

## 1.2: Privacy, confidentiality and sharing information

### Policy Statement

This policy is maintained in accordance with legal and regulatory obligations, and establishes Kalwun Development Corporation's (Kalwun) commitment to protect the privacy of individuals.

### Purpose

The purpose of this policy is to outline how Kalwun gathers, uses, discloses and manages **Personal Information** in accordance with the Australian Privacy Principles (**APP**) as outlined in the *Privacy Act 1988 (C'th) (Act)*.

This Policy is the governing policy document covering how Kalwun gathers, uses, discloses and manages Personal Information and must be complied with at all times across all business divisions and with consideration other mandatory obligations under other Australian Law and Regulations e.g. the Child Protection Act, 1998 and the Health Services Information and Privacy Act 2002 where exceptions to these legislation exist.

### Scope

- All Kalwun employees and volunteers
- All Kalwun contractors and consultants
- All Kalwun Board Members
- Authorised third parties of Kalwun

### Procedures

#### Collection of Personal Information

Kalwun collects and holds Personal Information about individuals which identifies individuals and is required to provide individuals with the services they are seeking. The kinds of information we collect and hold include:

- Personal Information provided by an individual including name, address and other contact details; Medicare number (where available) for identification and claiming purposes); healthcare identifiers; and
- Sensitive Information such as health and medical information including medical history, medications, allergies, adverse events, immunisations, social history, family history and risk factors.

Kalwun will collect Personal Information (which includes Sensitive Information) that is necessary for Kalwun to perform its obligations and role with an individual's consent (or with the consent of a spouse, carer, guardian or responsible person, or person appointed under a Power of Attorney). Personal information will generally be collected from individuals through the use of our standard forms, in person during a consultation or assessment, through a telephone conversation with a individual, over the internet or via email.

At the time of collection, Kalwun will notify the individual of the following matters:

- Kalwun's identity and contact details;
- The facts and circumstances of collection;

#### **KALWUN FAMILY WELLBEING SERVICE - COOMERA**

9 Jowett Street, Coomera QLD 4209  
PO Box 1210, Oxenford QLD 4210  
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- If the collection is required or authorised by law;
- The purposes of collection;
- The consequences if Personal information is not collected;
- Kalwun's usual disclosures of Personal Information of the kind being collected;
- Information about this Policy; and
- Whether Kalwun is likely to disclose Personal Information to overseas recipients, and if practicable, the countries where they are located.

Kalwun will not collect Personal Information unless it is reasonably necessary for one of its functions or activities. All Personal Information will only be collected through lawful and fair means.

If lawful and reasonable to do so, Kalwun will destroy and de-identify all unsolicited Personal Information it receives if Kalwun would not normally collect this information to perform one of its functions or activities or if the information is sensitive and no content has been given.

Kalwun consumers have the option of not identifying themselves or of using a pseudonym when accessing services unless Kalwun is required under Australian Law, court or tribunal order to deal with individuals who have identified themselves

or

It is impractical for Kalwun to deal with individuals who have not identified themselves or who have used a pseudonym.

### **Use and Disclosure**

Kalwun will only use or disclose Personal Information collected for the **Primary Purpose** indicated at the time of collection unless:

- Consent has been obtained to the use of the information for the **Secondary Purpose**;
- The Secondary Purpose is related to the Primary Purpose, and the individual would reasonably expect Kalwun to use or disclose the information for the Secondary Purpose;
- Use or disclosure is necessary to lessen or prevent a serious or imminent threat to someone's life, health or safety or a serious threat to public health and safety;
- Kalwun uses or discloses the Personal Information in investigating a suspicion of unlawful activity or in reporting its concerns to relevant persons or authorities;
- The use or disclosure is required or authorised by or under law;
- To establish, exercise or defend an equitable claim; or
- To assist in locating a missing person.

The purposes for which Personal Information is collected, held, used and disclosed will generally relate to one of the following:

- Assessing whether an individual is eligible for Transport, Homecare, Aged Care, Respite, Family and Child Care Services;
- Providing accommodation, care, health and wellness services;
- Providing medical services and for claims and payments
- To third parties for business purposes such as accreditation or for the provision of information technology (NB: These third parties are required to comply with this policy);

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- Where there is a statutory requirement to disclose certain Personal information (for example some diseases require mandatory notification);
- Improving our services;
- Conducting research;
- Preparing contract documents; or
- Resolving a complaint.

### **Data Quality**

Kalwun will take reasonable steps to ensure that Personal Information collected is relevant, accurate, complete and up-to-date for the purpose for which it is to be used, both at the time of collection and use.

### **Data Security**

All Personal Information collected is stored on Kalwun databases. Kalwun will take reasonable steps to ensure that the Personal Information it holds is protected from misuse, loss, interference, unauthorized access, modification or disclosure.

### **Openness**

If requested Kalwun will let the individual know what sort of Personal Information it holds, for what purposes, and how it handles that information. Kalwun will also make this Policy available to anyone who requests a copy of it.

### **Access and Correction**

Individuals can access their Personal Information held by Kalwun, upon written request to Kalwun's Privacy Officer. Kalwun will endeavour to acknowledge the request within 14 days of its receipt and to provide the individual with access to the information requested within 30 days of receipt of the request. To obtain access to their Personal Information, an individual will have to provide Kalwun with proof of identity. This is necessary to ensure that Personal information is provided only to correct individuals and that the privacy of others is protected.

If, upon receiving access to their Personal Information or at any other time, an individual believes their Personal Information is inaccurate, incomplete or out of date, the individual can notify Kalwun's Privacy Officer to correct their Personal Information. Kalwun will endeavour to acknowledge the request for correction within 14 days of receipt of the request and to correct the information within 30 days of receipt of the request. Kalwun will take reasonable steps to correct the information so that it is accurate, complete and up to date.

Kalwun may decline a request in circumstances prescribed in the Privacy Act. If so, Kalwun will give the individual a written notice setting out the reasons for refusal and the complaint mechanisms available to them.

### **Overseas disclosures**

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Personal information collected by Kalwun is retained in Australia and is not disclosed to any overseas recipients.

### **Marketing**

There may be occasions where Personal Information is used for direct marketing purposes. Individuals have the right to:

- Contact Kalwun to 'opt-out' of receiving direct marketing communications; or
- Request Kalwun to provide its source of the individual's Personal Information where reasonable and practicable.

### **Compliance with Australian Privacy Principles**

Kalwun will take proactive steps to establish and maintain internal practices, procedures and systems that ensure compliance with the APPs.

### **Complaints**

If an individual believes Kalwun has at any time breached this Policy a complaint may be lodged, in writing, to Kalwun's HR Manager whose details are listed below:

Kalwun Development Corporation HR Manager  
PO Box 2588  
Burleigh Waters, QLD 4220

Phone: 07 55783434

Email: [HR@Kalwun.com.au](mailto:HR@Kalwun.com.au)

Kalwun will endeavour to acknowledge the individual's complaint within 14 days of its receipt, and make a determination on the complaint within 30 days of its receipt.

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