

INFORMATION PRIVACY AND DATA PROTECTION POLICY

Responsible person	Executive Officer	Scheduled review date	June 2021
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VERSION CONTROL

Version No.	Date	Responsible person	Details
1	Aug 2017	K Holmes	New policy created merging a number of previous policies relating to information privacy & data protection for RFCSV-G clients, stakeholders, employees and business operations. Board adopted Sep 2017. Next review June 2019
2	21 Jun 2019	K Holmes	Amended document presented to Jun 2019 Board, next review June 2020
3	18 Sep 2020	K Holmes	Updates highlighted in yellow and presented to Sep 2020 Board
3.1	13 Aug 2021	K Holmes	Minor updates highlighted and presented to Aug 2021 Board.

INTRODUCTION

The Rural Financial Counselling Service (RFCS) Gippsland is required to gather; store and use certain information about the organisation's operations as well as individuals, including clients; suppliers; business contacts and employees.

Furthermore, RFCS Gippsland acknowledges that to perform its service agreement with clients, both personal and sensitive information will need to be collected, managed, treated confidentially and securely stored or destroyed.

PURPOSE

RFCS Gippsland recognises its obligation to ensure the security and privacy of private and sensitive information and data, and is committed to safeguarding it in accordance with applicable legislation.

This policy describes how personal and sensitive data must be **collected, handled and stored** to comply with the law, being to use fairly, store safely and not disclose unlawfully.

This policy is to help protect RFCS Gippsland from data security risks, including:

- Breaches of confidentiality;
- Failing to offer choice to stakeholders regarding their personal information;
- Reputational damage if hackers successfully gained access to sensitive data.

Any significant breaches of this policy should be reported immediately to the Executive Officer via an incident report (Employment Hero).

SCOPE

This policy applies to:

- All Members of the Board
- All employees; and
- Contractors, volunteers and visitors to RFCSV-G's premises, to the extent it is relevant to them.
- all sources of information being electronic; printed; correspondence; notations and diary entries. It also applies to Electronic devices that are the personal property of employees.

LEGISLATION

Privacy & Data Protection Act (2014) - Victoria¹

Privacy Act (1988) – Federal

Freedom of Information Act (1982) - Federal

Child Wellbeing and Safety Act (2005) - Victoria

OTHER REFERENCE DOCUMENTS

RFCS [Code of Conduct](#)

RFCS [Case Management Framework](#)

RFCS [Dispute Resolution Policy](#)

Australian [Privacy Principles](#)

POLICY

RFCS Gippsland collects and administers a range of personal and sensitive information for the purposes of financial counselling. The organisation is committed to protecting the privacy of client's personal and sensitive information it collects, holds and administers. These obligations are governed within the Client Services Agreement.

RFCS Gippsland will ensure the necessary restrictions on the information it holds be observed by its employees.

RFCS Gippsland will ensure that electronically stored information and data is protected from unauthorised access, modification; accidental deletion or loss; corruption; theft and malicious hacking attempts. Information data stored on servers and cloud computing services is protected by suitable and approved security software and a firewall and appropriate levels of security/access is provided to users of the system.

All client and employee files, corporate data and general correspondence are and remain the property of RFCS Gippsland.

The organisation has adopted the following principles as minimum standards in relation to handling personal and sensitive information.

RFCS Gippsland will:

- Collect only information which the organisation requires for its primary purpose;
- Ensure that stakeholders are informed as to why the information is collected and how we administer the information gathered;
- Use and disclose personal or sensitive information only for its primary functions or a directly related purpose, or for another purpose with the person's consent;
- Securely store information or destroy when appropriate, protecting it from unauthorised access;
- Provide stakeholders with access to their own information, and the right to seek its correction;

RFCS Gippsland nominated privacy officer is the Executive Officer (EO). The EO will provide training to all employees to help them understand their responsibilities when handling data, private and sensitive information. All staff are required to complete privacy training as part of their induction, and annually. Certificate of completion will be filed in Employment Hero HR Platform.

Any personal information disclosed by a client, employee or contractor will be kept confidential and securely stored as required under the contractual agreement with the Commonwealth Government and in accordance with any current legislation.

Disclosure

RFCS Gippsland acknowledges that personal information may be disclosed to third parties where necessary for the information and management of the RFCS programme and related purposes. This disclosure is to be consistent with relevant laws, in particular the *Privacy Act (1998)*. However, all requests for RFCS information to be distributed external to RFCS Gippsland must have the express approval from the Executive Officer, who is responsible for ensuring the request is legitimate and may seek assistance from the Board and legal advisers if unsure.

RFCS Gippsland reserves the right to disclose demographic and summarised information, when required, under the contractual agreement with the Commonwealth Government, provided that this information does not in any way disclose the identity of the client.

Employee and Contractor Obligations

All RFCS Gippsland employees have some responsibility for ensuring information data is collected, stored, destroyed and handled appropriately.

As a condition of appointment, all personal and sensitive (including corporate) information shall not, except with the express written approval, directly or indirectly use, divulge or communicate to any person any information or other confidential information obtained or accessed while during appointment.

It is the responsibility of all RFCS Gippsland employees who manages information data to ensure that it is handled and processed in line with this policy and applicable procedures.

To ensure security of personal and sensitive data and information, the following guidelines apply:

Personal data should not be disclosed to unauthorised people, either within the company or externally;

- All information and data should be kept as accurate and up to date as possible;
- Information and data stored on paper or removable media, must be kept in a secure place where unauthorised people cannot access or view it; particularly important due to WFH conditions. *Preference is to store all information electronically in RFCS Gippsland cloud systems rather than paper.*
- Any electronic data should be synced with RFCS Gippsland cloud computing service frequently to ensure ongoing access to data (including whist offline).
- Employees should NOT save copies of client personal data to their own computers or private files.
- Passwords should be used on all electronic devices.
- RFCS Gippsland will not take responsibility for the protection of and access to personal data saved on laptops (outside of SharePoint).

Client Information & Files

Before a client agrees to engage with RFCS Gippsland services, they are to be informed of the Information Privacy & Data Protection Policy; confidentiality; access to their files and the personal and sensitive information that will be requested by RFCS Gippsland, and how these will be managed, disclosed, stored and destroyed when appropriate.

Clients must sign the 'Client Service Agreement & Declaration' acknowledging the collection and use of their personal and sensitive information and the manner of which it is handled.

Data collection, type of data and record keeping and reporting method obligations are also outlined in RFCS Gippsland Case Management Framework.

Employee Files

The EO and the Finance **Manager** & Admin Officer has responsibility for ensuring the integrity and confidentiality of all employee records, both active and archived.

Employees have the right to request in writing, addressed to the EO, to view the contents of their employee file, and/or information contained be corrected and/or additional information be placed. Employees have a right to take a copy of any document in their employee file, except any confidential reference check(s) documented.

All employees, including Board members, have a responsibility to keeping their employment records up to date.

Complaints

RFCS Gippsland will be efficient and fair when investigating and responding to information privacy complaints and will respond to complaints in accordance with the RFCS Gippsland Dispute Resolution Policy.

A deliberate breach of confidentiality and privacy by RFCS board members, employees or contractors will be a cause for instant dismissal.

Unresolved complaints should be directed to the Commissioner of Privacy and Data Protection.

ⁱ Amended 27 Aug 2020