

**ROYAL INSTITUTE FOR DEAF AND BLIND  
CHILDREN (ABN 53 443 272 865)  
PRIVACY POLICY**

**1. ROYAL INSTITUTE FOR DEAF AND BLIND CHILDREN ("RIDBC")**

**INTRODUCTION**

RIDBC understands that privacy is an important issue for individuals. RIDBC believes that due respect for individual privacy not only protects an important personal right but is a powerful tool in the creation of healthy relationships with the individuals with whom we deal.

RIDBC is a charitable, non-profit statutory body corporate committed to the provision of a wide range of quality services to children and adults with sensory disabilities. To do this effectively we need to collect a great deal of personal information about children/adults and their families, guardians and others.

We sometimes need to disclose this information to do our job. Sometimes this will be because the law or funding requirements require such disclosure and sometimes it will be because the welfare of the child demands it.

RIDBC is regulated by legislation and government imposed rules of practice, much of which has a bearing on what personal information we collect and what we do with it. Wherever possible, however, we will seek to protect privacy within the parameters of those laws and requirements.

This policy statement outlines the policy of RIDBC on the privacy of personal information and our compliance with the Australian Privacy Principles ("APPs") contained in the *Privacy Act, 1988 (Cwth)*. For convenience in this policy the aforementioned principles are referred to as "Privacy Principles".

Because of the vast diversity of services we offer and the vast array of circumstances which may arise, it is neither possible nor sensible for us to prescriptively describe our exact responses to all privacy issues in this policy. Much will depend on the precise circumstances which exist and the nature of the information concerned. Accordingly this policy statement is an outline of our approach. In any particular case we will be happy to provide further detail of our treatment of personal information, subject to the law and the restraints of security.

Also, we aim to get better at privacy matters. This policy may change over time.

**THE LAWS**

We do not re-state the provisions of the Privacy Act or the Privacy Principles in this policy. Material to assist you can be viewed on-line at [www.oaic.gov.au](http://www.oaic.gov.au), or by contacting the Office of the Australian Information Commissioner by means of the following:

Phone:	1300 363 992. (Enquiries Line). If calling from outside Australia call: + 61 2 9284 9749.
Assisted contact	If you are deaf, or have a hearing or speech impairment, contact the OAIC through the National Relay Service:

	<p>Teletypewriter (TTY) users phone 133 677 then ask for 1300 363 992.</p> <p>Speak and Listen users phone 1300 555 727 then ask for 1300 363 992.</p> <p>Internet relay users connect to the National Relay Service then ask for 1300 363 992.</p>
Translation and interpretation services	If you do not speak English, or English is your second language, and you need assistance to communicate with us, call the Translating and Interpreting Service on 131 450 then ask for 1300 363 992.
Post	<p>Sydney Office: GPO Box 5218 Sydney NSW 2001</p> <p>Canberra Office: GPO Box 2999 Canberra ACT 2601</p>
Email	enquiries@oaic.gov.au
Facsimile	+61 2 9284 9666
Street address	Office of the Australian Information Commissioner, Level 3, 175 Pitt Street, Sydney 2000

## 2. ACCOUNTABILITY

It is the responsibility of all RIDBC staff to comply with privacy laws and this policy. We conduct periodic training in privacy compliance for our staff.

RIDBC will, wherever commercially and legally possible and appropriate, require contractors to be *contractually bound* to comply with this policy.

RIDBC will regard non-compliance with this policy most seriously. Violation of this policy may lead to disciplinary procedures being imposed, up to and including the possibility of dismissal.

Staff of RIDBC must report breaches of this policy to the Privacy Officer where they become aware of them. Breach of this policy will include:

- non-compliance with the terms of this document and privacy procedures we implement;
- breach of the Privacy Principles or the provisions of the Privacy Act;
- gaining or attempting to gain unauthorised access to personal information held by RIDBC; and
- unauthorised disclosure or use of personal information held by RIDBC.

### **3. CONSENT AND OUR APPROACH TO IT**

In some cases the Privacy Act provides that RIDBC may not collect or make certain use of personal information or disclose it without the consent of the individual. On the other hand, in other cases RIDBC is in fact subject to other laws that *require or authorise it* to collect, use or disclose personal information.

We will not put undue pressure on an individual to give consent. We will endeavour to ensure that individuals can make an informed decision and that they are not under duress.

#### **Young Children**

We recognise that the young people entrusted to our care are "individuals" whose information is subject to the provision of the Privacy Act. However, in all but exceptional cases, it is our policy that the children in our care lack the maturity and understanding of privacy issues to act on their own in relation to such matters. Often the disabilities of the children in our care will increase this lack of understanding.

Where consent is required concerning privacy matters, it is our policy not to seek it from children of such young age. Instead we will, where consent is required, seek such consent from the parent or carer on behalf of the child.

In other dealings with young children, we also believe that the requirements of the Privacy Act can only be dealt with by communication with the parents or carer of the child. For example, where the Privacy Principles require that a notice be given to the individual on collection of personal information about that individual, that notice will be given to the parents or guardian. Where access rights are available to the child, access will be given on the request of the parent or guardian.

### **4. WHAT KINDS OF PERSONAL INFORMATION DO WE NORMALLY COLLECT? HOW AND FOR WHAT PURPOSES DO WE COLLECT IT?**

The kinds of personal information we collect, the way we collect it and our purpose of doing so depends on the individual from whom we collect it and the nature of our interaction with that person. Broadly, the individuals we collect information from can be grouped into the following main categories:

- children;
- their families and responsible others;
- tertiary students;
- suppliers of goods and services to RIDBC and the children and families we serve;
- sponsors, donors and supporters; and
- volunteers.

## **(a) Information about Children and adults in our care**

### *What information do we collect about children*

To do its job, RIDBC needs and is required to collect a substantial amount of information about the children and adults in its care.

A wide array of government agencies and legislation requires RIDBC to collect personal information, including:

- State and Commonwealth statutes and regulations;
- funding agreements we have with State and Commonwealth agencies and departments; and
- licence requirements.

We routinely collect names, addresses, phone numbers and email details for contact and identification purposes – but we also collect a substantial amount of "sensitive" information, particularly health information, concerning the sensory disabilities of the child/adult and their other health problems.

In the case of children, for example, our licences to operate a range of RIDBC Children's Services require the collection and use of personal information to enable us to provide a service that responsibly and sensitively deals with such things as

- developmental records of the child;
- details of the child's sensory disability(ies);
- other health problems of the child and particulars of required treatments and medications;
- wider community health issues and especially the need to limit the spread of communicable diseases;
- emergency treatment for accidents and health episodes;
- the ethnic and cultural identity of the child (in this context we will incidentally collect information about the child's family and responsible others- see below);
- the religious identity of the child and observance of religious practices (this will also require that we collect incidental information about the child's family and others - see below); and
- court orders affecting custody of the child.

In the case of children enrolled in our on-line educational facilities such as RIDBC Teleschool™, we keep video footage of the child while the child is participating in the service.

### *Purpose of collection of personal information about children and adults in our care*

We collect personal information about the children and adults in our care so that we can provide the wide variety of services for which they are enrolled in

our schools and the various other programmes in which they may participate. We use the information from time to time to advise children/adults of other services that may be of interest or assistance to them in managing their disabilities.

We also use the information we collect it in the collation of statistics that will help us provide our services and add to the body of knowledge in the field of sensory disability and care of the children and adults to whom we provide services. If we wish to use information collected about children or families for the purposes of studying demographics, research or other social issues relevant to the provision of the services we provide, we will generally ensure that the information is de-identified in the study, ie readers of the relevant study will not be able to determine the identity of the individuals whose information was used.

*How do we collect the information about children?*

We collect this information from parents and family members via the completion of enrolment forms in hard copy and electronically. We update this information annually. Throughout the school year (or the relevant RIDBC programme, as the case may be) we will collect further information about the child as we deem necessary in the interests of providing an appropriate service to the child. Sometimes this will be collected by phone or at face to face meetings and in other cases by email or facsimile.

In addition (with consent) we collect much of the health information about the children enrolled at our facilities by communicating with health care professionals to which the parents or responsible others have referred us. Health professionals will normally have the consent of the individual before disclosing such information to us.

### **(b) Family Members and Responsible Others**

We will collect information about family members and others with an important connection or responsibility of care for the child ("responsible others") entrusted to us.

When we collect information about a child we must also collect personal information that enables us to communicate with their families and responsible others. That information will comprise name and contact details. Also, where we collect information about subject matter such as health, ethnic identity and religious affiliation we will often (expressly and by implication) collect information about family members and responsible others.

In addition, the Commonwealth State Disability Agreement, by which agencies that provide funding to RIDBC are bound, also requires recipients of funding such as RIDBC to provide a wide range of personal information not only about children with disabilities but their families and responsible others as well.

If an RIDBC staff member has grounds for believing that a child is at risk of harm, it may be necessary for collection of information, including sensitive information, not only about the child, but about the family members or responsible others, even neighbours. We may also be required disclose such information to third parties including appropriate authorities.

Further, RIDBC will need information about responsible others for dealing with emergencies and the task of conveying the child to or collecting the child from the relevant RIDBC facility. We will also need to know the identity of the child's medical practitioner for similar reasons.

### **(c) Tertiary Education and Continuing Professional Education**

#### *What information do we collect about students*

The personal information we collect will include names, addresses and other contact details as well as educational qualifications.

As a course of study unfolds, we will collect other information relevant to the assessment of the student's progress, and will record results of assessment events such as essays and exams, including opinions.

#### *Purpose of collection*

Where we provide educational services to university students, post-graduate students and professional persons working with children with sensory impairments, we will collect personal information that enables us to provide the relevant educational services and to communicate with the student or professional as the case may be.

#### *How do we collect the information about students?*

We collect this information directly from the student in writing on enrolment. We also collect additional information throughout the course of study in face-to-face meetings, by phone and email and after viewing work submitted by the student for assessment.

### **(d) Other Business Contacts - Suppliers etc**

#### *What information do we collect?*

We will not normally collect personal information of suppliers and other business contacts other than will enable us to communicate and manage our commercial or other dealings with that person — such as the individual's name, job-title, address, phone numbers, facsimile numbers and email addresses.

#### *Purpose of collection*

We collect the information from suppliers to enable us to communicate effectively with suppliers and to manage our commercial relationships with them.

#### *How do we collect the information about suppliers*

Normally we will collect the information we need from the suppliers themselves in a variety of ways – face-to-face, phone, email and fax

### **(e) Donors, Supporters and lottery ticket buyers**

#### *What personal information do we collect about donors and supporters*

RIDBC collects personal information such as name, address telephone numbers, email addresses — supplied to us for use in our transactional relationship.

Our donors and supporters are very important to our long term viability. In some cases, we may keep other personal information that allows us to maintain a more "personal" contact with such individuals, such as birthdates and the names of family members

### *Purpose of collection*

We collect personal information about donors so that we can maintain contact. We let our donors and supporters know of the work we are doing so that they can see the outcomes of their support and so that, if they wish to do so, they can continue to do so.

At times individuals may also choose to provide us with their date of birth to assist us with our communications and their credit card details to facilitate their transactions with us.

If a donor wishes to remain anonymous, that is their choice and we will facilitate this.

We will offer "opt-out" choices to donors and supporters – and will act promptly to ensure that if individuals do not want to receive further invitations from us to assist, we will cease such communications.

### *How do we collect information about donors and supporters?*

We normally collect the information direct from the donor/supporter. This is done in a variety of ways – at fund-raising events, by advertising our need for support and seeking financial assistance. This is done in a wide spectrum of media, by electronic communications via our website, "flyers", letters and emails to known donors and supporters and face-to-face at functions. We operate lotteries and other fund-raising activities that are advertised on our website and in print media.

We may also source information from publicly available sources such as the telephone directory.

## **(f) Volunteers**

### *What personal information do we collect about volunteers*

Volunteers help us in a wide variety of ways. Our volunteers are equally special to us and, again, are an essential pillar of our long term viability. RIDBC collects personal information concerning volunteers such as name, address telephone numbers, email addresses and information concerning the skill-sets they have. Again, to facilitate a more "personal" relationship, we will sometimes collect other information about the volunteer, such as birthdays.

### *Purpose of collection*

We aim to maintain long term relationships with our volunteers. We collect the information about them so that we can maintain a close relationship and ask them to help us in various activities from time to time.

### *How do we collect information about donors and supporters?*

We normally collect initial information about volunteers from friends and supporters – this referral network is vital to our maintenance of a strong volunteer base. Once we have been introduced to a volunteer or potential volunteer, we collect the bulk of information direct from the volunteer. This is done in a variety of ways – face-to face, phone, email and by letter.

## **5. HOW DO WE HOLD THE PERSONAL INFORMATION WE COLLECT?**

We hold personal information we collect in a variety of ways, including on our electronic (computer) database and on file in hard copy. RIDBC has adopted various security measures to protect this information from unauthorised access (see below).

## **6. WILL WE DISCLOSE PERSONAL INFORMATION TO OTHERS?**

### **Children in our care**

Normally we would get the consent of parents before disclosing *sensitive* personal information about the child to a third party. However, we may be required by law to disclose personal information of the child in a range of circumstances. For example, we may be required to disclose personal information of the child:

- to the parents, guardian or other person responsible for the child;
- to other family members or contacts in an emergency or where the child is ill or injured or is at risk of illness or injury;
- to the child's medical practitioner;
- to other health or medical practitioners where the child is sick or injured or at risk of illness or injury;

In some instances we will be obliged (under the regulations made under the Children (Care and Protection Act), 1988 (NSW) and other legislation binding on RIDBC ) to collect, and report to proper authorities, information about the child and its family or others where we have grounds for suspecting that the child is at risk of harm.

This is not an exhaustive list. There may be many other circumstances where RIDBC will be required to disclose personal information held about the child to a person other than the parent or guardian.

### *Information on Display*

Persons who enter upon the premises of an educational facility of RIDBC may be able to view much information about the children in our care there. Visitors to our premises include parents, responsible others, health practitioners, teachers, students, government representatives, service providers and suppliers of goods.

For example, some personal information of the child and family members may be on display, such as photos, artwork and other materials that may divulge names, ages, developmental levels, addresses, ethnic and religious background or affiliation and health matters.

As the children in our care often have an array of health issues -some are at serious risk. In some cases it may be necessary to have on display health information so that we can have ready access to it for emergency purposes and to manage those risks (to the child and to others)appropriately.

### *Donors and supporters - Fundraising Activities*

RIDBC uses the information as a way to facilitate your support with us. We may also use it for the purposes of our own marketing activities. Also,

subject to your express or implied consent we may disclose personal information to other like-minded charitable organisations for the purpose of enabling those organisations to send information about their objectives, services, programs and fund raising activities.

If you do not wish your details to be exchanged with another charitable organisation, please contact us by:

Phone: 1800 043 411

[Email: online@ridbc.org.au](mailto:online@ridbc.org.au)

RIDBC complies with the email and on line telemarketing requirements of the Privacy Act. You will only be sent electronic messages and telemarketing information from R1DBC if you have agreed to receive it. If you would rather not receive this information please contact:

Fundraising Administration Department      Phone 02 9872 0313

### *Others*

As noted above we will generally collect only contact information so that we can fulfil our commitments and contractual responsibilities to them and manage and monitor our dealings with them.

Wherever we use personal information for a purpose other than the primary purpose for which it was collected, we will only use or disclose the information if the primary and secondary purposes are related and the individual would have a reasonable expectation that we would use the information or disclose it for the secondary purpose or if we obtained the consent of the individual to do so.

### *Use of External Contractors*

RIDBC from time to time uses the services of temporary and external staff. They are generally employees of a recruitment firm, not of RIDBC. To that extent they are external contractors who may have access to the personal information we have collected. They will in each case be advised of our privacy policy and of the requirement that they comply with it.

In addition, RIDBC may use external contractors to assist it from time to time with its operations, such as:

- experts in information technology, to set up, host and maintain our computer system, including our student/family database;
- to archive and store our records; and
- fund-raising, including direct mail and (where permissible) electronic communications.

RIDBC will, wherever commercially possible and appropriate, require the contractor to comply with the Act and with RIDBC's procedures in relation to the protection of privacy.

## **7. OVERSEAS DISCLOSURE**

We operate several services internationally, such as in Samoa, Fiji, Dubai, India, Singapore and Timor. We will collect the information of children and adults enrolled in programmes in and from those places. It may be

necessary to send personal information we collect here, in Australia, to those places – or perhaps to other overseas destinations where we judge it to be in the interests of the individual.

We will not do this unless we have consent of the individual of the individuals parent or "responsible other".

## **8. SECURITY OF YOUR PERSONAL INFORMATION**

It is not appropriate in this policy to provide specific details of security measures adopted by RIDBC to protect information held by it. To do so could compromise those security measures.

RIDBC will use an appropriate combination of:

- physical measures including physical barriers;
- alarm systems;
- and access technology; and
- administrative protocols,

to exclude unauthorised persons or intruders from gaining access to information.

To maintain the integrity of information, RIDBC has acquired and will continue to acquire (within its means) up-to-date computer virus prevention technology and makes use of other appropriate technology, such as password security protocols and "fire-walls" to exclude unauthorised access or hacking into its computer system.

## **9. YOUR ACCESS AND CORRECTION RIGHTS**

The Privacy Act requires RIDBC to provide individuals access to the personal information which RIDBC holds about them - unless RIDBC is entitled under the Privacy Act or other legislation to deny access or provide an explanation for a decision instead.

In the case of personal information held about children, RIDBC will provide access on the request of the parent or guardian.

Parents and other persons responsible for a child (as well as various other categories of authorised persons) have a right of access to records kept about the child under regulations made under the Children (Care and Protection Act), 1988 (NSW).

When requesting access to personal information, RIDBC requires use of a written request form, which can be obtained by contacting our Privacy Officer (see below).

RIDBC will respond to requests for access as soon as possible and will acknowledge the request within 14 days and deal with it within 30 days or earlier. Though we may ask, we will not require an explanation of *why* as a pre-requisite to giving access. We will not charge a fee for access but we may seek recovery of any actual costs to us of providing access.

Some circumstances where it may be appropriate and lawful for RIDBC to deny access are where:

- providing access would unreasonably be to the detriment of the privacy of another individual;
- the request is frivolous or vexatious;
- the information relates to existing or anticipated legal proceedings between RIDBC and the individual, and the information would not be available by the legal discovery processes;
- giving access would reveal RIDBC's intentions in relation to negotiations with the individual and prejudice those negotiations for RIDBC; or
- providing access would be unlawful or if denying access is required or authorised under law.

This is not an exhaustive list of circumstances where we may be entitled or perhaps required to deny access.

## **10. USE OF GOVERNMENT IDENTIFIERS**

RIDBC may collect them but we will not use government identifiers such as tax file numbers or Medicare numbers as a means of identifying a person from whom the identifier has been collected.

## **11. ANONYMITY**

Wherever appropriate we will give individuals the option of remaining anonymous when communicating with RIDBC. This will be most relevant to the collection of information from donors who wish to remain anonymous and via the RIDBC web site (as to which, please see the privacy statement on its home page) and via survey. In those cases if information is collected that identifies the individual, we will de-identify it before storing or using it.

## **12. CONTACTING RIDBC AND COMPLAINTS**

If an individual:

- has an enquiry about our information management or privacy procedures;
- wishes to request access to personal information;
- wishes to see a copy of this policy document; or
- wishes to make a complaint about our handling of personal information

that person can contact our **Privacy Officer** by the Following means:

**Phone:** (02) 9872 0884

**Fax:** (02) 9873 3122

**Email:** [privacy@ridbc.org.au](mailto:privacy@ridbc.org.au)

**Postal Address:** The Privacy Officer, Royal Institute for Deaf and Blind Children, Private Bag 29, PARRAMATA NSW 2124

Complaints will be dealt with in the first instance by the Privacy Officer or in his/her absence, by a person nominated by him/her.

Complaints must be made by using the form we prescribe from time to time. This will allow us to deal with complaints in a professional, sensitive and consistent manner in compliance with the Act. A copy of the form can be obtained from the Privacy Officer on request.

We will acknowledge receipt of a request within 14 days of receiving it and we will respond within 30 days of receipt. We will also do our best to deal with the complaint within that time, assuming that we are able to investigate and ascertain the necessary facts in that time. We will let you know if it is likely to take much longer.

Complainants will be given an opportunity to put their complaint in writing, to propose a remedy for the complaint and to discuss the matter with the RIDBC Privacy Officer.

If the complainant is not satisfied that the Privacy Officer has dealt properly and reasonably with the complaint, the complainant may request that the Privacy Officer bring the matter to the attention of the Chief Executive Officer.

The Privacy Officer will determine in the case of each complaint (if any) whether the complaint demonstrates a systemic compliance problem and will make recommendations to the management of RIDBC as to how to address/rectify such issues if they are identified.

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