contact Officer, who can be contacted on 9585 1499.

If a person is unhappy about any other matter in relation to SGCH, they can make a complaint to SGCH.

If a client appeals to the Housing Appeals Committee, their SGCH file can be referred to the Committee. The Committee complies with privacy requirements.

IT security

System access is granted on a user needs basis only. System access is also restricted so that confidential and sensitive information may only be accessed by the relevant manager or team leader.

Staff need to ensure their passwords are not known to anyone else. Passwords must not be shared and passwords must be changed every three months.

Staff will not leave open applications on their computer unattended while logged on to any system containing confidential and sensitive information.

Security of files

All files are secured in lockable filing cabinets.

Files are not to be removed from the cabinet, unless authorised staff are currently working on the file. Staff must not take files home with them.

Files will be held as per the legal requirement and then destroyed in full.



St George Community Housing

Policies

Section 8 — Tenants' Rights and Participation

Related policies

- 1.11 Appeals policy
- 1.12 Complaints policy