

Privacy Policy

Issue Date: 24 April 2019

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Document History

Document Information

Category	Current Document Details
Document owner	Privacy Officer
Current author	Privacy Officer
Status	Final
Review	Annual
Storage	Intranet: Policy Centre: Privacy

Revision History and Document Approval

Issue Date	Version	Summary of Changes	Approved By and Date	
December 2014	2.0	Review of Existing Policy	Finance Audit and Risk Committee	10/12/14
February 2015	2.1	Amendment to para 8 Removal of specific reference to New Zealand	Executive	
June 2015	2.2	Amendments to paras 1, 5, and 8 Minor changes advised by HealthLegal		
April 2019	2.3	Amendments to para 6.7 re browsing	Privacy Officer	24/4/19

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1 Purpose

headspace National Youth Mental Health Foundation Ltd and its wholly owned subsidiaries (**headspace, we, us, our**) are committed to protecting your privacy.

2 Scope

This Privacy Policy sets out how we collect and manage personal information and the steps we take to protect it. This Privacy Policy operates in addition to our obligation of confidentiality to you if you are our client. Your use of the **headspace** website indicates that you accept this Privacy Policy and approve the collection, use and disclosure by **headspace**, of your personal information according to the terms below.

3 Definition

3.1 What is personal information?

Personal information means information or an opinion, whether true or not and whether recorded in a material form or not, about an individual who is identified or reasonably identifiable.

4 Dissemination and Review

The current version of the policy will be posted to the website. This policy will be made available to all staff on the **headspace** intranet “harold” in the Policy Centre. All policies are made available to all new staff at induction with **headspace**. The policies are also available on the **headspace** extranet “ourspace”

The policy is reviewed annually or as changes are required. Approval of this policy and any amendments will be required by the Executive and the Board.

5 External related standards / legislation

headspace is required to comply with the Australian Privacy Principles (**APPs**) in the *Privacy Act 1988* (Cth) (**Privacy Act**). The APPs regulate the manner in which personal information is handled throughout its life cycle, from collection, to use and disclosure, storage, accessibility and disposal.

headspace is also required to comply with more specific privacy legislation in some circumstances, such as:

- a. applicable State and Territory health privacy legislation when we collect and handle health information in the relevant jurisdiction;
- b. the *Spam Act 2003* (Cth) which deals with restrictions on sending emails.

6 Collection

6.1 Overview

The type of personal information we collect about you depends on the type of dealings we have with you. You provide most of your personal information directly to us and for a specific purpose. When we collect personal information, we will whenever practical, outline why this information is being collected. We will only record personal information when you:

- a. send us a message (e.g. in the contact us section on the **headspace** website);
- b. ask us to provide you with services – including as a client, online or by phone;
- c. make a comment on a **headspace** webpage;
- d. make a donation;
- e. ask to receive newsletters/updates;
- f. ask to obtain resources such as promotional materials;
- g. complete a feedback form;
- h. provide a specific submission to the site (e.g. stories, tips, art work, question etc);
- i. participate in a publicity photo shoot or other audio visual
- j. apply for a job with us;
- k. supply goods / services to us.

We sometimes collect your personal information from persons or sources other than you. For example:

- a. We may collect information from third parties if you are a potential supplier or service provider to **headspace**.
- b. When you apply for a job with us, we collect information about your qualifications and we may ask you to undertake certain tests and provide certain consents for further information collection, as part of our recruitment process.

If you do not provide the personal information requested, we may not be able to provide you with the information or services you require or a receipt for your tax deductible donation. Similarly, you may not have the opportunity to provide us with your goods or services.

6.2 Sensitive information

Sensitive information is personal information that generally has greater privacy protections under the Privacy Act. It covers information about health, race and sexual preferences or practices, among other things. We will only collect such information from you and only if it is relevant to providing you with **headspace** clinical services.

6.3 Employees

The Privacy Act does not apply to personal information about current or former employees and this Privacy Policy does not apply to that information. Instead, workplace laws prescribe the personal

information to be held in employee records and the way in which employees may access their personal employee records. Further, where State or Territory health privacy legislation applies, **headspace** is still required to protect the privacy of employee health information. This Privacy Policy will apply in those circumstances.

6.4 Users of headspace Learning Management System (LMS)

headspace provides training to **headspace** employees and to lead agency employees working in **headspace** funded programs such as **headspace** centres. The training is delivered using the online LMS. When you participate in this training, **headspace** will collect personal information from you.

6.5 Users of headspace website and services

We collect your personal information so that:

- a. you can register to use the **headspace** website to obtain access to the interactive parts of the site e.g. submitting stories, asking a question;
- b. we can provide you with services such as counselling through **ehheadspace**.

In these circumstances, we will collect your email address (unless you prefer to use our phone service), date of birth and general details about your gender and whether you live in a metropolitan, regional or rural area. It is not necessary for you to provide your name to use the **headspace** website or **ehheadspace** counselling services.

Any of the **headspace** staff may read your written communications with **headspace**, including emails. Where appropriate, they will be forwarded to the **headspace** clinical team.

If **headspace** needs to contact you via email, we will use the email address provided in registration. The personal details you give us will be kept confidential and will not be used for any other purpose, except as explained here.

We may also use your information to contact you so that we may offer counselling or other services to you.

6.6 Duty of Care

In certain circumstances, if your communication with us raises safety concerns, we will try to contact you to check that you and/or others are safe. If necessary, we may need to pass on your contact information (if you have supplied it) to authorities who can help protect you and/or others, such as a crisis service or the police. Where possible we will work with you openly, letting you know if our concerns reach the point where we need to involve other services. We are obliged to try to protect you and/or others if the information you submit tells us that:

- a. you are being seriously hurt by someone else;
- b. you are thinking of seriously harming yourself;
- c. someone else is being, or is likely to be, seriously hurt by you or another person.

6.7 Information provided by "cookies"

headspace uses "cookies" as a reporting mechanism. Cookies identify traffic coming into and out of the **headspace** website. Cookies enable our web server to collect information back from your browser each time you visit the **headspace** website. You can find out more about the use of cookies at www.cookiecentral.com.

Cookies do not identify individual users. When you visit the **headspace** web site, our servers may record information about your usage, the time of your visit, its duration, the pages you visit and style settings. **headspace** does not collect information which can identify individuals who visit the site.

Rather, when you visit the **headspace** site Google Analytics compiles data that record and log your visit with the following information collected for strictly statistical purposes only:

- a. the user's server address;
- b. the user's top level domain name (for example, .com, .gov, .au, .uk etc);
- c. the date and time of the visit to the site;
- d. the pages accessed and documents downloaded;
- e. the search words and referral sites used;
- f. the type of browser used.

Access to, and use of, this information is restricted to **headspace**. We do track your browsing activity so that we can improve our service delivery. No attempt will be made by **headspace** to identify individual users except:

- a. where we have obtained consent from the individual user to do so; or
- b. where we have a legal obligation to do so, for example if a law enforcement agency executes a warrant to inspect Google Analytics logs.

headspace will only use statistics obtained from cookies to ascertain and follow website usage to enable improvements, updates and maintenance of pages of the website.

7 Use and Disclosure

7.1 General

We will only use your personal information for the purpose for which it was collected unless:

- a. you have consented to its use for another purpose;
- b. you would reasonably expect it to be used for a related purpose (or if the information is sensitive information, for a directly related purpose);
- c. it is permitted or required by law.

We will not disclose your personal information to any third parties without your consent, unless permitted or required to do so by law, in particular when we exercise our Duty of Care: **Our Duty of Care** (Appendix A).

Your email address will not be added to any mailing lists without your permission. Some other information you provide us will be included in statistical reporting, for example, information on gender and age. This will not contain personally identifying information.

7.2 LMS Users

If you are an LMS User, personal information you provide will be used and accessible in the following ways:

- a. by you, so you can monitor your personal information and training progress and update that information to record changes in circumstances eg change of roles, work location or personal details and to correct any inaccuracies;
- b. by your employer (or principal, in the case of those who are contractors to **headspace** centres and **headspace**, rather than employees), so the employer / principal can track completion of training and compliance with **headspace** benchmarks for education and training. Employers / principals will only be able to access the personal information of their employees / contractors;
- c. by **headspace** Education & Training Division personnel, to track completion and compliance with **headspace** benchmarks for education and training and to develop needs based training programs. These personnel will be able to access the personal information of all users.

De-identified data will be aggregated into reports provided to the **headspace** board, executive and committees and the Commonwealth Department of Health as required under its funding agreement with **headspace**.

If you don't provide the personal information requested, you will not be able to participate in the LMS training.

8 Anonymity

8.1 General

If you wish to access the materials on the **headspace** website without registration as a website user, you will be able to do so anonymously.

8.2 Clients

When you register with **headspace** as an interactive website user or to use the **eheadspace** counselling service, you have the option of not identifying yourself or using a pseudonym (nickname). However, you will be required to supply other personal information when you use the **headspace** web site and services.

In other cases, it will not be possible for **headspace** to provide services on an anonymous basis e.g. where **eheadspace** counselling services are provided as a part of the Early Youth Psychosis Service, or for LMS users.

8.3 Other

In other cases, it is impracticable or impossible to engage with **headspace** anonymously eg as a service provider or a potential recruit.

9 Data Quality and Security

9.1 General

We hold personal information in a number of ways including electronically and hard copy paper files held at the **headspace** office.

9.2 Data quality

We take steps that are reasonable in the circumstances to ensure that the personal information we collect, use and disclose is accurate, current, complete and relevant. You can help us keep your information up to date by letting us know about any changes to your contact details.

9.3 Protection of personal information

We take steps as are reasonable in the circumstances to ensure that personal information is protected from misuse, interference, loss, unauthorised access, modification and disclosure. However, no data transmission over the Internet is totally secure. Although **headspace** strives to protect such information, **headspace** gives no warranty and cannot ensure the security of any information which you send online. Accordingly, any information which you transmit to **headspace** via the Internet is transmitted at your own risk.

9.4 Retention of personal information

Your personal information is only kept while it is required for the purpose for which it was collected, for a permitted secondary purpose or as required by law.

9.5 Credit card information

We do not store any credit card information on our servers.

10 Overseas Disclosure

Sometimes we may store or use your information in an overseas country because a **headspace** system is located in or needs to process information overseas. **headspace** currently uses a software services provider located in New Zealand. We may need to give our software services provider access to personal information so that it can diagnose and resolve software issues. If your personal information will otherwise be disclosed to a recipient overseas, we will notify you through this Privacy Policy.

11 Access and Correction

You generally have a right to have access to your personal information and to seek its correction, if it is inaccurate, out of date, incomplete, irrelevant or misleading, subject to some exceptions permitted by law. If you wish to have access to your personal information or ask that it be corrected or deleted, please contact us. We will respond to access and correction requests within a reasonable period. We may deny your request in some circumstances, but only if we are legally entitled to do so. We will give you a written explanation for any denial of an access or correction request.

12 Complaints

If you have a complaint about how we have collected or handled your personal information, please contact our Privacy Officer (see contact details below). We will investigate your complaint and communicate the outcome of our investigation within a reasonable time.

If you are not satisfied with the outcome of our investigation, you can refer your complaint to the Office of the Australian Information Commissions at enquiries@oiac.gov.au or in some instances, to some other regulator such as the statutory body in your State or Territory responsible for health complaints.

13 Contact Us

If you wish to access your personal information or have any questions about our Privacy Policy, please contact privacy@headspace.org.au or phone (03) 9027 0100 and ask for the Privacy Officer.

Appendix A

Our duty of care

In certain circumstances, if your communication with us raises safety concerns we will try to contact you to check that you and/or others are safe. If necessary, we may need to pass on your contact information (if you have supplied it) to authorities who can help protect you and/or others, such as a crisis service or the police. Where possible we will work with you openly, letting you know if our concerns reach the point where we need to involve other services.

We are obliged to try to protect you and/or others if the information you submit tells us that:

- you are being seriously hurt by someone else
- you are thinking of seriously harming yourself
- someone else is being, is likely to be, seriously hurt by you or another person