



**therapyfocus**  
growing potential

# Privacy Information Guide

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## **1. Purpose of this statement**

This statement communicates how information is handled at Therapy Focus.

## **2. Structure and functions of Therapy Focus**

Since incorporation as a not-for-profit organisation in 1998, Therapy Focus has grown to become Western Australia's largest non-Government disability therapy provider. We work closely with families, schools, carers and the community to improve quality of life for thousands of people living with disability.

Our Strategic Plan, which is available at [www.therapyfocus.org.au](http://www.therapyfocus.org.au) outlines the areas we will focus on to achieve our purpose.

Therapy Focus has a Board of Directors who work with the Executive Team to provide strong operational leadership and management across the organisation.

Therapy Focus also has a Parent Reference Group composed of a number of people with a lived experience of disability. This group provides valuable perspectives with regard to planning, implementation and delivery of Therapy Focus' services, and the policies that define and improve those services. The Parent Reference Group can be contacted by emailing [PRG@therapyfocus.org.au](mailto:PRG@therapyfocus.org.au).

## **3. Documents held by Therapy Focus**

### **3.1. Corporate files**

These files contain Therapy Focus' corporate history and all things to do with the management and running of the organisation. Corporate files are held electronically on a secure server. If in hard copy format, files are held at Therapy Focus' Central office in Bentley with archived files held at a secure off-site facility. Files are kept in accordance with Therapy Focus' Records Management Policy. Any application to view information contained on any corporate file will be considered.

### **3.2. Client files**

Comprehensive information files are held for all clients that are, or have been in receipt of services from Therapy Focus. Client files are numbered when created and all client information held by the Therapy Focus is referred to by the use of this individual file number. Therapy Focus maintains a secure electronic client information system. This is held on a secure server and contains personal demographic and medical client information.

### **3.3. Medical and Psychological information**

Medical and psychological information is contained within client files and held in confidence.

If a request by an individual to access information of a medical and psychological nature is made then the Executive Manager Clinical Services will review this request.

If the Executive Manager decides that the disclosure of the information may have a substantial adverse effect on the physical or mental health of a client, then the information requested may be released to a suitably qualified person. The applicant must nominate a suitably qualified person (in writing).

Therapy Focus may withhold access until a person, who in the opinion of the Executive Manager Clinical Services is suitably qualified, is nominated. A suitably qualified person is defined as being a medical practitioner within the meaning of the Medical Act 1894.

### **3.4. Restricted Client information**

Information about a client which is sensitive, confidential or contentious and is not part of the daily working file (main client file) is created as a separate secure note. This information is held in confidence and strict guidelines are maintained in relation to internal access.

### **3.5. Records held from previous organisations**

Therapy Focus holds files from the organisation formally known as L.E.A.R.N.

### **3.6. Publications and Policies**

Therapy Focus holds all of its internal policies and procedures on its internal intranet system. When these documents are no longer needed, they are archived and are kept in accordance with Therapy Focus' Records Management Policy.

Therapy Focus also holds a number of resources on its external website. This includes brochures, resources and referral forms for parents and important corporate information including: strategic plans, annual reports and quality evaluation reports.

## **4. Public access to information**

Therapy Focus aims to make information available promptly and at the least possible cost. It is Therapy Focus' practice to, wherever possible; make personal information available to individuals when requested.

Informed access to information is arranged as soon as practical with a mutually agreeable date and time being organised. Access to documents can be granted by way of inspection, a copy of a document, an audio or video tape, and a transcript of shorthand, encoded or electronic record from which word/s can be reproduced.

Information that is readily available to the public either by way of published information or information available for purchase should be obtained through these available sources.

## **5. Access to information for a person with a disability**

### **5.1. Children with a disability**

Where a client of Therapy Focus is under the age of 12, parents should generally have access to documents (on application) concerning their children unless other exemptions apply. The wishes of children, aged between 12-18 years, will be taken into account when deciding if access to their documents is reasonable and/or in their best interest.

### **5.2. Application on behalf of a person with a disability**

Applications for information may be made by a representative on behalf of a person with a disability. This provision acknowledges that a person with an intellectual disability may:

- not be able to make an application themselves;
- become discouraged from applying for information; and/or
- not understand things being said.

Before releasing documents under these provisions, the Privacy Officer must be satisfied the person who has made the request is the person who is the nearest relative or guardian, and/or is entitled to act for the person with a disability and in their best interest.

## **6. How to lodge an application for accessing personal information**

### **6.1. Submission of application**

Applications may be submitted in a variety of ways, including:

- In person: **5/1140 Albany Highway, Bentley WA 6102**
- By mail: **The Privacy Officer. Therapy Focus, PO Box 20, Bentley WA 6982.**
- By email: [privacy@therapyfocus.org.au](mailto:privacy@therapyfocus.org.au)

Therapy Focus has an application form which is available on our website or can be posted to you as needed. This form gathers all the information necessary to make the request. Although the form is available, applications may be made in any written form (letter, email etc.) as long as it includes enough information to identify the documents required as clearly as possible. This may include information such as names, addresses, subject, dates and reference numbers.

A return address in Australia must be provided and it is preferable to also include a contact phone number. If you would like any assistance in lodging an application or have any questions, please phone 9478 9500 and ask to speak to Penelope Wakefield (Privacy Officer).

### **6.2. Fees and Charges**

Therapy Focus may need to apply charges to cover the cost of resources associated with fulfilling your request. However, there are no fees or charges for internal or external reviews or for

seeking an amendment of personal information about yourself or your child (e.g. your medical records; details of employment etc.).

Please see the types of charges below.

- \$30 per hour of staff time or pro rata for part of an hour for dealing with an application (Therapy Focus cannot charge for locating the documents within the scope of your request.)
- \$30 per hour (or pro rata for part of an hour) for supervision by staff when access is given to view documents; or the time taken by staff to prepare a transcript from a tape or make photocopies.
- 20 cents per photocopy.
- Actual cost incurred by Therapy Focus for preparing a copy of a tape, film or computerised information, or arranging delivery, packaging and postage of documents.

### **6.3. Estimate of charges**

You can ask Therapy Focus for an estimate of charges when lodging an application. If the charges are likely to exceed \$25 Therapy Focus must give you an estimate of charges and ask whether you want to proceed with the application. You must notify Therapy Focus (within 30 days) of your intention to proceed. In some instances Therapy Focus may request an advance deposit. If you are financially disadvantaged advise Therapy Focus as a 25% reduction of charges may apply.

### **6.4. Responsibility for decision making on access**

The Chief Executive Officer has authority for making decisions on the release of information. The assigning of delegated authority will be to the Executive Manager responsible for the area in which the documents are held or used.

The Privacy Officer is responsible for administering the process of the applications within Therapy Focus and liaises with the designated decision maker/internal reviewer to facilitate the processing of all applications. The Privacy Officer is the initial contact point for applicants, third parties and public sector agencies.

### **6.5. Notice of Decision**

As soon as, and within 45 days the applicant will be provided with a 'Notice of Decision' which will include details such as:

- the date the decision was made;
- the name and the designation of the person who made the decision;
- copies of documents that satisfied the scope of requested information;
- reasoning on exemptions that have been applied if access has been refused to release documents in full or partially; and

- Information on the rights of review and the procedures to be followed by the applicant to exercise those rights.

## **7. Rights of review on access**

Applicants have a right of appeal where access to information is either fully or partially refused. In the first instance an applicant can seek an Internal Review of the decision and the applicant will be notified of the outcome of the review within 15 days. Where the decision to not grant access is confirmed, the applicant may then complain to Therapy Focus, and if still unsatisfied, the Office of the Australian Information Commissioner (OAIC).

## **8. Personal information**

### **8.1. Employee personal information**

Employee details, including personal and employment information, are retained on Therapy Focus' employee files in accordance with human resource management practices and the Records Management Policy.

This information is held in confidence and strict guidelines are maintained in relation to internal access. Physical versions of employee files are retained in a secure and locked area at the Central Bentley Office and access is restricted to information held electronically on our secure server.

Therapy Focus employees wishing to access their own personal files can do so under the supervision of the Workforce Manager.

### **8.2. Client personal information**

Client files are classified as personal information.

### **8.3. Amendment of personal information**

Under the Privacy Act, Therapy Focus is required to ensure that personal information collected, used and disclosed is accurate. People can request that information held about them is amended to ensure that it is: correct, does not unfairly harm the person referred to, does not misrepresent facts or gives a misleading impression about a person.

Applicants must provide details to the Privacy Officer and, if necessary, documentation to support their claim that the information they seek to have amended is inaccurate, incomplete, out of date or misleading. Applicants must also indicate how they wish the amendment to be made such as:

- altering information
- striking out or deleting information

- inserting information or
- inserting a note in relation to information.

On reaching a decision, Therapy Focus will, within 30 days of receiving the application, give the applicant a written notice of its decision. Where a decision is made to amend the information, the notice will give details of the amendment and where practical will include a copy of the amended document.

If the decision is not to amend the information, the notice will inform the applicant of the reason(s) and provide details of an applicant's right of review and appeal and the right to request that a notation be added to the document, disputing the accuracy of the information.

#### **8.4. How to lodge an application for amendment of personal information**

If a person becomes aware that some personal information is not accurate, they can lodge an application with the Privacy Officer to have the incorrect information amended. The person can also make a request for a notation or attachment be placed on the respective file disputing the accuracy of the questionable information.

No fee or charge is payable for an application to amend personal information or for an application to have a notation place on a file.

Personal information can be:

- factual or routine information (e.g. date of birth, length of employment, names of dependants); or
- opinions or evaluative material such as advice or recommendations of a third party (e.g. records of interview material in personnel records).

Applications will be dealt with as quickly as possible and within 30 days of receipt.

#### **8.5. How to make a complaint about Privacy**

If it is believed that Therapy Focus has breached an Australian Privacy Principle, or any part of the Privacy Act, than the individual may contact Therapy Focus to make a complaint. The complaint will be managed as per the feedback management process and the complainant will be contacted within 5 business days to attempt to resolve the matter. If the complainant continues to remain unsatisfied, a complaint can be made to the Office of the Australian Information Commissioner (OAIC):

Online [Privacy Complaint form](#)

Mail: GPO Box 5218 Sydney NSW 2001

Fax: (02) 9284 9666

Email : [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

## **9. Date of review**

This information statement should be reviewed annually to ensure that its contents remain appropriate. The Privacy Officer is responsible for this review.

## **10. Related documents**

- Privacy Policy
- Records Management Policy
- Managing your personal information
- Application to access documents form
- Application to amend or alter personal information form