

APPENDIX 7: Response to Recommendations

#	Recommendation	Implementation
1	<p>Review and update the Department's general Australian Privacy Principles (APP) privacy policy now, and update that policy as necessary, to ensure that it reflects the Department's practices for managing personal information in relation to its operation of the Data Exchange. Additionally, regularly review that policy, and update it as necessary, to ensure that it reflects any changes to the Department's specific information handling practices relating to the Data Exchange.</p>	<p>In addition to reviewing and updating the Department's general APP privacy policy in line with the PIA, the Data Exchange team is consulted in processes for making major updates to the policy.</p> <p>The Department's privacy policy is available at https://www.dss.gov.au/privacy-policy</p>
2	<p>Take appropriate steps to ensure that, when accessing the database in which client-level unit records are stored, database administrators understand why they need to comply with relevant Departmental privacy and security procedures, and how they are to comply with these procedures.</p>	<p>The Department incorporated processes into departmental policy that specifically address the relevant departmental privacy and security procedures for accessing the database in which client-level unit records are stored, consistent with the Australian Government Protective Security Manual. Training is administered as a routine part of the implementation of these policies.</p>
3	<p>To eliminate the risk that the Department is presently operating the Data Exchange in a way that does not comply with APPs 3.1 and 3.3, decide, as a matter of priority, whether the client management system functionality of the Data Exchange will be made available to service providers who undertake program reporting by way of system to system transfers or bulk uploads.</p>	<p>The Department decided that the client management functionality of the Data Exchange will be made available to service providers who report by way of a system to system transfer or bulk upload. This decision was implemented by revising the scope of the consent and notification arrangements (as set out in the 'Protecting Client's Personal Information' section of the Data Exchange Protocols document) so that they apply equally to providers reporting through the web-based portal, system to system transfer or bulk upload, and to those service providers who intend to use the Data Exchange for client management purposes. (See also the responses to recommendations 5 and 6).</p>
4	<p>Confirm the need for service providers to store client contact details to facilitate follow-up client surveys.</p>	<p>The Department decided that there is no need for service providers to store client contact details to facilitate follow-up client surveys. Consequently, the Department no longer requires service providers to retain client contact details for this research. This decision to simplify requirements was implemented by the amendment of the Data Exchange Protocols document in the 'Protecting Client's Personal Information' section, in order to remove the requirement for providers to store client contact details separately from the Data Exchange for the purposes of facilitating follow-up client surveys.</p>

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5	<p>Enhance present arrangements with service providers using the web-based portal as a client management system to ensure that the Department is fully complying with APPs 3.3(a)(i) and 3.6 in collecting a client's personal information from those service providers.</p>	<p>In addition to extending the scope of the current arrangements for obtaining client consent (as required under the 'Protecting Client's Privacy' section of the Data Exchange Protocols) so that they also apply to providers who report via system to system transfer or bulk upload, and to those who intend to use the client management functionality of the Data Exchange, these arrangements have been further strengthened to ensure that the Department is collecting a client's personal information from service providers with the client's consent in the following ways by:</p> <ul style="list-style-type: none"> ○ amending the above section of the Data Exchange Protocols to require providers to obtain, on the Department's behalf, the express consent of a client, noting there is a reasonable prospect that sensitive information (i.e. CALD, Indigenous and disability status) will be collected; ○ including procedures or systems for the recording of the client's consent by the service provider when reporting to the Department for all transmission methods; ○ introducing dedicated arrangements to address particular issues that arise with respect to the capacity of particular individuals to consent, including updating the Data Exchange Protocols to appropriately underpin these arrangements; and ○ amending the above section of the Data Exchange Protocols to require the provider to inform the client that they may withdraw their consent at any time, and include procedures or systems for the recording by the service provider of a client's decision to withdraw their consent and the processing by the Department of that decision.
6	<p>Revise the 'DSS standard notification' to ensure that the Department is appropriately complying with APP 5 in collecting a client's personal information through service providers who are using the web-based portal as a client management system.</p>	<p>The Department decided that the client management functionality of the Data Exchange would be made available to service providers who report by way of a system to system transfer or bulk upload (see response to Recommendation 3). The standard notification in the 'Protecting Client's Privacy' of the Data Exchange Protocols was also amended to make it clear that:</p> <ul style="list-style-type: none"> ○ the Department is making the Data Exchange available to the provider to be used as a client management system for the provider's own purposes, and that this involves the Department storing the client's personal information on the Data Exchange for access by the provider only; and ○ more information about privacy complaints can be found in the Department's privacy policy, published on the Department's website at https://www.dss.gov.au/privacy-policy.
7	<p>Regularly assess the risk that the Department might be disclosing 'new' personal information about clients to service providers in the reporting context.</p>	<p>These risks are being managed through meetings of the report planning committee and/or other equivalent governance bodies which are expected to evolve over time. The terms of reference for the relevant committee will include endorsing all new reports, and the review of all new reports for privacy implications prior to endorsement.</p>