

## Privacy Policy

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### Policy statement

Therapy Connect is committed to maintaining each person's right to privacy by upholding the Australian Privacy Principles (APP) and complying with the Privacy Act 1988 (Cth) and other relevant regulations, legislation and contractual requirements and advice provided by the [Australian Digital Health Agency](#).

The key principles of maintaining privacy at Therapy Connect are that personal information is:

- collected only with consent
- collected only for the purpose of delivery of service or to support delivery of service;
- required in relation to employment;
- required in relation to engaging contractors;
- only disclosed to third parties with consent or when required to by law; and
- protected against loss, damage and accidental or deliberate misuse.

### Collecting information

Therapy Connect collects personal information only with the person's knowledge and consent for employment purposes, engagement of contractors, or for the purpose of delivering services and support to clients.

With regard to clients, this may happen when a person contacts Therapy Connect for information or to enquire about a service, engages in an assessment, agrees to the commencement of service, participates in therapy sessions, provides feedback or lodges a complaint, or joins a mailing list.

### Definitions

**Personal information** - Information or an opinion that identifies an individual. This may include a person's name, address, photograph, contact details, date of birth, employment details or any information where the person is reasonably identifiable. It can be verbal or recorded in a material form. This applies to both clients and workers.

**Sensitive information** - A subset of personal information and may include a person's cultural or ethnic origin, health information (such as disability or use of health services), religious or philosophical beliefs, political opinions or party membership, membership of a professional or trade association or union, sexual orientation or practices, or criminal record. This applies to both clients and workers.

**Confidential information** - Other information that Therapy Connect informs workers is to be kept private, or could reasonably be assumed to be. This may include organisational finances, governance information, employee or contractor information and records, client information, and the intellectual property of the organisation.

**Consent** - Consent can be explicit, for example verbal or in writing, or implied and relies on the person being adequately informed before giving consent, that they give consent voluntarily, that the consent is current and specific and they have the capacity to understand and communicate their consent. It is assumed that any person aged 18 or over has the capacity to consent, unless there is something to suggest otherwise.

**Strong password** - A password that cannot be easily determined or guessed and is unique to that purpose and device or tool.

**Backing up** - Ensuring there are always two copies on separate devices of important information.

**Data breach** - The unauthorised access or disclosure of personal and/or sensitive information, either deliberately or accidentally.

The types of personal and sensitive information that we collect vary with the circumstances and will only be what is needed for reasonable requirements for workers.

For clients, it will be what is needed to deliver service to a client. It may include information about a person's name, age, contact details, cultural background, family relationships and health. It will primarily be information provided directly by the person or their family member to Therapy Connect in forms, documents and during service delivery or, with consent, by a health or other professional.

## Scope

This policy applies to all Therapy Connect representatives, both paid and unpaid, including employees, founders, managers, contractors, and board members (collectively referenced as 'workers'). It also applies to Therapy Connect clients and their families and carers.

## Responsibilities

It is the responsibility of management to ensure that:

- Workers are supported to understand and maintain privacy within and outside their professional roles;
- personal and sensitive information of the organisation, its workers and clients, both electronic and physical, is kept safe and confidential in line with legislation and is accessible only by authorised persons;
- all personal information held by Therapy Connect is stored and sent securely with reasonable security precautions against misuse or unauthorised access;
- key service information, including personal information, is regularly backed up; and

- assessment, mitigation and required notification occurs where there is a breach of personal and/or sensitive data

It is the responsibility of workers to:

- only collect and access personal and sensitive information with the prior knowledge and consent of the person and for the purpose of delivering service or providing support to that specific person. See *Therapy Connect Consent Policy* for further information;
- Only access records needed for the express purpose of providing service/s.
- Only access case notes made by other practitioners where the client:
  - has been handed over within the same discipline, for the continuation of service, or
  - is working with multiple disciplines within Therapy Connect and where a practitioner from another discipline is providing services and access to other treating practitioner records is relevant to service provision.
- protect personal, sensitive and confidential information from misuse, loss, unauthorised access, modification or disclosure while working with Therapy Connect and after this work has ended;
- Only disclose personal, sensitive and confidential information to third parties with express consent by Therapy Connect and as authorised or in compliance with legislation;
- safeguard any devices or digital platforms used for service delivery or the storage of personal information from loss, damage or unauthorised access;
- consistently follow practices to maintain the health and security of computers and other systems, digital platforms and devices used for service delivery; See *Therapy Connect Privacy and Data Security Procedure* for further information.
- consistently use and regularly change strong passwords for computers and systems used for service delivery;
- ensure passwords are not accidentally or deliberately disclosed to a third party; and
- complete an incident report and notify a member of the leadership team immediately of any suspected or actual unauthorised access, misuse or loss of data containing personal information.

## Collecting information

The types of personal and sensitive information that we collect vary with the circumstances and will only be what is needed. It may include information about a person's name, age, contact details, cultural background, family relationships and health. It will primarily be information provided directly by the person or their responsible person to Therapy Connect in forms, documents and during service delivery or, with consent, by a health or other professional.

We do not sell, rent or trade personal information with any third party.

## Payment information

Therapy Connect collects and retains payment details as reasonably required to provide services. All reasonable steps are taken to protect the security of payment details provided to us and we require that our payment services providers do the same.

Payment details may be retained as reasonably required to facilitate debit of future agreed services. Payment details may be passed to our payment services provider to facilitate payment for services or reasonable secondary purposes such as managing client initiated payment queries.

## Keeping information secure

Therapy Connect and its workers hold personal information electronically through secure shared drives, online portals, and cloud-based services. Access to personal information is restricted through the use of encryption, authorised access, user authentication, virus protection and the regular back-up of data.

## Accessing and correcting information

Any person wanting to access or correct information about themselves held by Therapy Connect can contact the organisation by phone or email and must provide identification. All reasonable steps will be taken to correct personal information if it is found to be inaccurate, incomplete, misleading or not current.

## Disclosing information

Therapy Connect and its workers will only disclose a person's personal or sensitive information, including health information, with other individuals, organisations and agencies with the person's verbal or written consent.

Therapy Connect is permitted to share information with specified agencies without consent if:

- there are concerns about the safety, welfare and wellbeing of children and young people;
- It is legally required;
- there have been allegations against a Therapy Connect worker of sexual offence or misconduct to, or in the presence of, a child or any other form of harm or neglect of a child; or
- it is essential to lessen or prevent a serious threat to the life, health or safety of any person, or to public health or safety, or to take appropriate action in relation to suspected unlawful activity or serious misconduct.

On occasion, Therapy Connect may seek still and video images of people receiving services to use in printed, electronic, video and audio publications for training or marketing purposes.

Specific written consent of any people able to be reasonably identified will be gained before publication.

## Direct Marketing

We will comply with APP 7 and the (Australian Federal) Spam Act 2003 in relation to any direct marketing by us, including:

1. allowing an individual to opt out of receiving any further direct marketing from us
2. in each written communication from us, setting out our business address, telephone number and, if the communication with that individual is made by fax, telex or other electronic means, a number or address at which we can be directly contacted electronically.

Where we use personal information for the purposes of business to business direct marketing, we rely on the exception in the Privacy Act to do so.

## Assessing, mitigating and reporting data breaches

Therapy Connect has obligations under the *Privacy Amendment (Notifiable Data Breaches) Act 2017*. Where a breach of data occurs, Therapy Connect will assess the circumstances of the breach, act quickly to mitigate any harm, notify individuals affected if there is a likelihood of serious harm, recommend any steps individuals should take and report eligible breaches to the Australian Information Commissioner.

An eligible data breach arises when the following three criteria are satisfied:

- there is unauthorised access to or unauthorised disclosure of personal information, or a loss of personal information, that an entity holds;
- this is likely to result in serious harm to one or more individuals, and
- the entity has not been able to prevent the likely risk of serious harm with remedial action.

## Retaining and de-identifying information

Therapy Connect will retain personal information for as long as it is needed for the purpose for which it was obtained and in order to comply with legal, regulatory, financial and administrative requirements. Where personal information is no longer needed for the purpose for which it was obtained, Therapy Connect will take reasonable steps to securely destroy or permanently de-identify it within a reasonable timeframe.

## Related documents

Refer to the Therapy Connect [Privacy and Data Security Procedure](#) for more information.

## Relevant legislation

- Privacy Act 1988

- Privacy Amendment (Notifiable Data Breaches) Act 2017
- Children and Young Persons (Care and Protection) Act 1998 Chapter 16A

## Document control

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