

POL: Privacy

1. Objective

The Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Privacy Amendment Act) made many significant changes to the Privacy Act 1988 (Privacy Act). These changes commenced on 12 March 2014.

The Privacy Regulation 2013, made under the Privacy Act, also commenced on 12 March 2014. Under this act entities bound by the Australian Privacy Principles are required to have a privacy policy. The objective of this policy is to ensure that Holyoake adheres to the Australian Privacy Principles namely:

- Principle 1 – open and transparent management of personal information
- Principle 2 – anonymity and pseudonymity
- Principle 3 – collection of solicited personal information
- Principle 4 – dealing with unsolicited personal information
- Principle 5 – notification of the collection of personal information
- Principle 6 – use or disclosure of personal information
- Principle 7 – direct marketing
- Principle 8 – cross-border disclosure of personal information
- Principle 9 – adoption, use or disclosure of government related identifiers
- Principle 10 – quality of personal information
- Principle 11 – security of personal information
- Principle 12 – access to personal information
- Principle 13 – correction of personal information

Further information on these principles is available on the website of the Office of the Australian Information Commissioner.

This privacy policy outlines Holyoake's personal information handling practices.

2. Scope

This policy applies to all Holyoake employees, volunteers, clinical placement students and contractors.

A copy of this policy is available on our website (www.holyoake.org.au).

3. Overview

Holyoake collects, holds and uses personal information to carry out any of the activities related to the services that it provides.

Sometimes we may need to collect sensitive information from our consumers to be able to provide an effective service. This might include information about:

- health,
- racial or ethnic origin
- criminal history.

In the course of providing our services, we may collect personal information (including sensitive information) indirectly from publicly available sources or from third parties such as a consumer's:

- authorised representative, if one exists
- referring agency, if one exists
- medical practitioner, if one exists.

In the course of providing our services, we may provide personal information (including sensitive information) to third parties such as a consumer's:

- authorised representative, if one exists
- referring agency, if one exists.
- medical practitioner, if one exists

In every instance, this disclosure will require the consumer's express permission.

4. Disclosure

Common situations in which we disclose information are detailed below.

Disclosure to service providers and referring agencies

Holyoake uses a number of service providers to whom we disclose personal information. These include providers that host our website servers, manage our IT and manage our human resources information. To protect the personal information we:

- enter into a contract or MOU which requires the service provider to only use or disclose the information for the purposes of the contract or MOU
- include special privacy requirements in the contract or MOU, where necessary.

Complaints and reviews

If a consumer makes a complaint, we will usually give a copy of the complaint to the respondent and, where relevant, affected third parties. If a complainant or applicant requests that only limited information is disclosed to the respondent, we may not have enough information to be able to fairly proceed with the matter. The respondent must have sufficient information to respond to the matter in a meaningful way.

Review of Holyoake decisions

We may disclose personal information to another review body if a complainant or respondent seeks an external review of Holyoake's decision or makes a complaint to a State or Commonwealth Ombudsman.

Disclosure to the media

We only provide the media with personal information relating to a complaint if the complainant has consented, or where the issue is already publicly available.

Disclosure of sensitive information

We only disclose a consumer's sensitive information for the purposes for which it is given to us or for directly related purposes that would reasonably be expected or if the consumer has consented.

Disclosure of personal information overseas

Generally we only disclose personal information overseas so that we can properly handle the complaint or application. For example, if:

- the respondent to a complaint is based overseas

- an Australian-based respondent is a related body corporate to an overseas company
- a consumer has complained to an overseas entity and Holyoake about the same or a related matter.

Web traffic information is disclosed to Google Analytics via our websites. Google stores information across multiple countries. For further information see Google Data Centers and Google Locations. When a consumer communicates with us through a social network service such as Facebook or Twitter, the social network provider and its partners may collect and hold a consumer's personal information overseas.

POL Client Confidentiality provides additional information on disclosure.

5. Collecting through our websites

Holyoake has its own website — www.holyoake.org.au. Where our website allows comments or feedback to be given, we may collect email addresses and sometimes other contact details. We may use these email addresses to respond to feedback. We store this personal information on servers located in Australia.

We use a range of tools provided by third parties, including Google, and our web hosting company to collect or view website traffic information. These sites have their own privacy policies. We also use cookies and session tools to improve a consumer's experience when accessing our websites. The information collected by these tools may include the IP address of the device used and information about sites that IP address has come from, the pages accessed on our site and the next site visited. We use the information to maintain, secure and improve our websites and to enhance a consumer's experience when using them. In relation to Google Analytics you can opt out of the collection of this information using the Google Analytics Opt-out Browser Add-on.

We use social networking services such as Twitter, Facebook and YouTube to communicate with the public about our work. When someone communicates with us using these services we may collect their personal information, but we only use it to help us to communicate with the consumer and the public. The social networking service will also handle a consumer's personal information for its own purposes. These sites have their own privacy policies.

Email lists

We collect a consumer's email and, if provided, other contact details when the consumer subscribes to our email lists. We only use this information for the purpose of sending regular updates on Holyoake activities, and to administer the lists.

6. Quality of personal information

To ensure that the personal information we collect is accurate, up-to-date and complete we:

- record information in a consistent format
- where necessary, confirm the accuracy of information we collect from a third party or a public source
- promptly add updated or new personal information to existing records
- regularly audit our contact lists to check their accuracy.

We also review the quality of personal information before we use or disclose it.

7. Storage and security of personal information

Holyoake takes steps to protect the security of the personal information we hold from both internal and external threats by:

- regularly assessing the risk of misuse, interference, loss, and unauthorised access, modification or disclosure
- taking measures to address those risks
- conducting regular internal and external audits to assess whether we have adequately complied with or implemented these measures.

Employees will ensure that information is stored securely in accordance with **POL Records Capture and Control**, **POL Records Access and Security** and **POL Data Management**. Records will not be destroyed except with reference to **SM Holyoake's Retention and Disposal Schedule**.

8. Accessing and correcting a consumer's personal information

Under the Privacy Act (Australian Privacy Principles 12 and 13) a consumer has the right to ask for access to personal information that we hold, and ask that we correct that personal information. The consumer can ask for access or correction by contacting us and we must respond within 30 days. If a consumer asks, we must give access to the consumer's personal information, and take reasonable steps to correct it if we consider it is incorrect, unless there is a law that allows or requires us not to.

We will ask the consumer to verify their identity before we give access to a consumer's information or correct it, and we will try to make the process as simple as possible. If we refuse to give access to, or correct, a consumer's personal information, we must notify the consumer in writing setting out the reasons.

If we make a correction and we have disclosed the incorrect information to others, the consumer can ask us to tell them about the correction. We must do so unless there is a valid reason not to.

If we refuse to correct a consumer's personal information, the consumer can ask us to associate with it (for example, attach or link) a statement that the consumer believes the information is incorrect and why.

The consumer also has the right under the FOI Act to request access to documents that we hold and ask for information that we hold about the consumer to be changed or annotated if it is incomplete, incorrect, out-of-date or misleading.

9. How to make a complaint

If a consumer wishes to complain to us about how we have handled their personal information this can be verbally or in writing. If a consumer needs help lodging a complaint, they can contact us. If we receive a complaint about how we have handled a consumer's personal information we will determine what (if any) action we should take to resolve the complaint. If we decide that a complaint should be investigated further, the complaint will usually be handled by a more senior officer than the officer whose actions are the object of the complaint.

For further information on how Holyoake handles complaints please refer to **POL Consumer Feedback and Complaints**.

10. Roles and responsibilities

Process Owner

The Corporate Services Manager is the designated process owner for the maintenance of consumer privacy. The process owner is responsible for:

- the timely review, updating and implementation of Privacy policies and procedures

- monitoring compliance to the Privacy policies and procedures.

Line managers

Line managers will ensure that privacy policies and procedures are known and adhered to.

All employees, volunteers, clinical placement students and contractors

All employees, volunteers, clinical placement students and contractors will comply with this policy and any employee who breaches this policy may be subject to disciplinary procedures and repeat offences may lead to dismissal in accordance with **POL Managing Performance and Misconduct** and **PROC Investigating Serious Misconduct**.

In addition, they must not:

- disclose any personal information related to Holyoake consumers to third parties unless specifically required to do so for the purposes of our service provision and with the consumer's express consent
- keep sensitive or other information on laptops, USBs, mobile phones and other portable storage devices that can be easily misplaced or stolen and which may not be backed up
- destroy, delete or alter records without proper authority
- remove information from Holyoake's offices without permission
- lose, misuse or pass Holyoake information to an unauthorised person.