

PRIVACY POLICY

DOCUMENT CONTROL

Title of document	Privacy Policy
Version	2.0
Category of document	Policy
Applicable to	Directors, employees, clients, volunteers and contractors
Approval Authority	Board
Document Owner	General Manager Governance & Corporate
Date Approved	30 August 2022
Next scheduled review date	August 2024

1. INTRODUCTION

Mosaic Support Services (Mosaic) recognises the importance of protecting privacy and the rights of individuals in relation to their personal information. Mosaic is committed to using all reasonable endeavours to ensure that personal information is treated appropriately, in accordance with the *Privacy Act 1988* (Cth), the associated Australian Privacy Principles (APPs), and the *Personal Information Protection Act 2004* (TAS). In addition, as a registered NDIS provider, Mosaic adheres to the NDIS Practice Standards on Privacy and Dignity by ensuring that each client can access supports that respect and protect their dignity and right to privacy.

2. PURPOSE

This Policy outlines how Mosaic treats personal information, including the purpose for which we collect, store, use and disclose personal information, as well as our obligations and rights to that information by law. This Policy relates to all individuals that have dealings with Mosaic including clients, families, stakeholders, employees, volunteers and contractors. A copy of this Policy including an easy read version is published on Mosaic’s website at mosaictas.org.au.

3. POLICY

The types of information we collect

Mosaic will only collect information relevant to our personal dealings with the individual that is reasonably necessary for the service or function required. This information includes:

Personal Information

Personal information is information or an opinion about an individual, whose identity is apparent, or can be reasonably ascertained, from the information or opinion. Personal Information can be true or false, include photos and images, video or other recordings, electronic information and paper-based documentation. We will take all reasonable steps to ensure the personal information we collect about an individual is accurate, up-to-date and complete. In dealing with Mosaic, we may request (but are not limited to) an individual’s:

- Name, address and other contact details
- Date of birth and gender
- Bank account details
- Tax File Number
- Medicare Number

Sensitive Information

Sensitive information is a special category of personal information that is subject to stricter legal requirements for collection, storage, use and disclosure. Under Privacy Laws, sensitive information includes information or an opinion about an individual's:

- Racial or ethnic origin
- Political opinion or 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
- Health information (detailed further below)

Health Information

As a category of sensitive information, Health Information is also generally afforded a higher level of protection under Privacy Laws. Health information includes information or opinions about an individual's:

- Physical and mental health
- Disability
- Health preferences
- Use of health services
- Bodily donations (such as blood, organs)
- Genetics

In dealing with Mosaic, we may request (but are not limited to):

- Notes or reports on a person's diagnosis and treatment
- Healthcare identifiers
- NDIS plan, NDIS identifier and funding information
- Centrelink Customer Reference Number
- Details of treating practitioners or allied health specialists

Mosaic collects a combination of the above types of information on clients, employees, guardians, contractors, volunteers and other stakeholders through various stages of engagement. The collection of this information will only be completed if determined to be reasonably necessary to facilitate the organisation's functions and activities relevant to the specific individual.

How we collect information

Mosaic will endeavour to collect the information required to facilitate a relationship by lawful and fair means, and unless required or permitted by law to act otherwise, will obtain the individual's consent prior to the collection of information. Methods by which information may be collected include:

Directly from the individual

Wherever possible, Mosaic will collect information directly from the individual concerned. The ways in which we may do this include (but are not limited to):

- Through use and access to our websites
- During conversations with Mosaic representatives
- Through the completion of a Mosaic application, form, agreement or expression of interest
- Via attendance at one of our sites, events or functions
- Surveys

From third parties

In some circumstances, Mosaic may collect information about an individual from third parties. This will generally only be done if the individual has been informed and consented or would reasonably expect us to collect the information to facilitate the relationship. There are some circumstances, such as emergency scenarios, where it may not be possible to notify the individual prior. Third parties include (but are not limited to):

- Guardians and family members
- Health practitioners
- Referees
- Government regulators or authorities
- Third party service providers

Cookies

In some cases, we may also collect personal information using cookies via the third-party host of our websites. When an individual visits our websites, we may send a 'cookie' (which is a small summary file containing a unique ID number) to their computer. The purpose of these cookies is to conduct analysis and improve performance of the websites. The cookies allow us to recognise and count the number of visitors, and to monitor how users navigate the websites. This helps us to improve the way our websites work. If an individual does not wish to receive cookies, they can set their browser so that their computer does not accept them.

We may log IP addresses (that is, the electronic addresses of computers connected to the internet) to analyse trends, administer the website, track user movements and gather broad demographic information.

What happens if information is not provided

In the instance that we are unable to obtain the necessary information, Mosaic may be unable to establish or maintain a business relationship, or the quality of service provided may be negatively impacted.

Use of information

Mosaic collects the necessary personal information required in order to perform our organisational functions and to provide the best possible quality of client support services. We will only use information for the stated purpose advised when the information was collected, and for any related purpose that would be reasonably expected. This may include (but is not limited to):

- Assessing and processing requests for client support services
- Determining appropriate support requirements
- Provision of services and day to day activities
- Booking and billing

- Uses required or authorised by law
- Research and development
- Analytics for the purpose of providing suitable services
- Direct marketing
- Essential communications
- Answering enquiries and providing information or advice about services offered
- Conducting business processing functions including providing personal information to our related contractors, service providers or other third parties such as government agencies
- Updating our records and keeping contact details current
- Processing and responding to a complaint or feedback
- Processing transactions via the ecommerce store

Information provided by an individual to Mosaic relating to personal health, legal and financial affairs will be kept confidential, except to the extent that such information is realistically accessible to a member of the general public at the time of the request, required to be disclosed by law or consented to by the individual.

In general, Mosaic does not use or disclose information for any purpose that is not:

- Outlined in this Policy
- A reasonable expectation
- Required or permitted by law
- Otherwise disclosed to the individual and to which they have consented

Marketing

We may use personal information to provide information about services, upcoming events or other related information we believe might be of interest.

In doing so, we may also provide your details to other organisations for specific purposes such as direct marketing, pre-screening for direct marketing and to better understand our client profile.

Individuals may opt out at any time from receiving marketing information in general or from receiving through a particular channel, such as email, by unsubscribing from our marketing mailing lists. Unsubscribing will not stop essential communications from being issued.

To whom we disclose information

We may disclose personal information to:

- Our employees, contractors or service providers for the purposes of operation of our business functions and activities
- Third parties with whom we have relationships for business or other related purposes
- Market research companies directly engaged by Mosaic
- State, federal or regulatory authorities as needed
- Any authorised organisation or person for any authorised purpose with the individual's expressed consent

There may be times where other legal obligations provide an exemption from a requirement to obtain informed consent from an individual to disclose information. This might include mandatory reporting requirements on child protection matters or an obligation to report incidences of violence, exploitation, neglect and abuse or sexual misconduct to the NDIS Commission and/or Police.

Access to the personal information we hold

Individuals have the right to request access, or a correction, to any personal information we hold about them at any time, by contacting us (see the details below). Where Mosaic holds information that an individual is entitled to access, we will endeavour to provide this via a convenient means, such as email or post, within a reasonable timeframe.

There may be instances where we are unable to fulfil the access request, such as if by doing so would interfere with the privacy of others or would result in a breach of confidentiality. If we refuse to grant access to any of the information we hold, we will provide reasons for the refusal and the relevant provisions of the Privacy Act that apply to refusal of access.

Security

Mosaic will take all reasonable steps to ensure personal information, in all forms, is protected from:

- Misuse, interference and loss; and
- Unauthorised access, disclosure or modification.

Personal information is destroyed or de-identified when it is no longer required to be kept.

Depending on the type of information, we may send information to third party storage providers to hold and keep secure. In these instances, we will take all reasonable measures to make sure the information remains protected.

Physical information security

Some of the things we may do to protect physical information we hold include:

- Limiting access to employees and/or service providers who have been authorised to access the information for a purpose listed within this Policy
- Providing training to relevant employees on how to manage client records and personal information in accordance with this Policy
- Enforcing a 'clean desk policy' to minimise the risk of inadvertent disclosure of information
- Implementing physical protection by keeping personal information in locked drawers or cabinets when not in use

Digital information security

Some of the things we may do to protect digital information we hold include:

- Using up-to-date security measures on our websites
- Performing regular security testing and auditing of our systems used to store personal information
- Limiting access to employees and/or service providers who have been authorised to access the information for a purpose listed within this Policy, including electronic access restrictions
- Limiting the use of portable storage devices, including laptops, disks and USB keys, or use encryption or other security measures
- Recording audit trails of access to documents

Providing training to relevant employees on how to manage client records and personal information in accordance with this Policy

Information we did not ask for or no longer need

We may at times receive information that we did not ask for. When this happens, Mosaic will determine, if such information is necessary to facilitate the organisation's functions and services with that individual. In these instances, Mosaic will make every effort to notify the individual, and the information will be kept securely along with the rest of the information collected directly from the individual.

If the information is not reasonably required, it will be destroyed or de-identified.

When we no longer require information to facilitate a business relationship, it will be destroyed or de-identified in accordance with archive requirements.

In the event of a data breach

Mosaic is bound by the *Privacy Act 1988* and is committed to compliance with the Notifiable Data Breaches Scheme (NDB), which was established by the *Privacy Amendment (Notifiable Data Breaches) Act 2017*. The purpose of the NDB is to protect people whose personal information has been released without their authority.

The NDB specifies that where a data breach has occurred that is likely to result in serious harm to any individuals to whom the information relates, Mosaic is required to notify those individuals as well as the Office of the Australian Information Commissioner (OAIC). This applies in all cases unless remedial action is taken by Mosaic that prevents serious harm from being a likely outcome for the individual.

Mosaic is required to assess any suspicion of a notifiable data breach and take all reasonable steps to ensure that the assessment is completed within 30 days.

Complaints and feedback

To report a breach, or other privacy concern, please contact Mosaic via any of the contact methods listed below and provide details so we can investigate. Mosaic takes feedback very seriously and will endeavour to treat any complaint or feedback as an opportunity to improve the way we do things.

Contact Details for Mosaic Support Services

Phone: (03) 6244 9444

Email: feedback@mosaictas.org.au

Post: 99 Bathurst St, Hobart, Tas, 7000

In line with our Compliments and Complaints Policy, Mosaic will acknowledge feedback and complaints in writing within 48 hours of receipt of that feedback/complaint. Mosaic will endeavour to resolve all complaints within two weeks of their receipt and, where this is not possible, we will communicate to provide a reason for the delay and provide a revised resolution timeframe.

It is best to contact Mosaic first about privacy concerns as we may be able to resolve the matter in a prompt manner to the satisfaction of both parties. However, where an amicable outcome is not achieved, it is Mosaic policy to seek external mediation.

Complaints can also be made to the NDIS Commission. They can be contacted on 1800 035 544 or by completing a Complaint Contact Form on the www.ndiscommission.gov.au.

Alternatively, individuals can reach out to the Office of the Australian Information Commissioner who can investigate the complaint. They can be contacted by the privacy hotline on 1300 363 992 or at www.oaic.gov.au.

4. SUPPORTING LEGISLATION

Privacy Act 1988 (Cth)
 Personal Information Protection Act 2004 (Tas)
 Spam Act 2003 (Cth)
 Archives Act 1983 (Cth)
 Healthcare Identifiers Act 2010 (Cth)

5. RESPONSIBILITIES

All Mosaic Board Directors, employees, volunteers and contractors are responsible for ensuring that they understand and adhere with the specifications set out in this Policy in relation to the collection and handling of personal information.

6. RELATED DOCUMENTS

NDIS Code of Conduct
 Code of Conduct
 Compliments and Complaints Policy

7. REVIEW CYCLE

This Policy will be reviewed every two years from the last approval date, or earlier if:

- There are changes in the Relevant Laws; and/or
- There are any material changes to relevant risks, i.e. the consequence assessment of a risk is determined to be medium or above as per the Risk Management Framework - Consequence table; and/or
- There are any substantial changes to the Mosaic operational structure and/or systems.

REVISION HISTORY

Version Number	Date Approved	Brief Description	Change Author
1.0	27 July 2021	Full policy review undertaken to ensure legislative and NDIS requirements are captured. The Privacy Policy replaces the Client Privacy Policy.	GM GRQ
2.0	30 Aug 2022	Annual review undertaken. Review Cycle section included and minor update to wording in Complaint and feedback section. Maintaining client personal privacy has been removed as covered in the Client Personal Privacy Policy.	GM Governance & Quality