



Policy		Privacy		NP-32
Service/Function Area	Organisation	Created Date	April 2003	
Custodian	Chief Executive Officer	Reviewed	March 2025	
Review Period	2 years	Review Date	March 2027	

Policy Statement

Ngala is committed to ensuring the privacy and confidentiality of the personal information of clients, staff, and other stakeholders. We recognise the need to appropriately protect and manage any personal information we collect.

Ngala respects and upholds our privacy obligations and an individual's right to privacy protection and access to personal information. We apply the Australian Privacy Principles (APPs) in regulating how we collect, use, disclose, store, secure, and dispose of personal information.

Ngala has detailed procedures to ensure that only authorised staff members have access to your personal information, that it remains confidential, and that it is used in accordance with our Privacy Policy.

Legislation governs our privacy Management at Ngala, although the list below is not exhaustive, key legislation includes:

- Health Services Act 2016 and Health Services (Information) Regulations 2017
- Private Hospital and Health Services Act 1927
- Health (Miscellaneous Provisions) Act 1911
- Public Health Act 2016
- Children and Community Services Act 2004
- Commonwealth Privacy Act 1988 (Australian Privacy Principles¹)
- Coroners Act 1996
- Corruption, Crime and Misconduct Act 2003
- Criminal Code Act Compilation Act 1913
- Electronic Transactions Act 2011
- Evidence Act 1906, Acts Amendment (Evidence) Act 2000
- Freedom of Information Act 1992, Freedom of Information Regulations 1993
- Health Act 1911
- Health and Disability Services (Complaints) Act 1995
- National Quality Framework (NQF) (section 263, regulation 199).
- State Records Act 2000

Purpose

The purpose of this policy and any related procedures is to communicate how Ngala collects, uses, discloses, stores, secures, and disposes of personal information. This policy outlines Ngala's legal and ethical obligations in relation to the privacy of clients and individuals accessing services, in compliance with the *Privacy Act 1988 (Cth)*.

The *Privacy Amendment (Enhancing Privacy Protection) Act 2012* requires that each organisation bound by the Act must comply with the Australian Privacy Principles (APPs).

Scope

This Privacy Policy applies to all Ngala Community Services, Ngala Children's Services, and Ngala Family Services, (Ngala) clients, staff, students, volunteers, Board members and other stakeholders.

Health information

Health information refers to the meaning prescribed in the *Health Services Act 2016*. Health information in the Health Services Act 2016 section 213 means:

- a) information, or an opinion, that is also personal information, about:
 - i. the health (at any time) of an individual; or
 - ii. a disability (at any time) of an individual; or
 - iii. an individual's expressed wishes about the future provision of health services to
 - iv. the individual; or
 - v. a health service provided, or to be provided, to an individual; or
- b) other personal information collected to provide, or in providing, a health service

Personal Information

The definition of personal information in the Health Services Act 2016 refers to the meaning given in the Freedom of Information Act 1992 as: Information or an opinion, whether true or not, and whether recorded in a material form or not, about an individual, whether living or dead:

- a) whose identity is apparent or can be reasonably ascertained from the information or opinion or
- b) who can be identified by reference to an identification number or other identifying particular such as a fingerprint, retina print or body sample.

Anonymity

You have the right to contact us anonymously (but only for some services – not in ELCs or the residential area) or to use a pseudonym (unless there is a legislative requirement that prevents this). That is, to not give us your name, or to provide a different name to your real name. You can also choose whether you provide other personal information requested.

Please note there may be instances where Ngala cannot offer relevant support, respond to your query, or properly investigate a complaint if you do not provide contact details or sufficient information.

Sensitive Information

Personal information can include sensitive information about you, such as health information, ethnicity or cultural background, religious beliefs, or sexual orientation. Sensitive information has additional privacy

protections compared to other types of personal information, as governed by the APPs. Sensitive information will only be used by us:

- For the primary purpose for which it was obtained,
- For a secondary purpose that is directly related to the primary purpose, and/or
- With your consent or where required or authorised by law.

All Staff are required to comply with the Ngala Code of Conduct, signed on employment

AHPRA has The *Code of conduct* (the code) was developed by 12 National Boards under section 39 of the National Law to protect the public.

The shared Code of conduct **does not** apply to the following professions:

- Medical
- Midwifery
- Nursing
- Psychology

They have their own Code of Conduct

Disclosure of Personal Information

Prior to disclosing personal information, Ngala will consider the nature of the information, who is involved in holding and receiving the information, and the circumstances of the disclosure (including legal obligations and duty of care). In all instances, assessments will occur on a case-by-case basis and a clear record will be made of the disclosure.

Your personal information may be disclosed in a few circumstances, including the following:

- To a person who is legally responsible for the individual (i.e., parent or guardian).
- Third parties where you consent to the use or disclosure.
- Where required or authorised by law (i.e., regulated authorities, duty of care for child protection, subpoena).

Ngala may disclose personal information with organisations located overseas in accordance with APP 8 (cross-border disclosure of personal information), on the basis that it will only be used for the purposes set out in this Privacy Policy.

Where Ngala engages external information technology service providers, we will ensure that wherever possible, the data is stored within Australia. However, some of our vendors may store data in overseas locations.

Maintaining the Quality of your Personal Information

It is important to us that your personal information is up to date. We will take reasonable steps to make sure that your personal information is accurate, complete, and up to date.

If the information we have is not up to date or is inaccurate, please advise us as soon as practicable so we can update our records and ensure we can continue to provide quality services to you.

Access to Personal Information

We recognise your right to access your personal information, or the information of a person you are legally responsible for, with some exceptions.

Your information may be withheld if its release could pose a threat to the life or health of another person, or impact on their privacy rights. To protect your personal information, a valid form of photo identification must be provided, to confirm your identity and right to the information before your application can be processed.

If you wish to access (in person or otherwise) and/or receive copies of your personal information, please contact Ngala in writing via the contact details noted below. Ngala will not charge a fee for an access request but may charge an administrative fee for providing a copy of your personal information.

Security of Personal Information

Access to personal information is restricted to those that need it for the effective delivery of Ngala contracts, programmes, and services, or for the employment or engagement of staff and volunteers. In addition to Ngala staff members, this can include contractual partners, and third parties where needed.

All current and incoming Ngala staff, students, volunteers, third-party providers, and Board members must follow Ngala's procedures and guidelines, including a written Confidentiality Non-disclosure Agreement. Your personal information is stored as a digital and/or physical file in a manner that reasonably protects it from misuse, loss, unauthorized access, modification, and/or disclosure. When your personal information is no longer needed for the purpose for which it was obtained, we will take reasonable steps to destroy or permanently de-identify your personal information.

Third Parties

Where reasonable and practicable to do so, Ngala will only collect your personal information directly from you, or in the case of children, from a parent or guardian. However, in some circumstances we may be provided with information by third parties, for example, references or referrals. When this happens, we will take reasonable steps to ensure that you are made aware of the information provided to us by the third party.

Direct Marketing and Research

Ngala may use personal information, including contact details, to provide further information about Ngala products and services that we consider may be of interest to you. From time to time, we may distribute direct marketing material by email, SMS, social media, or online advertising. If at any time you no longer wish to receive email or SMS communications, you can opt out using the electronic unsubscribe option or by contacting us in writing.

Ngala will not share or release identifying personal information for research without permission of the person.

Online Privacy

When visiting the Ngala website, a small data file called a 'cookie' is stored on your internet-enabled device. Ngala may use these cookies, or similar digital markers, to maintain user website sessions and track visitor behavior to keep our website relevant and useful. This information will not identify you or link to your identity or other personal information you may have provided to Ngala.

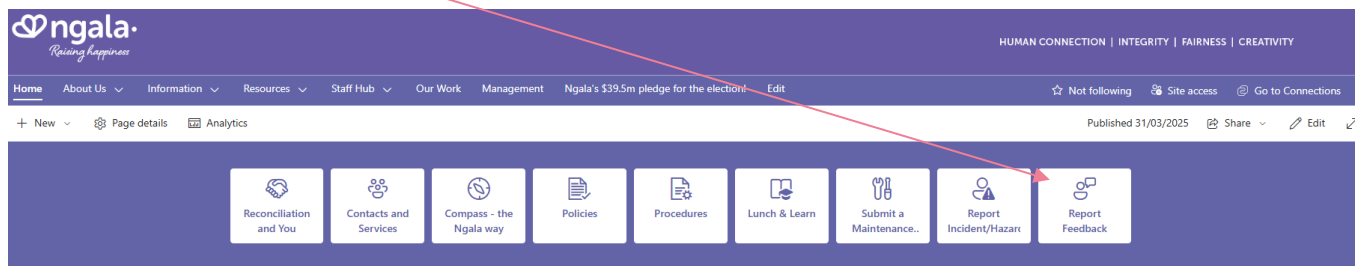
When completing a webform for Parenting Line or other services through Ngala's website www.ngala.com.au, or when using Live Chat, you will be asked to provide personal information so that Ngala can contact you and provide services.

Ngala Contact Details

You are encouraged to contact Ngala with any matters regarding our Privacy Policy or your personal information.

Complaints will be dealt with promptly, courteously and confidentially with the intent to resolve the issue as per this Policy and Ngala's [Charter of Care](#).

Staff can lodge via the Report Feedback form on Logiqc.



Feedback - Ngala

Post: 9 George Street, Kensington WA 6151

Telephone: (08) 9368 9368 or 1800 111 546 (Country Callers)

Website: [Get in touch | Ngala - Raising Happiness](#)

If you wish to access (in person) or receive copies of your personal information, a written request can be addressed the above postal address, or to ngala@ngala.com.au

Relevant Legislation / Compliance

Legislation / Compliance

Privacy Act 1988

<https://www.legislation.gov.au/C2004A03712/2022-07-01/text>

Privacy Amendment (Enhancing Privacy Protection) Act 2012

<https://www.legislation.gov.au/C2012A00197/latest/text>

Australian Privacy Principles

<https://www.oaic.gov.au/privacy/australian-privacy-principles/read-the-australian-privacy-principles>

Health Services Act 2016

https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_13760_homepage.html

Health Services (Information) Regulations 2017

https://www.legislation.wa.gov.au/legislation/statutes.nsf/law_s48136.html

Private Hospital and Health Services Act 1927

CONTROLLED DOCUMENT- MAY NOT BE CURRENT VERSION WHEN PRINTED

Document Name: NP-32 Privacy Policy

Custodian: Chief Executive Officer

Reviewed: March 2025

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Legislation / Compliance

https://www.legislation.wa.gov.au/legislation/statutes.nsf/law_s48136.html

Health (Miscellaneous Provisions) Act 1911

https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_412_homepage.html

Public Health Act 2016

https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_13791_homepage.html

Children and Community Services Act 2004

https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_132_homepage.html

Commonwealth Privacy Act 1988 (Australian Privacy Principles1)

<https://www.legislation.gov.au/C2004A03712/2019-08-13/text>

Coroners Act 1996

https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_201_homepage.html

Corruption, Crime and Misconduct Act 2003

https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_207_homepage.html

Criminal Code Act Compilation Act 1913

https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_218_homepage.html

Electronic Transactions Act 2011

https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_12856_homepage.html

Evidence Act 1906

https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_312_homepage.html

Acts Amendment (Evidence) Act 2000

https://www.austlii.edu.au/cgi-bin/viewdoc/au/legis/wa/num_act/aaa200071o2000245/index.html

Freedom of Information Act 1992

https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_353_homepage.html

Freedom of Information Regulations 1993

https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_1462_homepage.html

Health Act 1911

https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_412_homepage.html

Health and Disability Services (Complaints) Act 1995

https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_415_homepage.html

National Quality Framework (NQF) (section 263, regulation 199).

<https://www.acecqa.gov.au/sites/default/files/2020-01/Guide-to-the-NQF.pdf>

State Records Act 2000

https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_924_homepage.html

Support Documents

Document Number	Document Description
NP-22	Information Management (Client Records)
NP-99	Confidential Information Disclosure
NP-115	Code of Conduct
OP-P06	Privacy Procedure
OP-P28	Charter of Care