

Casey Youth Services Privacy Policy



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Version 2

Who we are

Casey Youth Services (**CYS**) is part of City of Casey. CYS provides services to young people aged 10 to 25 years (**Young People**) through the following teams (**Services**):

1. Youth Engagement Team. This team provides programs, events and activities to support Young People, allowing them to connect with their local community.
2. Youth Information Centres. These provide a safe place for Young People to drop in and obtain information support and referrals, as well as access to recreational activities.
3. Youth Counselling and Support Service. This provides a free, generalist counselling service to Young People and their families who maintain a strong connection to City of Casey.

City of Casey/CYS must follow the Child Safe Standards and Reportable Conduct Scheme under the Victorian *Child Wellbeing and Safety Act 2005*. This Privacy Policy should be read **together with** the City of Casey Child Safety Policy, Child Safe Standards and Reportable Conduct Scheme. These can all be accessed through the link below:

<https://www.casey.vic.gov.au/policies-strategies/child-safety-policy>

If you receive counselling through the Services, you will be assigned a Unique Client Number. This is to ensure your care is documented in a single continuous record.

This Privacy Policy

This Privacy Policy applies to all CYS Services. However, it **does not** apply to the use of **any** social media or online platform in association with City of Casey/CYS.

If you are under the age of 18 (**Child**) you should discuss this Privacy Policy with a parent or legal guardian (**Parent**) before accessing the Services.

We are committed to your privacy

City of Casey/CYS is committed to protecting your privacy.

City of Casey/CYS is bound by the Victorian *Privacy and Data Protection Act 2014* and *Health Records Act 2001*.¹ These laws set out principles that City of Casey/CYS must follow when dealing with any information or opinion about you which allows you to be identified (**Personal Information**²).

¹ As a body established for a public purpose under the Victorian Local Government Act 1989 (i.e. a council), City of Casey is not subject to provisions in the Commonwealth Privacy Act 1988.

² The definition of 'Personal Information' in the Privacy and Data Protection Act 2014 specifically excludes information covered by the Health Records Act 2001.



Some Personal Information may be **Sensitive Information**. Sensitive Information includes information about your:

- Racial or ethnic origin;
- Political opinions, religious or philosophical beliefs;
- Sexual preferences/practices; or
- Criminal record.

Health Information³ is information or opinion about your physical, mental or psychological health, or a disability. It includes:

- Your wishes about a health service provided to you;
- Any information about a health service provided to you; or
- Any other information about you collected to provide a health service to you (e.g. counselling)

How we collect your information (verbally or in writing)

Your information will only be collected if it is needed to support you when accessing the Services **and** we have consent from you or your Parent.

We usually need your name, date of birth and contact details. We may also require information about your special needs or medical conditions, if any.

We may ask you to sign a form to consent to collection of your information. If you are a Child your Parent will need to sign for you, **unless** we believe you are able to consent yourself. We will decide this on a case by case basis.

In collecting your information:

- We will ensure the information is accurate, up to date, complete, necessary and relevant to the Services; and
- Collection will be by lawful and fair means.

It might be possible for you to access the Services without giving us any of your information. We are happy to discuss this with you. Note there are some Services which we cannot provide at all, or as effectively, without your Personal Information and/or Health Information.

Sometimes we may be authorised/required by law to collect Sensitive Information or Health Information, even if we are not able to obtain consent. For example:

- If it is necessary to prevent or lessen a serious threat to the life, health or safety of any person; or
- If we need to collect your Health Information for research/statistical purposes in the public interest.

We will collect your information only from you, if possible. If we collect information about you from someone else, we will let you know. We may need to collect information from:

- Your doctor;
- Your school;
- Your employer; and/or
- Others involved in your support outside of CYS

³ This only applies to information from which you can be readily identified.

Sometimes we might receive Health Information about you which was given to us by someone else 'in confidence'. This means we may not be able to share it with you. We will keep a record of this information only if it is relevant to the Services we provide you. If so, we will ensure this information is accurate and not misleading.

How we use and share your information (verbally or in writing)

We will only use or share your information to support you in using the Services, or for a relevant purpose. For example, we may keep records of your information which other City of Casey/CYS staff will be able to see. We might also share your information with other people/organisations involved in supporting you. This will assist you in achieving your goals.

Generally we will not share your information with anyone outside City of Casey/CYS without consent from you or your parent. However there may be exceptions. For example, if we are not able to obtain consent, we may still use or share your information:

- For research or statistical purposes, if we believe the person/organisation receiving the information will not share it with anyone else;
- If it is needed for funding, management, planning, monitoring improvement or evaluating the Services, training staff etc.;
- If we believe sharing your information is necessary to lessen/prevent a serious threat to the life, health, safety or welfare of any person;
- To help authorities (e.g. police) to investigate or report unlawful activity;
- When it is authorised or required by law (see below)

We may also need to share your information without consent:

- Under the City of Casey Child Safe Reporting Process, or in investigating any suspicion of abuse (as set out in the City of Casey Child Safety Policy);
- When we need to provide information to government authorities (e.g. the Commission for Children and Young People) because of a funding agreement or law;
- To comply with compulsory reporting requirements, including reporting to the police, Department of Health and Human Services, the Commission for Children and Young People, other government departments or regulators;
- When it is authorised under another law;
- When a court or tribunal orders us to; or
- When we are seeking professional advice (e.g. legal or accounting advice).

Specifically, if you are a Child:

- We are required to have procedures in place for reporting concerns about Child safety under Child Safe Standard 5. Child Safe Standard 5 is set out in the City of Casey Child Safety Policy.
- Under the Reportable Conduct Scheme, City of Casey/CYS must share information if it is suspected a worker/volunteer of City of Casey/CYS has been involved in any behaviour (professionally or personally) that:
 - Causes emotional/psychological harm to a Child;
 - Amounts to neglect of a Child; or
 - Amounts to sexual misconduct or physical violence involving a Child.

Such information will be immediately reported to City of Casey's Internal Response Team. This may lead to suspicions being reported to the Commission for Children and Young People and possibly the police.

How we store and manage your information

If you are a Child and we provide a health service to you (e.g. counselling), we must keep any Health Information about you until you turn 25. If you are a Child, City of Casey/CYS must also keep records of any concerns about your safety, and store them securely (under Child Safe Standard 5).

If we provide a health service to you only when you are 18 or over, we must keep your Health Information for 7 years after you last receive a health service from City of Casey/CYS. If information is not Health Information and it is no longer needed for any reason, we will destroy/permanently delete any information which might identify you.

How we transfer information if you move to another state or territory

We will only transfer your Personal Information or Health Information outside of Victoria if:

- We believe that the person/organization receiving the information will follow similar principles for fair handling of information that we must follow;
- You or your Parent consents to the transfer,
- It is necessary for your benefit, we are unable to obtain your consent, and we believe it is likely you/your Parent would consent; or
- It is authorized/required by law.

You have the right to have your information released to you

You can contact the Manager, Child Youth and Family at City of Casey, to ask to see your information. Failing this, you may also contact City of Casey's Privacy Officer for issues about privacy or FOI. Contact details for the Privacy Officer are below:

City of Casey
PO Box 1000
Narre Warren VIC 3805
Telephone: 03 9705 5200
Email: caseycc@casey.vic.gov.au

City of Casey may charge a fee to release the requested information to you.

Sometimes City of Casey may not release certain information. For example. If:

- The information is legally privileged or commercial-in-confidence;
- Releasing the information would pose a serious threat to the life/health of any person;
- Releasing it would impact the privacy of another person;
- It appears the request for information is not for a proper purpose;
- Releasing the information would impact investigation of possible unlawful activity, or the function of a law enforcement agency;
- The information had been given to City of Casey/CYS 'in confidence'; or
- Release of the information has previously been refused, or the information has already been released (and there are no reasonable grounds for repeating the request).

If we do not release your information, we will provide reasons.

If you believe that the information we have about you is not accurate, complete or up to date, you may ask us to correct such information. We will take reasonable steps to do so – and if not, provide reasons.

How you can complain

We welcome all feedback and encourage you to raise concerns if you are not happy with how we manage your information. You may raise concerns directly with your youth worker, or with the Coordinator of Youth Services on 9705 5200.

You can make a formal complaint with City of Casey's Manager Governance on 9705 5200.

A complaint may also be made to the Information Commissioner (at the Office of the Victorian Information Commissioner) or the Health Complaints Commissioner. However, they may not consider the complaint unless you have first complained to the City of Casey.

The Office of the Victorian Information Commissioner may contacted through the details below:

PO Box 24274
Melbourne VIC 3001

Email: enquiries@ovic.vic.gov.au

You may complain to the Health Complaints Commissioner online, or by telephone, through the following link:

<https://hcc.vic.gov.au/make-complaint>