



# PRIVACY POLICY



## CONTENTS

Section	Part	Page
<b>1</b>	<b>Title: Privacy Policy</b> <b>I.</b> Policy Statement <b>II.</b> Company Aim <b>III.</b> Company Commitment	3 3 3
<b>2</b>	<b>Proworks Consultants Commitment to Privacy</b> <b>i.</b> Collection of Personal Information <b>ii.</b> Use of Personal Information <b>iii.</b> Disclosure of Personal Information <b>iv.</b> Storage and Security of Personal Information <b>v.</b> Access to, and Correction of, Personal Information <b>vi.</b> How to Make a Complaint	4 5 6 7 7 8
	<b>Relevant Documents</b> <b>1.</b> Consent to Release and Obtain Information <b>2.</b> Personal Information Collection Statement <b>3.</b> Email Policy <b>4.</b> Internet Policy <b>5.</b> Feedback and Complaints Handling Policy and Procedures <b>6.</b> Australian Privacy Principles: Privacy Fact Sheet 17 (January 2014) <b>7.</b> The Australian Privacy Principles: Protecting Information Rights – Advancing Information Policy (Presentation and Presenter Notes)	

## **1. POLICY TITLE: Prowork Consultants' Privacy Policy**

### **I. POLICY STATEMENT**

Prowork Consultants is bound by privacy legislation and therefore must treat all personal information obtained as confidential. All personal information related to clients, customers, employees and contractors must be appropriately handled in accordance with the Australian Privacy Principles (APP's) which are set out in the *Privacy Act 1988* and its amendments.

The APP's set out standards, rights and obligations in relation to the handling of personal information (i.e. collection, storage, use and disclosure), to accessing and correcting personal information.

### **II. COMPANY AIM**

Prowork Consultants' aim is to:

1. Manage personal information in an open and transparent way;
2. Maintain accurate, complete and up to date personal information;
3. Handle personal information in a secure manner;
4. Promote the understanding of our employees and contractors' responsibilities in relation to relevant privacy legislation; and
5. Provide an accessible policy for our employees, contractors, clients and customers

It is expected that management, employees and contractors will adhere to this policy and in doing so fulfil their obligations to comply with the Privacy Act.

### **III. COMPANY COMMITMENT**

Prowork Consultants has developed the following policy and related documents / processes to ensure the implementation of the APP's:

- Prowork Consultants' Personal Information Collection Statement – this is provided to injured workers at the initial meeting and explained in detail to enable understanding on how their information is handled (i.e. collected, stored, used and disclosed) and how they may access / correct their personal information or lodge a complaint;
- Consent form – Prowork Consultants require the injured worker to read and voluntarily sign a written consent form before personal information is collected, stored, used and disclosed with a third party;
- Internal quality assurance activities (e.g. case progress reviews / file audits) to ensure accurate and up to date personal information is kept on file;
- Archiving Minimum Standards and restricted access to Case Manager to maintain data security;
- Internet Policy and Email Policy to ensure employees and contractors use the internet / email system in an acceptable way and do not create unnecessary business risk to the company by its misuse; and
- Training to all employees / contractors covering privacy legislation to ensure that they understand their obligations under the Act.

## 2. PROWORK CONSULTANTS COMMITMENT TO PRIVACY

Prowork Consultants recognise the importance of protecting an individual's personal information.

This Privacy Policy sets out the manner in which we collect, store, use and disclose personal information obtained during the course of our business operations and service delivery. It also explains how you can ask to access and correct the personal information we hold about you or complain about any suspected privacy breach.

Personal information is information or an opinion about an individual whose identity is apparent, or can reasonably be determined, from the information or opinion.

Please note that Prowork Consultants will not be able to undertake any requested services if an individual chooses not to identify themselves or if they use a pseudonym.

### i. Collection of Personal Information

Prowork Consultants collects personal information for the primary purpose of delivering the requested service/s in the area of injury prevention, return to work injury management, assistance with activities of daily living, training and consultancy. Prowork Consultants also collects personal information for the purpose of carrying out its usual business activities.

The kinds of personal information Prowork Consultants may collect from individuals include, but is not limited to:

- Name;
- Gender;
- Date of Birth;
- Contact Details: Address – postal, residential, email; phone numbers – home, work, mobile;
- Employment Details – Past and current, including qualifications;
- Injury Details;
- Health and Medical Information; and
- Photographs or video specific to the reason for referral.

In the case of carrying out its usual business activities, Prowork Consultants may also collect the following personal information including, but not limited to:

- Employee details such as next of kin, tax file number, work performance information;
- Candidate details in relation to applications for work
- Workers Compensation Claims and Workplace Incidences information;
- Information obtained to assist in managing client and business relationships; and

- Information collected through means of normal communication e.g. via written correspondence – emails / letters or phone contact.

Prowork Consultants will only collect personal information that is sensitive if it is required to carry out the requested service or business related activity and if the individual has provided written consent.

Prowork Consultants considers sensitive information to imply information or an opinion about an individual's:

- Racial or ethnic origin; or
- Political opinions; or
- Membership of a political association; or
- Religious beliefs or affiliations; or
- Philosophical beliefs; or
- Membership of a professional or trade association; or
- Membership of a trade union; or
- Sexual orientation or practices; or
- Criminal record; or
- Health information about an individual.

Collection of sensitive information without an individual's consent will only occur if required by law or if an exception under the Privacy Act 1988 applies.

Prowork Consultants collects personal information from the individual directly and depending on the service required, indirectly from additional parties, including but not limited to:

- Employers;
- Insurers;
- Doctors;
- Treatment Providers;
- Union Representatives; and
- Legal Representatives.

Personal information is collected during interviews / meetings, via telephone liaison and written correspondence (e.g. emails, reports and letters) and from forms provided to us or completed at the time of assessment.

If an individual does not provide information requested by Prowork Consultants, we may be unable to provide the requested service or business related activity.

Personal information may also be collected through our website via completion of the online referral form or the 'Contact Us' function.

## ii. **Use of Personal Information**

The primary purpose for which Prowork Consultants may use your personal information is to carry out the service/s we have been requested to deliver. This may include, but is not limited to:

- Return to work Injury Management - conducting assessments, case management for same employer or new employer referrals, attending medical case conferences and insurer case reviews;

- Activity of Daily Living Assessments and Education;
- Ergonomic Assessments and Advice; and
- Manual Handling Assessments and Training;

We may also use your personal information for internal quality assurance purposes (e.g. case progress reviews / file audits) or statistical analysis (involves collating and removing identifying information).

In the case of carrying out its usual business activities, Prowork Consultants may use your personal information in the following instances including, but not limited to:

- Recruitment / Employment;
- Employee Management;
- Occupational Safety and Health;
- Training / Education;
- Client and Business Relationship Management; and
- Responding to emails directly or indirectly via our website.

### **iii. Disclosure of Personal Information**

Prowork Consultants will only use and disclose personal information for the primary purpose it was collected or for reasons directly associated with one of its business related activities.

Situation/s in which personal information may be disclosed include, but is not limited to:

- Consultation with medical practitioners / treating doctors, allied health professionals, employers or insurers to assist with return to work / activities of daily living or identify training gaps / educational requirements;
- Performance of administrative processes (e.g. contact with employer or insurer to confirm an individual's personal details for billing purposes); and
- Updating of IT system requirements to ensure secure storage and management of our records

Prowork Consultants will not disclose personal information to any third party unless:

- The individual has provided written consent; or
- The individual would reasonably expect, or is made aware that information of that nature is usually shared with particular third party agents.

Personal information may also be disclosed in the event of exceptional circumstances including but not limited to; serious threat to life, legal reasons or the health and safety of an individual. Prowork Consultants are also obliged to provide information from your file to the relevant regulatory authority (e.g. WorkCover NSW) upon their request.

Prowork Consultants does not intend to disclose your information to any overseas recipients.

#### **iv. Storage and Security of Personal Information**

Prowork Consultants will take reasonable steps to protect and secure personal information from unauthorised access, modification or disclosure and loss, misuse and interference.

Personal information is stored as paper records and / or electronically on Prowork Consultants software / systems.

To protect your personal information, Prowork Consultants maintains security of your information by:

- Storing paper records in lockable filing cabinets when not in use and allowing only authorised access;
- Storing archived paper records in a secure room that is locked at all times;
- Ensuring secure destruction of information and adequate de-identification when personal information is no longer needed or required to be kept by law;
- Keeping working files in the possession of the Rehabilitation Consultant or in a secured location at all times when out of the office;
- Providing a private setting for confidential discussions;
- Training all employees / contractors in workplace policies and procedures including the appropriate handling of personal information;
- Restricting access to computer systems / software (e.g. via login / password protection, defining access rights in Case Manager software); and
- Other appropriate information technology security systems and processes

#### **v. Access to, and Correction of, Personal Information**

Prowork Consultants will take reasonable steps to ensure that the personal information we collect, store, use or disclose is accurate, complete, relevant and up to date.

Prowork Consultants use detailed information gathering forms to obtain a complete and thorough account of your personal information that is necessary and relevant to carry out the requested service or business related activity.

During the course of service delivery or business activity, you may receive documents from Prowork Consultants containing your personal information. It is important that you review the information for any changes or errors and notify us accordingly so that your records can be kept accurate and up to date. It is the practice of Prowork Consultants to update personal records as new information becomes available.

Prowork Consultants also carry out internal quality assurance activities (e.g. case progress reviews / file audits) to ensure accurate and up to date personal information is kept on file.

In accordance with the Privacy Act, you have the right to access and correct your personal information. Any requests to access or correct your personal information will need to be put in writing to our Privacy Officer (refer below for contact details).

Prowork Consultants will process your request within 30 days. If the request cannot be processed within that timeframe for whatever reason, Prowork Consultants will advise you of the anticipated timeframe for a response to be provided. Please be aware that a reasonable fee may be charged for access to personal information which will be notified upon request.

Prowork Consultants may refuse to grant access or allow changes to personal information under certain circumstances. If these circumstances apply to your request you will be provided with a written response outlining the reasons behind the refusal and the process involved to lodge a complaint, if desired.

#### **vi. How to Make a Complaint**

If you have any concerns about the way your personal information has been handled and you would like to make a complaint, please put your complaint in writing and direct it to our Privacy Officer (refer below for contact details). Your request will be appropriately managed and resolved through Prowork Consultants Feedback & Complaints Handling Policy and Procedures.

Prowork Consultants will investigate the complaint and attempt to resolve it within 30 days. If the complaint cannot be resolved within that timeframe, Prowork Consultants will contact you to advise you of a reasonable timeframe for a response.

If, however, you feel that your complaint has not been resolved, you may contact the Office of the Australian Information Commissioner on the details below:

Officer of the Australian Information Commissioner (OAIC)

GPO Box 5218  
SYDNEY NSW 2001  
Ph: 1300 363 992  
Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

#### **Privacy Officer**

Prowork Consultants has elected a Privacy Officer who is responsible for the following:

- Processing requests for access to or correction of personal information;
- Handling complaints in relation to our management of Personal Information; and
- Staff training on privacy legislation

If you require further information in relation to our Privacy Policy, our Privacy Officer can be contacted at:

Privacy Officer  
Prowork Consultants  
PO Box 3359  
Bankstown NSW 2200  
Ph: (02) 9790 8651  
Email: [admin@prowork.com.au](mailto:admin@prowork.com.au)

I have read this policy in its entirety and understand its content. I have been given the opportunity to ask questions. I have also been provided with additional training in relation to privacy legislation and my obligations under the Act.

Name: \_\_\_\_\_  
Employee/Contractor

Signature: \_\_\_\_\_  
Date: \_\_\_\_\_

Name: \_\_\_\_\_  
Witness

Signature: \_\_\_\_\_  
Date: \_\_\_\_\_