



Form 1A(3): Privacy Statement and Collection Policy

This Privacy Statement and Collection Policy applies to victim/survivors who proceed through the Pathways model. Pathways is required to have a Privacy Policy that sets out how we treat the personal information we collect during our operations.

It must meet the requirements of the Privacy Act 1988 and the Australian Privacy Principles (APPs) in Schedule 1. It must also meet the requirements of the Health Records Act 2001 (Vic), which specifically deals with an individual's health information. The Health Records Act has 11 Health Privacy Principles (HPPs) in its Schedule. Pathways' Privacy Policy must be made freely available and in a suitable form. Accordingly, it is available on our public website (<https://www.pathwaysvictoria.com/resources>) If you require a copy of this policy in an alternative form, for example in a format suitable for the vision impaired, you can contact the Care Coordinator to lodge this request. All reasonable steps will be taken to provide the policy in a suitable form.

Pathways is committed to treating the personal information we collect in accordance with the law as set out in the *Privacy Act* 1988 and its the APPs, and the *Health Records Act* 2001 and the HPPs.

- 'Personal information' is information or an opinion about an identified individual or an individual who is reasonably identifiable, whether it is true or not (Privacy Act).
- 'Health information' is information or opinion about an individual's physical, mental or psychological health, disability, wishes for provision of future health services, or health services that have been provided. It also covers the personal information that may be collected as part of the provision of a health service, in connection with an organ donation, or that is genetic information that is or could be predictive of future health (Health Records Act).

This Privacy Policy sets out:

- The kinds of personal information we collect and hold.
- How we collect and hold personal information.
- The purposes for which we collect, hold, use and disclose personal information.
- How you can access personal information we hold about you and seek to have it corrected if you believe there are errors.
- How you can lodge a complaint about a breach of this policy.
- Whether we disclose personal information to overseas entities and in what countries they are located.
- How to contact us.

The kinds of personal information we hold

Pathways collects and holds the following types of personal information in its records:

- Identifying personal information, including your name, address, phone numbers, email address, date of birth, and government-issued identification numbers.
- Health information, including your marital status, cultural background, religious orientation, and medical and psychiatric records.

It is not possible to provide services to a client who wishes to remain anonymous or to use a pseudonym (an assumed name to hide your identity). We need to collect and use your personal information to provide services specific to your circumstances and needs.

How we collect and hold your personal information

We only collect personal information using lawful and fair means. We collect personal information primarily from you when you seek to participate in the Pathways model. This may be through a personal interview, over the phone, in an email or letter, or when you complete a questionnaire or form.

We may also collect personal information about you from:

- The medical professionals we coordinate and collaborate with to develop medical and health-related assessments about you. This type of two-way information sharing is fundamental to providing you with the best possible service.

We are required to take reasonable steps to ensure that the personal information we collect, hold, use and disclose is accurate, up-to-date and complete. However, it is possible that over time the information we hold becomes outdated. Where this occurs, we will correct that information within 30 days of receiving your written request to do so. (See section 'How you can access personal information we hold'.)

How we secure your information

Pathways holds personal information in hard copy and electronic formats at our Melbourne office. We use physical security measures to protect the personal information we hold, such as:

- locking the cabinets in which hard copies are held
- locking rooms dedicated to holding cabinets that contain personal information
- requiring staff not to leave clients' personal files on their desks unattended or their computer screens unlocked when they are away from their desks
- requiring staff not to take hard-copy client files out of the Pathways office.

We use technological measures to protect information held in electronic formats, such as restriction of access to authorised personnel, passwords and firewalls. Electronic data is stored on our own in-house servers. It may also be stored securely offsite as part of our data protection procedures on a service provider's dedicated secure server. We hold your personal information for a minimum of seven years after the last occasion on which we provided a service to you, unless its deletion is permitted, authorised or required by applicable regulations or laws. In the case of personal information collected while the client was a child, we hold your personal information at a minimum until you reach 25 years of age.

The purposes for which we collect, hold, use and disclose personal information

Primary purpose

We collect, hold, use and disclose the personal information we gather from you for the primary purpose of providing and administering our service to you. This includes disclosing your

personal information in working with external health service providers to obtain medical assessments about you and to arrange treatment, such as counselling and other forms of professional support. This is done with your consent. We also collect, hold, use and disclose your information for the following purposes, which fall under our primary purpose or as required by the law.

To respond to requests or queries

This includes requests that come directly from you, a responsible person you have authorised, such as your solicitor, or a health practitioner who is treating you and who you have authorised to have access to information we hold about you.

To maintain contact with you

This may include phone calls, letters and emails related to your relationship with us, any treatment that we may be coordinating for you, or seeking feedback from you related to our service provision.

To facilitate assessment of your case and claim for redress

We may disclose your personal information to the participating church authority, the complaints committee, assessment panel or resolution panel to help them assess your case and any claim for redress.

To facilitate payments to you

We may disclose information about you to the relevant church authority to facilitate the payment of compensation, or to assist the participating church authority in issuing a letter of apology, or to take other action arising from implementation of the decisions or recommendations of the assessment and resolution panel. Information provided to the participating church authority for these purposes is restricted to a small number of senior officials.

To facilitate an apology to you and implement action

We may disclose information about you to the participating church authority to assist in issuing a letter of apology, or to take other action arising from implementation of the decisions or recommendations of the assessment and resolution panel. Information provided to the participating church authority for these purposes is restricted to a small number of senior officials.

To assist with research and quality assurance

We may disclose your personal information for research and quality assurance activities, to improve our practices and the services available to you and other victim/survivors. You will be informed when these activities are being conducted and given the opportunity to opt-out of any involvement

To comply with Australian law

We will disclose your information when required to do so by Australian law. This includes answering subpoenas and directions given by law enforcement bodies or courts. We will also disclose information when it is required to prevent serious harm to you or someone else or to prevent a criminal offence.

[How you can access personal information we hold about you and seek to have it corrected if you believe there are errors](#)

A separate Pathways policy, 'Client Access to Personal Information', sets out how you can access your personal information and have it corrected if you believe it contains errors. This policy should be read in conjunction with the Privacy and Collection Policy. A request to access personal information must be made using the 'Personal Information Request Form'. When your request is granted, you will be given access to your personal records as a hard copy print-out, PDF electronic format or through a discussion with a Pathways staff member or health professional.

We will provide this access within 30 days of receiving your written request. You will not be given access to the electronic systems on which the information is held. This is to ensure we preserve the security and integrity of our electronic database and software. The law provides for several limited circumstances where we can refuse you access to your personal information. One of these is where providing access would pose a serious threat to the life or health of yourself or another person. There are several other reasons why we can refuse access. These can be read in the *Health Records Act 2001 (Vic)*, Schedule 1, Health Privacy Principle 6, Access and Correction. If one of these limited circumstances applies in your case, we will look for a way to provide access that mitigates the risk. If we do finally refuse access, we will provide you with the reasons in writing within 30 days.

[How you can lodge a complaint about a breach of this policy](#)

If you feel that Pathways has breached its stated Privacy and collection Policy in the handling of your personal information, contact the CEO of Pathways in writing (mail or email) stating your complaint. If you are unable to contact us in writing, you can phone our office.

Pathways' contact details are:

Pathways Victoria
Suite 520, 100 Victoria Parade
East Melbourne VIC 3002
03 9672 3489
info@pathwaysvictoria.com

Pathways will acknowledge receipt of your complaint within five working days, investigate your complaint, and advise you of the outcome of its investigation within 30 days. If you are not satisfied with the outcome of Pathways' investigation, you can refer your complaint to the Office of the Australian Information Commissioner on 1300 363 992 or go to its online complaints page at – <https://www.oaic.gov.au/privacy/privacy-complaints>

[Whether we disclose personal information to overseas entities and in what countries they are located](#)

Pathways does not disclose personal information about its clients to overseas entities.

How to contact us?

To discuss any matters related to this policy, the collection of your personal information or to make a request to access the information we hold about you, contact Pathways Victoria on the details below:

Pathways Victoria
Suite 520, 100 Victoria Parade
East Melbourne VIC 3002
03 9672 3489
info@pathwaysvictoria.com

This Privacy Policy should be read in conjunction with Pathways' Client Access to Personal Information Policy. This Privacy and Collection policy will be regularly reviewed to assess its effectiveness and compliance with the law.

Client acknowledgement

I have read Pathways' Privacy and Collection Policy and understand the reasons why my personal information is being collected. I understand that I am not obliged to provide any information requested of me, but my failure to do so might prevent Pathways from providing me with its services.

I am aware of my rights to access the information collected about me, except in some circumstances where access might legitimately be withheld. I understand that I will be given an explanation in these circumstances. I understand that these privacy terms may be updated periodically in line with changes in the law and the services provided by Pathways. I understand that Pathways will notify me in writing where those changes affect me.

I consent to Pathways handling my personal information for the purposes set out in the Privacy and Collection Policy subject to any limitations on access or disclosure that I notify Pathways of.

I understand that if my information is used for any purpose other than that set out in the Privacy and Collection policy, my further consent will be obtained (unless my consent is not required or permitted by law). I understand that Pathways may infer my consent whether or not I have signed this consent form. This might occur when, for example, I provide my information to Pathways (including my health records) and having been given a copy of this information sheet I continue to engage with Pathways and receive its services. I acknowledge that I have received a copy of the full privacy and collection policy.

CLIENT SIGNATURE _____

NAME _____

DATE SIGNED _____