

Privacy Policy

Scope

This policy covers all operations and functions of My Christian Counsellor including the management and disclosure of personal information collected and/or held by My Christian Counsellor of counsellors, clients, service providers, customers, agents or any other parties.

Definitions

Personal Information is defined in the *Privacy Act 1988* as information or an opinion (true or not) about an identified individual, or an individual who is reasonably identifiable. The information or opinion may be recorded in a material form or not. Personal Information does not include personal health information.

Personal health information is defined in the *Health Records (Privacy and Access) Act 1997*. It includes any personal information, whether or not recorded in a health record relating to the health, an illness or a disability of the consumer. Personal health information is managed in accordance with the *Health Records (Privacy and Access) Act 1997*.

Sensitive Personal Information is defined in the *Privacy Act 1988* and essentially means personal information that is about a person's racial or ethnic origin; political opinions; religious beliefs or affiliations; philosophical beliefs; membership of a political association, professional or trade association, or trade union; sexual orientation or practices; or criminal record. Sensitive information is a form of personal information.

Academic information refers to information about a counsellor's academic status and is a form of personal information.

Legislation

My Christian Counsellor chooses to abide by the *Privacy Act 1988* and associated 13 *Australian Privacy Principles (APPs)*, which came into effect on 12 March 2014 and set out standards, rights and obligations for the handling, holding, accessing and correction of personal information (including sensitive information).

Principles

My Christian Counsellor is committed to protect the personal information of future, current and past counsellors and clients, service providers and other industry and business partners.

PART 1 – Consideration of Personal Information Privacy

Open and Transparent Management of Personal Information:

My Christian Counsellor will:

- ensure that personal information is managed in an open and transparent way;

- take reasonable steps to implement practices and procedures that will facilitate dealing with enquiries or complaints from individuals compliant with the *Australian Privacy Principles (APPs)*;
- ensure that it maintains an up-to-date policy about the management of personal information;
- ensure that the My Christian Counsellor Privacy Policy contains the following information:
 - the kind of information that is collected and held;
 - how the information is collected and held;
 - the purposes for which information is collected, held, used and disclosed;
 - how an individual may access their personal information held by My Christian Counsellor and seek correction of such information as necessary;
 - how the individual may make a complaint about a breach of the *APPs* and how My Christian Counsellor will deal with such a complaint;
- provide the Privacy Policy free of charge and in such form as appropriate, and as is reasonable.

Anonymity and pseudonymity:

- My Christian Counsellor will respect that individuals may not wish to identify themselves when making enquiries about My Christian Counsellor's products and services;
- My Christian Counsellor will however require full personal details as required by law and for identification purposes from clients.

PART 2 – Collection of Personal Information

- My Christian Counsellor will not collect personal information from anyone unless that information is necessary for, or directly related to, one or more of its functions or activities or where it is required by law.
- My Christian Counsellor will take reasonable steps at or before the time of collection to ensure that all stakeholders are aware of:
 - Who we are and how to contact us;
 - The purpose for which the information is being collected;
 - Any organisation to which we would normally disclose information;
 - Any law that requires the particular information to be collected;
 - The main consequences for the individual if all or part of the information is not provided.
- My Christian Counsellor only collects the minimum information it needs. The kinds of personal information collected and held may include:
 - name, address and contact details (such as phone and email);
 - identity information (such as date of birth, country of birth, drivers licence, and educational qualifications);
 - information about personal circumstances (such as age, gender, marital status and occupation);
 - evidence of a *Working with Vulnerable People (Background Checking)* card;
 - information about financial affairs (such as payment details, bank account details);
 - information about assistance provided as relevant to counsellors and clients.
- My Christian Counsellor may be required to collect and hold personal health information about counsellors or clients. Personal health records are managed in accordance with the *Health Records (Privacy and Access) Act 1997*.

- Generally when a person deals with My Christian Counsellor (e.g. a phone enquiry), that person may remain anonymous or use a pseudonym. However, in some situations My Christian Counsellor will require personal information to provide necessary services or assistance.
- My Christian Counsellor collects information from counsellors and clients in the following ways:
 - When they become member counsellors;
 - When they register their interest online, book a counselling session, or contact or do business with us;
 - Information collected from telephone calls or emails;
 - Information collected from third parties, such as counselling associations, regarding confirmation of training and ongoing professional development attended;
 - Information collected when people visit the My Christian Counsellor website. No personal information is collected in this way unless it is voluntarily provided through participation in an activity that asks for information such as sending an e-mail; or undertaking a payment or other transaction.
- Should information be collected from a third party, My Christian Counsellor will take reasonable steps to ensure that the individual is or has been made aware of the matters listed above.

PART 3 – Dealing with Personal Information

- My Christian Counsellor will not disclose personal information to a third party for secondary purposes or disclose personal information to government agencies, private sector organisations or anyone else without written consent, unless an exception applies. The circumstances where an exception may occur:
 - where the use or disclosure of this information is required or authorised by or under an Australian law or a court/tribunal order;
 - where the individual would reasonable expect My Christian Counsellor to use or disclose the information for a secondary purpose related to the original purpose of collection;
 - where it is unreasonable or impracticable to obtain the person’s consent and My Christian Counsellor reasonably believes that use or disclosure is necessary to lessen or prevent a serious threat to the life, health or safety of any individual, or to public health or safety;
 - where My Christian Counsellor has reason to suspect unlawful activity, or misconduct of a serious nature that relates to its functions or activities and reasonably believes that use or disclosure of the personal information is necessary to take appropriate action;
 - My Christian Counsellor believes that the use or disclosure is reasonably necessary to help locate a person who has been reported as missing;
 - My Christian Counsellor reasonably believes that the use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, enforcement bodies (e.g. police).
- My Christian Counsellor collects and holds personal information from current and future counsellors and clients to:
 - Process and confirm appointments and payments and clients;
 - Record and maintain details of counsellors;
 - Record and maintain details of ongoing training and professional development;
 - Gain feedback;
 - Communicate with counsellors and clients;
 - Report to relevant authorities as required by law.

- Direct Marketing
 - My Christian Counsellor may use personal information (specifically names and address details) and information about preferences for direct marketing (i.e. the communication channels preferred for receiving direct marketing and the types of products and services clients are interested in) to let clients know about our services and benefits, where consent has been given.
 - My Christian Counsellor provides an opt-out and/or unsubscribe method that is easily accessible for individuals to request not to receive direct marketing communications.

- Cross Border Disclosure
 - My Christian Counsellor does not disclose personal information to overseas recipients unless prior written approval is received by the individual to whom the personal information relates.

PART 4 – Integrity of Personal Information

- Quality of personal information
My Christian Counsellor will take reasonable steps to ensure that personal information collected is accurate, and to maintain personal information to ensure that, having regard to the purposes for which it is held, it is accurate, up-to-date, complete, relevant and not misleading.

- Security of personal information
My Christian Counsellor will take steps, as are reasonable in the circumstances, to ensure that personal information it holds is safe and secure and to protect the information from misuse, interference and loss as well as unauthorised access, modification or disclosure and to destroy the information or to ensure that the information is de-identified:-
 - My Christian Counsellor IT systems employ comprehensive protections to guard against unauthorised access.
 - All sensitive information collected and held by My Christian Counsellor is stored securely with restricted access.
 - As a part of My Christian Counsellor's general practice, personal information is only available to counsellors who need access to personal information to perform their duties.

PART 5 – Access to, and correction of, personal information

- My Christian Counsellor provides counsellors with electronic access to their own personal records, where the individual can update and maintain their own personal information.
- A person has the right to request access to their personal information held by My Christian Counsellor, and to request that their personal information be corrected. This is provided for under the *Freedom of Information Act 1989*.
- My Christian Counsellor can assist counsellors, upon written confirmation (e.g. via email), to amend personal information such as address details. My Christian Counsellor will not charge fees for making the request, providing access to personal information, or correcting personal information.
- In some circumstances, My Christian Counsellor may not permit access to individuals for their personal information. If this is the case, My Christian Counsellor will provide full details for the legal reasons for refusal. These may include that My Christian Counsellor believes that:

- giving access to the information would pose a serious threat to the life, health or safety of the individual, or to public health or public safety; or
 - giving access would have an unreasonable impact on the privacy of other individuals; or
 - the request for access is frivolous or vexatious; or
 - the information relates to existing or anticipated legal proceedings between My Christian Counsellor and the individual, and would not be accessible by the process of discovery in those proceedings; or
 - giving access would reveal the intentions of My Christian Counsellor in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
 - giving access would be unlawful; or
 - denying access is required or authorised by or under an Australian law or a court/tribunal order; or
 - unlawful activity, or misconduct of a serious nature, that relates to My Christian Counsellor functions or activities has been, is being or may be engaged in and giving access would be likely to prejudice taking appropriate action in relation to these matters; or
 - giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
 - giving access would reveal evaluative information generated within My Christian Counsellor in connection with a commercially sensitive decision-making process.
- When dealing with requests for access to personal information, My Christian Counsellor will:
 - respond to the request for access within 30 days of the request if from an individual, and within a reasonable time if the request is from an organisation; and
 - provide access to the information in the manner requested, if it is reasonable and practicable to do so.
- My Christian Counsellor does not charge a fee for access to personal information.
 - With regard to the correction of personal information held:
 - should My Christian Counsellor be satisfied that information is inaccurate, out of date, incomplete, irrelevant or misleading, My Christian Counsellor will take such steps as reasonable to correct the information to ensure that, having regard to the purpose for which it is held, the information remains accurate, up-to-date, complete, relevant and not misleading.
 - Should My Christian Counsellor refuse to correct information, My Christian Counsellor will give written notice to the individual that sets out the reason for refusal, the mechanisms available to complain about the refusal and any other matters prescribed by the regulations.

My Christian Counsellor Responsibilities

The management of My Christian Counsellor ensures that all counsellors are made aware of this policy and its underpinning legislative requirements, and comply with this policy at all times.

My Christian Counsellor ensures that all counsellors, clients and service providers have access to and awareness of this policy.

Monitoring and Improvement

All practices for Privacy are monitored by the management of My Christian Counsellor and areas for improvement identified and acted upon.

Making a complaint

- Complaints about how My Christian Counsellor has managed personal information for counsellors or clients will be dealt with by the contact details provided via the My Christian Counsellor website. Complaints from counsellors or clients should be submitted in writing. My Christian Counsellor is also able to assist with the lodgement of a complaint if required.
- My Christian Counsellor will promptly acknowledge receipt of complaints and seek to satisfactorily resolve each matter within in a timely way.
- Complaints about possible interference with privacy should be made to My Christian Counsellor in the first instance. If not resolved, privacy complaints may be taken to the Office of the Australian Information Commissioner, an independent body that will decide whether to deal with a complaint and consider whether there has been an interference with privacy. If a complaint is upheld by the Commissioner it may be possible to seek a remedy in the Magistrates Court.
- More information about making a complaint to the Office of the Australian Information Commissioner can be found on its website www.oaic.gov.au or by calling 1300 363 992, or following this link:

<https://www.oaic.gov.au/individuals/how-do-i-make-a-privacy-complaint>