



Privacy and Confidentiality Policy

Policy Owner:	The Manager Corporate Services is responsible for the review and currency of this policy.
Endorsement:	Endorsed by the Executive Team on 9 April 2025.
Board Approval:	Adopted by the Board of Directors at a meeting of the Board on 29 April 2025. This policy is valid from the date of Board approval and remains in force, as amended from time to time, until such time as formally revoked by resolution at a meeting of the Board of Directors.
Next Review Due:	April 2028

1. Purpose

This policy outlines MASP's commitment to ensuring the privacy and confidentiality of all individuals accessing MASP services, as well as all staff and volunteers, in compliance with relevant privacy laws.

2. Scope

This policy applies to all information collected, used, and stored by MASP employees in their work with clients, as well as information disclosed to MASP employees, volunteers, carers, and students on placement (hereafter referred to as "staff"). It also extends to members of the governing body who may occasionally access client information in their governance role.

3. Policy Statement

MASP respects clients' rights to privacy and confidentiality and complies with the Australian Privacy Principles as outlined in the Privacy Act 1988. These principles govern the collection, use, storage, and disclosure of personal information. Staff must adhere to these standards to ensure the protection of client data.

Detailed procedural guidance is outlined in the **MASP Privacy and Confidentiality Procedures** document.

MASP is committed to:

- Protecting and upholding the privacy rights of clients, staff, volunteers, governing body members, and representatives of partner agencies.
- Ensuring the secure collection, storage, and use of personal information in compliance with the Australian Privacy Principles.
- Requiring all staff, volunteers, and governing body members to handle written and verbal information with care and discretion.
- Meeting all legal and ethical obligations as an employer and service provider to safeguard the privacy of clients and staff.
- Providing clients with clear information about their privacy rights.
- Ensuring that clients and staff are afforded privacy during interviews or discussions of a sensitive nature.
- Ensuring all staff, governing body members, and volunteers understand and adhere to privacy obligations.

MASP complies with all requirements of the **Privacy Act 1988**, including amendments under the **Privacy Amendment (Notifiable Data Breaches) Act 2017**, to enhance the protection of personal information.

This policy applies to all personal records, whether in hard copy or electronic format, as well as to sensitive discussions and interviews involving personal information.

3.1 Responsibility for Implementation and Authorisation of Disclosures Without Consent

The Privacy Officer is responsible for educating and assisting MASP staff in understanding and complying with privacy and confidentiality principles.

The Manager Corporate Services is the designated Privacy Officer and the first point of contact for staff seeking guidance on requests for disclosure of client information when written client consent is not provided or when there is uncertainty about releasing information (e.g., inquiries from family members, police requests without written authorization, etc.).

- If a request clearly requires denial, the Manager Corporate Services will provide guidance on the appropriate response.
- If further consultation is required, the Manager Corporate Services, CEO, and Director of Client Services will collectively determine whether client information should be disclosed in the absence of client consent and will handle subpoenas received.
- Team Leaders and other Managers do not have the authority to permit disclosure of client information without client consent.

3.2 Applicability of the Privacy Act

The Privacy Act applies to organisations with an annual turnover exceeding \$3 million or those that:

- Provide health services,
- Operate a residential tenancy database,
- Act as contractors under Commonwealth contracts,
- Are related to larger organisations,
- Trade in personal information.

Additionally, MASP may be required to comply with the Australian Privacy Principles as a condition of funding contracts.

3.3 Policy review

This policy will be reviewed regularly to ensure ongoing compliance with legal and organisational requirements.

4. Roles and responsibilities

Role	Responsibility
Manager Corporate Services	Responsible for the review and currency of this policy and associated procedures.
Privacy Officer (Manager Corporate Services)	Ensuring the organisation adheres to privacy law and protects personal information.
Board of Directors	Approving this policy.
All Staff	Adhering to the policy.

5. Definitions

MASP	Mallee Accommodation and Support Program Ltd.
ELG	Executive Leadership Group
Privacy	In terms of information, privacy is the right of an individual to have some control over how his or her personal information (or personal health information) is collected, used, and/or disclosed.
Confidentiality	Confidentiality is the duty to ensure information is kept secret to the extent possible.
Personal Information	Any information that can identify an individual, including name, address, phone number, email, date of birth, and other identifiable data.
Sensitive Information	A subset of personal information that requires higher protection, such as financial data, health records, or government-issued identification.
Confidential Information	Any non-public information that an organization or individual considers private, including business strategies, client data, internal reports, and proprietary knowledge
Consent	The explicit or implied agreement of an individual for their personal information to be collected, used, or shared under specified conditions.

6. Related Documents

This policy is implemented in conjunction with the following related documents:

Policies	<ul style="list-style-type: none"> • Code of Conduct Policy • Conflict of Interest Policy • Privacy and Information Security - Tenants and Prospective Tenants Policy • Staff Grievances Policy • Disciplinary Procedures Policy
Procedures	<ul style="list-style-type: none"> • Privacy & Confidentiality Procedure
Instructions and Guidelines	<ul style="list-style-type: none"> • Client Information Guide
Forms and Templates	<ul style="list-style-type: none"> • NIL

7. Legislation and other References

Related Legislative Acts and other sources of Authority	<ul style="list-style-type: none">• The Australian Privacy Principles in the Privacy Act 1988 (Cwlth).
Related Standards, Guidelines and other References	<ul style="list-style-type: none">• Performance Standards for Registered Housing Agencies• Disability Services Commissioner• Human Services Standards• Child Safe Standards• Complaint Handling Guide - upholding the rights of children and young people