



# PRIVACY POLICY

## 1. Purpose

Plan Manage Assist (PMA) is committed to its obligations under the *Privacy Act 1988* (revised) and the Australian Privacy Principles (APPs).

This document describes how PMA collects, uses, discloses, and handles certain information in compliance with the 13 APPs as required by the applicable Privacy Act. It also details how interested parties may access personal information held by PMA about certain individuals and how they can lodge a complaint if they believe their privacy has been compromised.

## 2. Principles

PMA is bound by the APPs in Schedule 1 of the *Privacy Act 1988* (Cth). The APPs provide standards, rights, and obligations in respect of how personal information is handled from collection, to use, disclosure, storage, and access. PMA is required to be in compliance with regulations and laws of all Commonwealth and State jurisdictions in which it operates.

## 3. Context

PMA collects and stores personal information for the primary purpose of providing its plan management and other services. This purpose includes:

1. providing and administering services, including payments, reporting and assessments.
2. participant services.
3. supplier relations.
4. conducting surveys and benchmarking activities.
5. research.
6. compliance with reporting requirements and administration of government programs and authorities.
7. compliance with reporting requirements and administration of applicable laws and regulations of the NDIS
8. internal planning; and
9. promoting and marketing the services of PMA.



The personal information collected, held, used, and disclosed is for legal obligations and internal PMA purposes. These include:

1. Participants: to manage an individual's details regarding their NDIS plan, payment of services provided to participants, claims to NDIS for reimbursement and performance and information that PMA is obliged by law to collect or report.
2. For employees, visitors, and sub-contractors: to administer pay, entitlements, performance, access to PMA facilities and services, taxation purposes and in relation to work health and safety, or rehabilitation and compensation matters.

#### **4. Scope**

This privacy policy applies to all personal information collected, used, stored, and disclosed by PMA except information:

1. in a publication that is available to the public.
2. kept in a library, art gallery or museum for reference, study, or exhibition purposes.
3. which is a public record that is available for public inspection; or
4. that is an archive within the meaning of the *Commonwealth Copyright Act 1968*.



## 5. Definitions

Term	Definition
Health information	Information or an opinion about the health, including an illness, disability, or injury (at any time) of an individual that is also personal information.
Personal information	Information or an opinion (including information or an opinion forming part of a database) about an identified individual, or an individual who is reasonably identifiable, whether true or not, and whether recorded in material form or not.
Sensitive information	<p>Sensitive information is a type of personal information and includes information about an individual's:</p> <ol style="list-style-type: none"> <li>1. health (including predictive genetic information)</li> <li>2. racial or ethnic origin</li> <li>3. political opinions</li> <li>4. membership of a political association, professional or trade association or trade union</li> <li>5. religious beliefs or affiliations</li> <li>6. philosophical beliefs</li> <li>7. sexual orientation or practices</li> <li>8. criminal record</li> <li>9. biometric information</li> <li>10. biometric templates.</li> </ol>
Participant	May refer to current and prospective participant of the NDIS. The term also refers to a participant's legal representative/agent. Where the term "individual' is used, it refers to a participant.



## 6. Policy

### 6.1 Collection of Information

PMA will collect information by lawful and fair means, which are not unreasonably intrusive. PMA will collect information that is reasonably necessary to perform its functions and activities or to comply with the law. PMA will collect personal information through a variety of paper and electronic formats regarding its staff, and external clients. PMA will generally collect and may record personal information when an individual:

1. lodges an online enquiry.
2. applies to PMA for information regarding services.
3. enrolls with PMA.
4. applies for employment.
5. attends an interview with PMA.
6. sends PMA an email.
7. completes any forms relating to their plan; and
8. communicates personal information in any other way to PMA in relation to study or work.

PMA will collect personal information directly from an individual and may also collect information legally from third parties, such as a family member who contacts PMA on a participant's behalf, from authorised agents acting on a participant's behalf, through other support providers or a publicly maintained record. Information is only collected from third parties where necessary to verify the information, where an individual has authorised the third party to act on their behalf, or where PMA is required by law. PMA will obtain an individual's permission to collect information from third parties except in emergency situations or when legally required to do so.

PMA will also collect cookie-derived information such as an IP address when an individual logs into its system. This is done to maintain the connection and is not stored. Time and date of access is retained against an individual and may be used to help manage a participant's plan.

If a participant or their legal representative/agent refuses to provide relevant and requested personal information, PMA may not be able to continue any interaction with the individual.



## 6.2 Use and disclosure of Information

PMA will only use or disclose personal information for the primary purpose for which it was obtained or collected, for any related secondary purpose that you would reasonably expect, or with a participant's consent, or as permitted or required by law or as authorised by the APPs.

PMA may use or disclose personal information (other than sensitive information) for direct marketing but must only do so in accordance with the APPs.

PMA will only disclose health information in accordance with the Health Privacy Principles.

PMA may disclose personal information to third parties for the purposes set out in this Privacy Policy, such:

- as to a provider with whom PMA provides (or intends to provide or have provided) a service to a participant.
- a person or body who represents a participant (if any); or
- any person entitled to the information or to any person whom an individual has authorised to disclose her personal information to.

PMA may also disclose personal information to third party service providers whom PMA has retained to perform services on its behalf. When PMA does this, it will only provide the service providers with such information as required to perform those services.

PMA may also use and disclose information where required or authorised by law (meaning any Commonwealth, State or Territory law or the common law) or in accordance with the APPs.

PMA may also use or disclose an individual's personal information if it reasonably believes that such disclosure is necessary.

## 6.3 Storage and access of information

PMA maintains personal information which may be stored in electronic and/or hardcopy form. PMA will take reasonable precautions to ensure that information is stored securely, is accurate and protected from misuse, loss, unauthorised access, modification, or disclosure.

PMA's staff are bound by confidentiality on the use of personal information and are required to respect the privacy of individuals and PMA has in place controls to protect personal information including managing access to PMA's premises, security access to PMA's computer networks and other security technology.



PMA may hold information about an individual while they have a plan being managed before and after by PMA. Where information is no longer needed and no longer required to be retained under legislation, PMA will either destroy records containing personal information by reasonably secure means or de-identify the personal information.

Participants may request access to information that PMA holds about them by submitting a written request to PMA. The request must be made by an individual personally or by another person that he or she has authorised to make the request on the person's behalf. PMA may permit either

PMA may permit either inspection, note taking, copying or provide a printout of information, as it considers appropriate. Any request for access to personal information will be dealt within a reasonable period after the request is made and PMA may charge a reasonable fee for the cost of accessing and supplying the requested information in accordance with NDIS pricing structure. In limited circumstances permitted under APP, PMA may refuse access to your personal records. In those specific cases, an individual will be duly notified of the reason behind PMA's refusal to grant access.

## **6.4 Data maintenance**

PMA takes reasonable steps to confirm the accuracy of information it holds about a participant. From time to time, PMA asks for updated information including that required by legislation. Individuals also have the right under APP to request corrections be made to any of their personal information that PMA maintains if, having regard to the purpose for which it is held, the information is incomplete, irrelevant, incorrect, out-of-date or misleading. PMA is, however, not obliged to update information it holds about a participant after they have ceased their connection with PMA.

## **6.5 Complaints**

Concerned individuals may submit a complaint if they believe that PMA has breached the provisions of the Privacy Act 1988 and/or Australian Privacy Principles. Each breach will need to be dealt with on a case-by-case basis. All complaints and alleged breaches will be investigated by an independent privacy officer and the complainant will be advised of the results.

## **7. Relevant Legislation**

The authority to collect, manage, use, and disseminate a participant's personal information is governed by the relevant state and federal legislation.