

# Survey Policy



**Australian Government**

**National Mental Health Commission**

# NMHC Survey Policy

## Participating in a Survey

As part of its functions the Commission actively seeks to engage with a broad cross section of the community, particularly people with a lived experience of mental illness, their families and carers. One mechanism we use to do that is surveys.

Surveys are usually conducted electronically via the Commission's page on [Citizen Space](#), an online consultation hub operated by Delib Limited. This document sets out how we will use, store and disclose the information you provide when you respond to a survey.

## 1 Use, Storage and Disclosure of Survey answers

### 1.1 Use of Survey Answers

Survey answers will be used to inform the project, activity or program to which they relate and may also be used for any subsequent reporting, and for promotion and utilisation of the report and the program. For example we may quote your answers in a report or promotional material. If we do this we will not use your name or address or any other information that could identify you unless we get your permission.

#### (a) Name and email address

While the Commission may ask for your name and email address at no stage will this information be published with your Survey answers. When we do request your name and email address it is so we can ensure that we do not have multiple responses from individuals, and in order to follow up with you about your responses.

Generally you will be able to remain anonymous or use a pseudonym if you choose to do so.

The only people who will have access to your name, email address, and other personally identifiable information are the survey coordinator, who's name will be provided in the survey invitation, and any research team working directly with that person on the particular project.

#### (b) Verification

The Commission reserves the right to request verification of information from respondents relevant to the survey response. Verification is at the discretion of the Commission. The Commission reserves the right not to use information submitted by any individual who provides false information, fails to provide accurate information, or who is otherwise involved in any way in manipulating, interfering or tampering with the information submitted to the Commission.

#### (c) Publicity

By providing a survey answer you consent to the Commission using your de-identified information in any media for an unlimited period of time without remuneration for the purpose of furthering the aims of the survey (including any outcome).

### 1.2 Storage of Survey Answers

The Commission conducts its surveys online via Citizen Space, an online consultation hub. The Commission and Delib Limited store your survey answers and personal information on databases in

Australia and will keep that information in accordance with the [Privacy Act 1988](#) (Cth) (the Privacy Act) and the [Australian Privacy Principles](#) (APPs). For more information on this see the information below on Privacy.

### **1.3 Access to Survey Answers**

#### **(a) Freedom of Information**

The Commission is required to comply with the [Freedom of Information Act 1982](#) (FOI Act) and any survey response provided to the Commission may be the subject of a request under that Act. All requests for access to survey answers will be dealt with in accordance with the FOI Act. The Act includes various exemptions for documents such as: documents provided in confidence (e.g. confidential survey answers) and personal information. Any FOI application that relates to personal information or confidential survey answers will be processed in accordance with the FOI Act, including these exemptions where applicable.

## **2 Privacy**

### **2.1 Collection and use of Personal Information**

The Commission is committed to protecting your privacy. The Commission has obligations under the Privacy Act that govern how we collect, use, disclose and hold personal and sensitive information, and how individuals can access and correct their personal information.

The Privacy Act establishes the APPs as the minimum legal standard Commonwealth agencies are required to meet in handling personal information. The APPs regulate the way in which the Commission must collect, store, use and disclose information about people. They include requirements that:

- personal information is managed in an open and transparent way;
- people have access to personal information about them;
- personal information only be used for the primary purpose for which it was collected; and
- personal information not be disclosed except to the person concerned.

There are exceptions to the general rules, including that further things can be done with the consent of the individual concerned.

The Commission's [Privacy Policy](#) sets out procedures for collection and use of personal information that are consistent with the APPs.

The Commission will collect any personal information and/or sensitive information that is included in your survey response. By including personal information and/or sensitive information in your response, you consent to the Commission collecting, using and disclosing that information in accordance with this policy.

### **2.2 Citizen Space**

Your personal information is collected by the Commission, via Citizen Space, for the purposes of conducting the consultation process. The Commission will collect your personal information at the time that you provide a survey response, unless you choose to make a response anonymously and you are not reasonably identifiable from the information provided in your response.

You should not include information in your survey response about another individual who is identified, or reasonably identifiable. If you need to include information about another individual in

your response, you will need to inform that individual of the contents of this notice, and obtain their consent to the Commission collecting their personal information.

For further detail as to how Delib will collect, safeguard and process your data on behalf of the Commission through Citizen Space, please refer to [Delib's privacy policy](#).

### **3 Copyright**

Ownership of all survey answers received by the Commission remains vested with the respective author(s) of the survey answer.

However, in participating in a survey for the Commission, you grant a permanent, irrevocable, royalty-free licence to allow the Commission to use, reproduce, publish, adapt, perform or communicate to the public any of your survey answers on the Commission's website, including converting any of your survey answers into a different format.

To the extent that your survey answers contain material that is owned by a third party, you warrant that you have obtained all necessary licences and consents required for the use of those materials (including for the Commission to use, reproduce, publish, perform or communicate to the public), and have made arrangements for the payment of any royalties or other fees payable in respect of the use of such material.

### **4 Limitation of liability**

The Commission is not responsible or liable to any person for any loss, damage or injury (economic, consequential or otherwise) suffered or allegedly suffered as a result of the use of information provided to the Commission in response to the survey or the inquiry more generally, except for any liability which cannot be excluded by law.

### **5 Participation in surveys by children and young people**

The Commission values the opinions of children and young people and acknowledges their rights to express those opinions.

While the Privacy Act protects an individual's personal information regardless of their age, it doesn't specify an age at which an individual can make their own privacy decision. For their consent to be valid, an individual must have capacity to consent.

As it is not practical for us to assess the capacity of children and young people who choose to participate in our surveys on a case-by-case basis, in line with OAIC guidance the Commission assumes that individuals that are 15 years and over have capacity to make the decisions about the collection, use and disclosure of their personal information.

The Commission therefore requires individuals under the age of 15 to get the consent of a parent or guardian before they participate in a survey. The Commission also reserves the right to exclude children and young people from participating in some surveys.

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