



**Disability Advocacy  
Support Helpline**

# Privacy Policy

Brought to you by  
Advocacy Law Alliance in partnership  
with the Disability Gateway.



# Privacy Policy

## 1. About this Policy

This Policy explains how we collect, use, share and manage your personal information in line with the *Privacy Act 1988 (Cth) (Privacy Act)* and all other relevant state laws.

## 2. Our commitment

The Disability Advocacy Support Helpline is committed to protecting your right to privacy. As well as meeting all relevant privacy laws, everyone who is part of the Helpline must be consistent and careful in what they write and say about people, and how they decide who can see or hear this information.

## 3. Why we collect information about you

We are required by the bodies that fund our service to collect certain information about you. Meeting these requirements from funding bodies means you are able to access our services at no cost.

We also collect this information to help us keep track of the work we are doing for you and to provide you with the best possible advocacy service.

## 4. Types of information we collect

### 4.1 Personal information

In this Policy, 'personal information' has the meaning given to it in the *Privacy Act*. Generally, it means any information that can be used to identify you, such as your:

- name
- address
- phone number
- email address
- job.

### 4.2 Sensitive information

In this Policy, 'sensitive information' has the meaning given to it in the *Privacy Act*. It is a special type of personal information and is given a higher level of protection.

It may include information or opinions about things like your:

- race or ethnic background, such as if you are an Aboriginal or Torres Strait Islander
- health
- sexual preference or gender identity.

Sensitive information can only be collected if you say so (give consent), except in some certain circumstances.

## 5. Collection of information

We only collect the information we need to comply with legal requirements and provide you with a high-quality advocacy service. We will ensure that:

- we use fair and lawful ways to collect personal information
- we have your consent to collect personal information
- you know what sort of personal information is held, why we have it, who will have access to it, and how it is collected, used and shared
- you are given information about your rights regarding privacy
- you have privacy when being interviewed or when discussing matters of a personal or sensitive nature
- the personal information we have about you is accurate, complete and up-to-date, and that you can review information or correct wrong information about yourself
- we meet our legal and ethical obligations as an employer and service provider in protecting your privacy and that of the Helpline team
- all the Helpline's staff, board members and volunteers understand what they need to do to meet our privacy obligations.

*'We only collect the information we need to comply with legal requirements and provide you with a high-quality advocacy service.'*



# Privacy Policy

## 6. What we do with your information

The Helpline team collects, uses, shares and manages personal information to:

- provide services and send communications
- answer enquiries and provide information or advice about Helpline services
- undertake administration, planning, quality control and research
- update our records and keep individual contact details up to date
- process and respond to any complaints
- comply with any relevant laws, rules and regulations made by regulators or government.

Personal information will not be shared, sold, rented or disclosed other than as described in this Privacy Policy.

This Policy applies to all records (whether hard copy or electronic) containing personal information, and to interviews or discussions of a sensitive personal nature.

## 7. How we maintain your privacy

When we have our first discussion with you, we will let you know what information is being collected, how your privacy will be protected, and your rights. We will also give you a copy of our *Client Handbook* and Privacy Policy on request.

### 7.1 Privacy for interviews and personal discussions

When we are discussing matters that are sensitive or personal, we will make sure that these conversations take place in a private environment.

### 7.2 Privacy in research projects

If we invite you to take part in a research project, we will make sure you are:

- given a choice about participating
- given the right to stop participating at any time
- informed about the purpose of the research project, the information to be collected, and how your information will be used.

## 8. Access to information

We are committed to being transparent and open to questions about what we do and how we work. We seek to balance this commitment with upholding people's right to privacy and the Helpline's right to confidentiality in sensitive matters about our program.

Access to some of the Helpline's documents and records will be limited only to people who are authorised to see them, such as team members who need them to provide you with our service. This Policy applies to our internal records, unpublished materials, and records of information about you.

### 8.1 Who has access to your records

Your records will only be accessed by you upon your request, and authorised people in the Helpline team. The records will not be shared with any other programs within the broader organisation (known as Advocacy Law Alliance) that runs the Helpline, unless you give us your consent.

We will also need your consent to share information about you with any other parties, except in the following situations:

- **Subpoena (unless the information is known as 'legally privileged')** – a subpoena is a legal order to produce documents or give evidence. If your file is ordered by a subpoena, we will let you know as soon as possible. Only information ordered by subpoena will be released. In this instance, the information may be copied for this purpose. Our Executive Officer will be notified immediately to ensure the subpoena complies with legal requirements and may seek legal advice.
- **Necessity** – we may need to share your information if we believe it is necessary to prevent:
  - a serious and imminent threat to a person's life, health or safety
  - a serious threat to public health or safety.

A decision to share your information to seek help or protect you will take into account your capacity to make decisions. Any need to share your information based on necessity will be discussed with our Executive Officer wherever possible.



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- **Child protection legislation** – under child protection legislation, our Helpline team may be defined as ‘mandatory reporters’. This means team members may believe on ethical grounds that they should share relevant information to the relevant child protection authority, where they have reasonable grounds to think that a child is at risk of serious harm. If a team member needs to share your information because of mandatory reporting, it will first be discussed with our Program Manager and Executive Officer.

## 8.2 How you can access your records

You have the right to access your records and let us know about anything in your records that isn't right. You can ask in writing or in person for your records, and will need to provide identification to show it's you.

It may take up to 30 days to provide you with a copy of any document you request. You will be given a copy of the document, rather than the original. A record of the request and information provided to you will be kept on your file.

The request must be approved by the Program Manager, who will seek to make fair and appropriate decisions about access to personal information. If you are refused access to your own records or information, you may appeal by contacting our Executive Officer. With your consent, they will then review the decision while taking into consideration this Policy.

Requests for information about you from outside agencies or other people will first be taken to the Program Manager. We will then contact you to get your consent before any information is released.

*'You have the right to access your records and let us know about anything in your records that isn't right.'*

## 9. Storing and managing your information

### 9.1 Where your information is kept

Your personal information is kept in a secure cloud-based CRM system, with servers located in Australia and protected by multi-factor authentication and up-to-date security practices. We have a designated IT service provider to manage all data security and backups for records. Contractors with potential access to confidential information, such as IT contractors, are required to sign or provide a confidentiality agreement.

The Helpline team will take all reasonable steps to protect personal information from misuse and loss, and from unauthorised access, modification or disclosure.

### 9.2 How long we keep your information

The Helpline team will keep your personal information for a minimum of seven (7) years unless we are legally required to do otherwise.

We have processes in place to make sure we only hold personal information that we need. These include filing and managing information systematically so that:

- material about people who use our service is stored, reviewed, archived and disposed of appropriately
- regular reviews take place to remove and dispose of material that is no longer required. We will destroy or permanently de-identify personal information that is not needed and/or after we are no longer required to keep information by law
- information is disposed of in a way that protects people's privacy.



# Privacy Policy

## 10. Standards auditing

As part of our funding agreements, we may need to undergo standards auditing. This means a person outside of the Helpline will check a sample of people's files, as well as records of complaints, to make sure that the service we are providing meets the agreed standards.

You will be informed about this process and given a choice to participate or not. In our first meeting with you, we will also discuss the possibility of being involved in a standards audit. You have the choice to say if you don't wish to participate, and this will be recorded on your file.

Standards auditors must sign and follow a confidentiality agreement that stops them sharing or identifying any personal information they may see during the audit.

## 11. Responsibilities of the Helpline team

All members of the Helpline team are responsible for managing personal information they have access to throughout their work.

The Executive Officer is responsible for content in the Helpline's publications, communications and website, and must ensure the following:

- we have appropriate consent to include personal information about any person, including the Helpline's team
- information provided by other agencies or people outside the Helpline meets our privacy principles
- our website does not collect personal information about people when they visit our website.

The Executive Officer and Program Manager are responsible for keeping safe personal information about the Helpline's staff, board members, volunteers and contractors.

The Privacy Contact Officer for the Helpline is the Program Manager.

The Program Manager is responsible for:

- ensuring the Helpline team is familiar with the Privacy Policy and procedures for handling personal information
- ensuring that you and other relevant people in your life are provided with information about your privacy rights
- handling any queries or complaints about privacy
- complying with our Information Barriers Policy, to make sure information is shared appropriately.

## 12. Complaints process

The Helpline has a complaints process, which is set out in the *Client Handbook*. The Program Manager is the person to contact about complaints.

If you believe your privacy has been breached or have a complaint about how we have handled your personal information, please contact us in writing. We will respond within a reasonable period (usually within 30 days of lodgement).

### Write to us at:

**The Program Manager**  
Suite 1, Level 2, Devonshire House  
408 King Street  
Newcastle West, NSW 2302

### Email us at:

**thehelpline@advocacylaw.org.au**

If you are not satisfied with our response, then you may lodge a formal complaint with the Office of the Australian Information Commissioner. For more information, please visit **oaic.gov.au**

## 13. Meanings

References to 'The Helpline', 'we', 'us' and 'our' are references to the Disability Advocacy Support Helpline.



# Disability Advocacy Support Helpline

## More information

To find out more about our services,  
please get in touch.

Email: [thehelpline@advocacylaw.org.au](mailto:thehelpline@advocacylaw.org.au)

The Disability Advocacy Support Helpline team acknowledges all Aboriginal and Torres Strait Islander People, their lands, waters, and beliefs in which we are privileged to work with and for. We pay respect to Elders past, present and emerging across all Countries of Australia for they hold the memories, traditions, culture and hope of their People.