

Policy: Privacy

Purpose

Achieve Australia Limited (AAL) is committed to safeguarding the confidentiality of personal or sensitive information collected with regard to the people we support. AAL is also committed to protecting the privacy of its staff, volunteers and donors. This document is our privacy policy and it tells you how we collect and manage your personal information.

This policy sets out how AAL complies with its obligations under the Privacy Act 1988 (C'th) (the Act), including the Australian Privacy Principles (APPs) to ensure we meet our legal and ethical obligations to respect the rights and privacy of people we support, and its staff.

This policy regulates how we manage personal information, collect, use, disclose, and secure & store personal information. It also details how individuals may access that information and have it corrected if it is wrong.

When used in this privacy policy, the term personal information has the meaning given to it in the Act. In general terms, it is any information that can be used to identify you personally. This may include your name, address, telephone number, email address and profession or occupation. If the information we collect personally identifies you, or you are reasonably identifiable from it, the information will be considered personal information.

Scope

This policy applies to all employees, contractors, volunteers and the Board of Directors of Achieve Australia Limited (AAL).

Reference Documents

- Achieve Australia Client Privacy Policy and Procedure
- Achieve Australia Information Management Policy and Procedure

Policy Owner	General Counsel		
Approved By	Chief Executive Officer		
Date Approved	25/06/2020	Review Date	25/06/2022

Objective	Policy Description
<p>Ensure all staff and volunteers adhere to the Australian Privacy Principles & privacy provisions within the Disability Service Standards (C'th & NSW)</p>	<p>AAL will ensure all aspects of our operations comply with the Australian Privacy Principles and the Disability Service Standards (C'th & NSW).</p> <p>The National Disability Insurance Scheme Act 2013 and National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018 apply to the people we support, their families, carers and supported decision makers.</p> <p>The National Privacy Principles apply to all people that the organisation holds personal information about. This includes, people we support, families, advocates, staff, volunteers and donors.</p>
<p>Responsibilities of staff, contractors, volunteers and Privacy Officer</p>	<p>All employees, contractors and volunteers of AAL have a responsibility to ensure that personal information is handled in accordance with this policy and that any personal and/or sensitive information accessed in the course of their duties are bound by their commitment to confidentiality.</p> <p>AAL has appointed a Privacy Officer to respond to any concerns, complaints or alleged breaches in relation to privacy.</p> <p>The Privacy Officer's responsibilities are limited to receive and respond to any requests for access to personal information and report any requests or complaints to the Chief Executive Officer (CEO).</p>
<p>How AAL will ensure compliance</p>	<p>To ensure compliance AAL will develop specific procedures to effectively manage personal information, including sensitive information, in the context of the broad range of services we provide.</p>
<p>Ensure the quality of the data and relevance</p>	<p>AAL will take all reasonable steps to make sure that the personal and/or sensitive information it collects, uses or discloses is accurate, complete and up to date. Personal and/or sensitive information about AAL service users will only be collected when it is directly relevant and needed to provide support services to that person, or where AAL is required to collect the information.</p> <p>AAL will put in place procedures to allow people we support and staff the ability to access information kept</p>

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	about them, update and or amend their personal information.
Use of personal information	<p>AAL will only use personal information for the purposes for which it was given to us, or for purposes which are directly related to one of our functions or operations. When you provide AAL with personal and/or sensitive information you will be given the option to tell us that you do not want that information to be used for direct marketing purposes. You can change your mind about your preferences in respect of direct marketing and make choices at any time by following any instructions in relevant communications or by contacting</p> <p>The Privacy Officer Level 1, 1 Epping Road NORTH RYDE NSW 2113 Email privacy@achieveaustralia.org.au</p>
Kinds of personal and/or sensitive information that we collect and hold	<p>The types of personal and/or sensitive information that we collect may include</p> <ul style="list-style-type: none"> • name • address • telephone number • age or birth date • profession, occupation or job title • details of the products and services you have purchased from us or which you have enquired about together with any additional information necessary to deliver those products and services and to respond to your enquiries • any additional information relating to you that you provide to us directly through our website or indirectly through use of our website or online presence, through our representatives or otherwise • information you provide to us through our service centre, customer surveys or visits by our representatives from time to time. <p>We may also collect information that is not personal information because it does not identify you or anyone else.</p>

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How we collect and hold personal information	<p>We collect personal and/or sensitive information directly from you unless it is unreasonable or impracticable to do so.</p> <p>When collecting personal information from you, we may collect information through lawful and fair means including using our standard forms, over the internet, via email or through a telephone conversation with you. With your consent we may collect personal and/or sensitive information from third party contractors or agents and government instrumentalities who are involved in the provision of our products and services.</p>
The purposes for which we collect, hold, use and disclose personal information	<p>We collect your personal and/or sensitive information for any one or more of the following reasons</p> <ul style="list-style-type: none"> • providing our products or services to you, including the direct marketing of those products or services • to assist with your queries • to conduct business processing functions including providing personal information to our related bodies corporate, contractors, service providers or other third parties • for the administrative, marketing, planning, product or service development, quality control and research purposes of AAL, its related bodies corporate, contractors or service providers • to provide updated personal information to our related bodies corporate, contractors or service providers • to update our records and keep your contact details up to date • to process and respond to any complaints made by you • analysing our services and client needs with a view to developing new and/or improved services • to comply with any law, rule, regulation, lawful and binding determination, decision or direction of a regulator, or in co-operation with any governmental authority of Australia.

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Disclosure of information	<p>AAL may disclose your personal information to</p> <ul style="list-style-type: none"> • our employees, related bodies corporate, contractors or service providers for the purposes of operation of our business or website, fulfilling requests by you, and to otherwise provide products and services to you • suppliers and other third parties with whom we have commercial relationships, for business, marketing and related purposes • any organisation for any authorised purposes with your express consent. <p>We may combine or share any information that we collect from you with information collected by any of our related bodies corporate within Australia.</p>
Direct marketing materials	<p>We may send you direct marketing communications and information about our products and services that we consider may be of interest to you.</p> <p>These communications may be sent in various forms, including mail, SMS and email in accordance with applicable marketing laws, such as the Spam Act 2003 (Cth). If you indicate a preference for a method of communication, we will endeavour to use that method whenever practical to do so.</p> <p>In addition, at any time you may opt-out of receiving marketing communications from us by contacting us or by using opt-out facilities provided in the marketing communications and we will then ensure that your name is removed from our mailing list.</p> <p>We do not provide your personal information to other organisations for the purposes of direct marketing.</p>
AAL will not disclose identifying information without written consent	<p>AAL does not give identifying information to other agencies, organisations or anyone else unless one of the following applies</p> <ul style="list-style-type: none"> • the person has consented • the person would reasonably expect, or has been told, that information of that kind is usually passed to those individuals, bodies or agencies • it is required by law or is necessary to protect the rights or property of AAL or any other individual

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	<ul style="list-style-type: none"> • it will prevent or lessen a serious and imminent threat to somebody’s life or health • it relates to a criminal issue <p>Where the person we support is unable to provide consent, we will obtain written consent from the Person Responsible or Guardian. In some instances, verbal consent from the Person Responsible or Guardian may be necessary and will be documented.</p> <p>Where there is uncertainty as to the direct benefit of the release of information which does not remove the names of individuals and or other identifying characteristics such as home address, or there is doubt that individuals would not consent to the release of this information AAL will seek approval from the concerned people or the designated Person Responsible or Guardian prior to the release of the information.</p>
Security of information	<p>AAL takes steps to protect the personal information it holds against loss, unauthorised access, use, modification or disclosure and against other misuse. These steps include secure handling procedures, access restrictions, ensuring documents are stored in locked cabinets when not in use, password protection, and restricted access for all electronic files.</p> <p>Each AAL business stream will ensure their own secure procedures relevant to their service and processes.</p> <p>When no longer required, personal information is destroyed in a secure manner or deleted in keeping with legislative requirements.</p> <p>As our website business is linked to the internet, and the internet is inherently insecure, we cannot provide any assurance regarding the security of transmission of information you communicate to us online. We also cannot guarantee that the information you supply will not be intercepted while being transmitted over the internet. Accordingly, any personal information or other information which you transmit to us online is transmitted at your own risk.</p>

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<p>Complaints or concerns in relation to privacy</p>	<p>If a person we support has a complaint in relation to privacy, it should be made in writing and directed to The Privacy Officer Achieve Australia Limited Level 1, 1 Epping Road NORTH RYDE NSW 2113 Email privacy@achieveaustralia.org.au</p> <p>You should expect an acknowledgement within 7 days of the complaint or concern being received. You will be advised of how your complaint or concern will be dealt with.</p> <p>Your complaint or concern will be investigated by the Privacy Officer in consultation with the CEO. You will receive written advice of the response to your concern or complaint, or advice of further processes required, within 28 days. If AAL's response is not acceptable to you, we may suggest conciliation or arbitration on the matter. You may also make a formal complaint to the Privacy Commissioner.</p> <p>The provisions of this subclause do not apply to employees of AAL. Where an employee has a concern or complaint in relation to privacy it should be dealt with under AAL's Grievance Procedures, or where access to an individual's personnel file is required, requests should be made directly to Human Resources.</p>
<p>Requesting access or change to Information</p>	<p>People we support may request a copy of their personal information. The request should be made in writing, be specific in detailing what information you are requesting and directed to The Privacy Officer Achieve Australia Limited Level 1, 1 Epping Road NORTH RYDE NSW 2113 Email privacy@achieveaustralia.org.au</p> <p>You should expect a response within 7 days of the request being received. You will be advised of the time it may take to provide the information, or if there is any reason why the information cannot be provided or</p>

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	<p>changed in accordance with your request. If you have requested access to information, you will also be advised of how you may need to access the information. Generally, the information will be available free of charge, unless substantial copying is required, in which case, AAL may request a fee to cover the cost to gather and copy.</p>
<p>Disclosure of personal information to overseas recipients</p>	<p>AAL utilises internet-based third-party data storage, processing and services, or cloud computing, which may involve the disclosure of your personal and/or sensitive information to overseas recipients. If you consent to this disclosure of your personal and/or sensitive information subclause 8.1 of Australian Privacy Principle 8 will not apply and by engaging us to provide products or services to you and/or providing us with such personal and/or sensitive information you do consent to the disclosure of your personal and/or sensitive information outside Australia, and acknowledge that we are not required to ensure that overseas recipients handle your personal and/or sensitive information in compliance with Australian Privacy Law.</p> <p>Notwithstanding, we will where practicable in the circumstances, take reasonable steps to ensure that overseas recipients use and disclose such personal and/or sensitive information in a manner consistent with this Privacy Policy. The third parties referred to above, to whom we may provide your personal and/or sensitive information, may be located in countries including the United States and Singapore.</p>
<p>Contacting us</p>	<p>If you have any questions about this Privacy Policy, any concerns or a complaint regarding the treatment of your privacy or a possible breach of your privacy, please use the contact link on our website or contact our Privacy Officer.</p> <p>We will treat your request or complaints confidentially. Our representative will contact you within a reasonable time after receipt of your complaint to discuss your concerns and outline options regarding how they may be</p>

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	resolved. We will aim to ensure that your complaint is resolved in a timely and appropriate manner.
Changes to our Privacy Policy	We may change this Privacy Policy from time to time. Any updated versions will be posted on our website.