

## PRIVACY POLICY STATEMENT

### *Statement of OAK Tasmania's Privacy Standards*

OAK Tasmania is committed to respecting the privacy of all individuals including members, employees, volunteers, our clients/beneficiaries, donors, business partners and online users, and is committed to safeguarding the personal information that is provided to us.

#### **Our aim is to:**

*"Clearly communicate the personal information handling practices & enhance the transparency of OAK Tasmania's operations while giving individuals a better and more complete understanding of the sort of personal information that OAK Tasmania holds and the way in which we use that information"*

#### **To achieve this we will:**

- Implement processes for the collection, use, disclosure, storage, and destruction of personal information collected as part of our operations
- Ensure that all staff have received privacy training and conduct refresher training annually on the privacy principles and our internal management processes
- Ensure that this Privacy Policy for the management of private and sensitive information collected are made freely available to interested persons both electronically via the website and in hardcopy as requested.
- Ensure compliance to the Privacy Policy all legal and other requirements in relation to *The Privacy Act 1988*, *The Australian Privacy Principles (APP's)* and the *Protection of Personal Information Act 2004* by ways of internal audit and checks.
- Develop easy tools (*such as information sheets*) to share and educate individuals of the requirements of the Privacy Acts & Privacy Principles
- Continually review this statement and the Privacy Policy in line with our Document Control Procedure to ensure continued compliance to regulations and ensure a best practice framework is established.

**CHANGE SUMMARY:**

**2/02/2016**

- Inclusion of Policy Statement & DCN Change to POL-L1-009
- 2. Definitions – Change of Privacy Officer from “Corporate Services Manager” to “Manager Business Excellence”
- Addition of clause 3.13
- 3.14– Change of “Corporate Services Manager” to “People & Culture Manager”
- Change of contact phone number
- Removed references to “guidelines” and incorporated POL-L2-05

## 1. Purpose & Scope

- 1.1 The purpose of this Policy is to describe how we handle personal information across our sites, including how we collect, use, disclose and store personal & sensitive information. This Policy applies to all of our members, volunteers, employees, clients, donors, business partners and online users.
- 1.2 This Policy does not apply to the records of our current and former employees. As an example, employee records include but are not limited to the following:
- Training and attendance records
  - Employees performance & conduct
  - Work hours, salary information
  - Workplace emails & internet use
  - Terms & conditions of employment

However, we will maintain these files in accordance with this Policy and in accordance with Fair Work Legislation

## 2. Definitions

<b>Personal Information</b>	as defined by the <i>Privacy Act 1988</i> (as amended) is information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether true or not, and whether recorded in a material form or not.
<b>Sensitive Information</b>	as defined by the <i>Privacy Act 1988</i> (as amended) is information or opinion (that is also personal information) about an individual’s racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices or criminal record or health, genetic, biometric information or biometric templates, that is also personal information.
<b>Online Users</b>	Is anyone that accesses the OAK Tasmania website
<b>Privacy Officer</b>	Is the <b>Manager of Business Excellence</b> at OAK Tasmania

## 3. Policy

### Our Obligations

- 3.1 In accordance with the *Privacy Policy Statement* this Policy set out how we comply with our obligations under the *Privacy Act 1988 (Privacy Act)*.
- 3.2 We are bound by the *Australian Privacy Principles (APPs)* in the *Privacy Act 1988* which regulate how organisations may collect, use, disclose and store personal information, and how individuals may access and correct personal information held about them.
- 3.2 We are committed to adhering to all requirements of the *Privacy Act 1988* and the *Privacy Principles*

### Collection of Personal & Sensitive Information

- 3.3 We collect personal and sensitive information from clients, donors, business partners, online users and our employees. Further information about the type of information collected from each of these groups and how the information is used is detailed in **Appendix A** at the end of this Policy.
- 3.4 You have the right to access and enquire about any service we provide anonymously or even using an alias, however, there may be services we are unable to provide if we are not provided with accurate personal information which has been requested.
- 3.5 We have a dedicated Quality Management System in place to ensure that the information and data we collect is relevant to the service(s) we provide. You have the right to ask why the information is being collected and how we use, store and/or destroyed your personal and sensitive information.
- 3.6 Where possible, we collect information directly from you using one of the following methods:
  - Telephone and in person interviews
  - Meetings and appointments
  - Forms and questionnaires

Occasionally we may obtain personal information about you from a third party. If this occurs, we will take reasonable steps to contact you and ensure that you are aware of the reason why we are collecting the information and we will ensure you are aware of whom the information may be released to.

- 3.7 As part of the normal operations in our services, we may collect information relating to your health, such as your medical history, medication you use and current health status. However, before we collect this information, we must obtain your consent and explain to you how the information will be used by us and if it will be released to anyone (if applicable).
- 3.8 We will not release any information relating to your health apart from those you have authorised in the consent provided by you, unless we obtain further consent or there is an exception under this Policy which allows us to release the information (see 3.11).

### Use and Disclosure

- 3.9 We will only use your personal information for the purpose for which it was provided, or for purposes that are directly related to the service being delivered to you. Your personal information may be shared across our operational divisions such as our Australian Disability Enterprises (ADE's), Community Service Division and Corporate Office.
- 3.10 We may disclose your personal information to other external organisations only for the reasons listed in

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**Appendix A** of this Policy. Organisations which we may release information to include:

- Government Departments/Agencies who provide funding to us
- Contractors who may manage some of the services we offer
- Doctors and health care professionals who assist in the delivery of services
- The National Disability Insurance Agency (NDIA)
- Other regulatory bodies, such as Worksafe Tasmania
- Professional advisors such as our accountants, auditors and lawyers

3.11 When storing your personal information electronically, OAK Tasmania may disclose your personal information National Disability Service (NDS) & the software developer Aspico by virtue of our cloud Iplanit System. The NDS cloud servers are located in Australia and as such your information is protected under contract with the service provider and Australian Law.

## Exceptions and release of personal information

3.12 We will not release your personal information to a third party unless one of the following applies:

- You have consented OR;
- We are required to by law
- It will prevent or lessen a serious threat to somebody's life, health or safety
- The *Privacy Principles* allow disclosure of the information

*\*\* We do not normally send personal information outside of Australia, in instances where information is required to be sent overseas, measures will be taken to ensure personal information is protected. Measures may include ensuring that the country of destination has similar protections in relation to privacy or that we enter into contractual arrangements with the recipient of the personal information that safeguards your privacy \*\**

## Security of Personal and Sensitive Information

3.13 We take the security of your information seriously and take reasonable steps to protect the personal and sensitive information we collect against misuse, interference, loss, unauthorised access, unauthorised changes and authorised release.

Some of the security methods we have in place are:

- Password protection for access to our IT systems
- Securing paper files in locked cabinets
- Physical access restrictions
- Alarms & security of buildings
- Virus protection & computer monitoring systems
- Audit logs and trails for changes to personal information

3.14 Only the positions listed below are authorised to access your personal information as part of our normal operations

- Chief Executive Officer
- Chief Financial Officer
- People & Culture Manager
- Human Resources Manager

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- Business Excellence Manager
- Divisional Managers (*Restricted*)
- Senior Supervisors (*Restricted*)

- 3.15 Divisional Managers and Senior Supervisors are authorised to view personal information related only to those staff, employees and other parties as part of normal operations within the Division that they manage.
- 3.16 We maintain all records in accordance with our “Control of Records Procedure (QMS-L2-004)”. In instances where your personal information is no longer required for the purpose for which it was collected, we will take reasonable steps to destroy your information or ensure that it is de-identified in accordance with the Control of Records Procedure.

## Access to and correction of personal information

- 3.17 You have a right to request access to the personal information that we hold about you and you can request that your personal information is changed. We allow you to access and change your information as freely as possible unless there is a reason under the *Privacy Act* or other relevant law for us to deny you access, or to not make changes.
- 3.18 If you would like to access your information, a request must be made to the “*Privacy Officer*” and the *Access Request Form (CS-L3-003)* completed. For Security reasons, all requests to access your information MUST be made in writing using this form and you must provide proof of your identity. This is to ensure that your personal information is provided only to you and that the privacy of others is not breached.
- 3.19 Unless you indicate to us that you require access to historic or archived information your request will be assumed to mean all records currently held onsite including information contained within databases, files and electronic F: Drives. We may charge a fee or hourly rate to retrieve information which has been archived and you will be advised of any costs incurred to retrieve the information. The fee includes costs related to photocopying, time, and delivery where applicable.
- 3.20 If you notice that your personal information held by us is not accurate, complete or up to date we will take reasonable steps to correct the record at your request.
- 3.21 Unfortunately, we cannot grant you access to your information if:
- Your request does not relate directly to your own personal information
  - Providing access to you would pose a serious threat to your life, health or safety or even the life, health and safety of others or the public
  - It would create an unreasonable impact on the privacy of others
  - We believe the request does not have a serious purpose and/or is sinister in nature
  - The request relates to existing legal proceedings or proceedings likely to occur in the future
  - Access to your information would be unlawful
  - Granting you access might release ‘commercially sensitive’ information or process; or
  - Any other reason that is provided for in the *Privacy Principles* or in the *Privacy Act*
- 3.22 We must respond to your request for access within 20 working days. If we decided not to grant you access, we will state the reasons for denying you access in writing. You have the right to dispute the reason(s) and you should wish to raise a dispute, you should follow the complaint process outlined below.

## Complaints and Disputes

- 3.23 If your personal or sensitive information has been collected by us, you have a right to make a complaint and have it investigated and dealt with in accordance with the process outlined below. However, please be aware that we are unable to effectively manage complaints made anonymously. If you raise a complaint anonymously, we will note the issues raised and where possible, try to investigate and resolve the complaint appropriately.
- 3.24 All complaints are managed internally in line with the “*Feedback & Complaints Procedure*” (QMS-L2-007). In the first instance, you should raise any concerns you have with the “*Privacy Officer*” who will attempt to resolve your concern and lodge the complaint in the data base.
- 3.25 We will attempt to resolve your complaint within a reasonable timeframe (30 days) however some more complex complaints may take longer for us to reach a resolution. If this occurs, you will be notified of the date we expect the issue to be resolved and you will be kept informed of the progress.
- 3.26 Once we receive a complaint, we will attempt to resolve it in a number of ways such as:
- **Request for further information** – Additional information may be requested, and you must be prepared to provide as much information as possible, including details of any relevant dates and documentation.
  - **Investigation** – Where necessary, the complaint will be investigated within a reasonable timeframe. We may be required to contact other people in order to proceed with the investigation and progress the complaint.
  - **Discussion & Improvement** – We will discuss options with you to resolve the issue and seek suggestions on improvement.
- 3.27 Complaints which relate to the conduct of our employees will be raised with the employee concerned and if required, they will be managed in accordance with the internal disciplinary procedure.
- 3.28 After we have looked into your complaint, if it is valid, you will be notified in writing and we will commence the appropriate steps to resolve your complaint and prevent the problem from occurring again. However, if the complaint is not valid or you are not satisfied with the outcome, we may decide to refer the complaint to an external mediator.

## Policy changes

- 3.29 We may decide to review, amend or update the Privacy Policy from time to time without notice.
- 3.30 If further privacy legislation is introduced or if the Privacy Policy are updated, the changes will be summarised within the “*Change Summary*” section at the top of this Policy for your ease of reference.

- 3.31 You can seek further information about this Privacy Policy, or provide comments and feedback by contacting us using any of the methods below

**Telephone:**

(03) 6208 0600

**Email**

[info@oak.org.au](mailto:info@oak.org.au)

**Post**

OAK Tasmania

PO Box 294

Glenorchy, Tasmania 7010

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## APPENDIX A

This is some of the information which may be collected by us to deliver our services to you

GROUP	Type of Information	How we collect it	Reason for us to collect it
<p><b>OAK Tasmania Clients</b></p>	<ul style="list-style-type: none"> <li>Contact details (Name, address, email etc)</li> <li>Personal details (DOB, gender, income etc)</li> <li>Information on personal issues, experiences and relationships</li> <li>Family background, supports clients may have in the community</li> <li>Areas of interest</li> <li>Health information &amp;/or medical history</li> <li>Credit card numbers or bank account details</li> <li>NDIA plan objectives &amp; funding amounts</li> <li>Social security details (Medicare numbers, pension numbers, NDIA numbers etc)</li> <li>Individual behaviour and activities</li> <li>Tax File Numbers (TFN) - <i>where applicable</i></li> <li>Disability type</li> </ul>	<ul style="list-style-type: none"> <li>Application forms</li> <li>NDIA Plans</li> <li>Telephones</li> <li>Individual Participant Plans</li> <li>Direct Debit Request forms</li> <li>Personal Profiles</li> <li>Client file notes</li> <li>Reports               <ul style="list-style-type: none"> <li>Medical Reports</li> <li>Behavioural Reports</li> <li>Incident Reports</li> </ul> </li> <li>Meetings</li> <li>NDIA Agreements</li> </ul>	<ul style="list-style-type: none"> <li>To provide our services</li> <li>To provide Clients with the most appropriate services for their needs</li> <li>To meet any requirements of government funding for programs</li> <li>To monitor and evaluate existing services and plan for future services</li> <li>To produce annual reports and for research purposes which may involve contracted organisations</li> <li>To comply with our legal obligations</li> </ul>
<p><b>Donors</b></p>	<ul style="list-style-type: none"> <li>Contact details (Name, address, email etc)</li> <li>Personal details (DOB, gender, income etc)</li> <li>Areas of interest</li> <li>Donation history</li> <li>Credit card numbers or bank account details</li> <li>Expiration date of credit cards</li> </ul>	<ul style="list-style-type: none"> <li>Telephone</li> <li>Online registrations</li> <li>Communications , email, flyers</li> <li>Meetings / personal face to face</li> <li>Donor registration forms</li> </ul>	<ul style="list-style-type: none"> <li>To provide our services</li> <li>To process donations and provide accurate receipts</li> <li>To facilitate on-going fundraising and marketing activities</li> <li>To comply with our legal obligations</li> <li>To provide transparency relating to donated funds, particularly for appeals for public donations</li> </ul>
<p><b>OAK Tasmania's Business Partners</b></p>	<ul style="list-style-type: none"> <li>Contact persons details (Name, address, email etc)</li> <li>Position title of contact person</li> <li>Areas of interest by category and industry</li> <li>Bank details (if we receive payment for services provided)</li> <li>Australian Business Number (ABN)</li> </ul>	<ul style="list-style-type: none"> <li>Communication, email, flyers</li> <li>Online registrations</li> <li>Telephone – Call Centres</li> <li>Meetings</li> <li>Contracts &amp; Agreements</li> </ul>	<ul style="list-style-type: none"> <li>To provide our Services</li> <li>To process donations and provide accurate receipts</li> <li>To pay for services</li> <li>To establish and manage partnerships</li> <li>To receive services from you or the organisation which employs you</li> <li>To provide information about our services</li> </ul>

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<p><b>OAK Tasmania's People</b> (Supported employees, Staff, volunteers, directors)</p>	<ul style="list-style-type: none"> <li>• Contact details (Name, address, email etc)</li> <li>• Personal details (DOB, gender, income etc)</li> <li>• Emergency contact information</li> <li>• Health information &amp;/or medical history</li> <li>• Bank account details</li> <li>• NDIA plan objectives &amp; funding amounts</li> <li>• Details of current/previous employment or volunteer involvement</li> <li>• Skills and experience</li> <li>• Qualifications, drivers license details</li> <li>• Information and opinions from referees</li> <li>• Policy check &amp; criminal history</li> <li>• Tax File Numbers (TFN)</li> <li>• Workplace competencies &amp; behaviours</li> </ul>	<ul style="list-style-type: none"> <li>• Application Forms</li> <li>• Resume's</li> <li>• Interview</li> <li>• Referee reports</li> <li>• Employment Agencies</li> <li>• Telephone</li> <li>• NDIA Plan</li> <li>• Skills Assessments</li> </ul>	<ul style="list-style-type: none"> <li>• To Provide OAK Tasmania Services</li> <li>• To process applications for employment or to become a volunteer</li> <li>• To facilitate a placement in an appropriate service or position</li> <li>• To provide feedback on performance</li> <li>• To meet legislative requirements</li> <li>• to continuously improve OAK Tasmania's services</li> <li>• to Provide information about OAK Tasmania's services</li> <li>• to facilitate further involvement with OAK Tasmania</li> </ul>
<p><b>OAK Training &amp; Development Participants</b></p>	<ul style="list-style-type: none"> <li>• Contact details (Name, address, email etc)</li> <li>• Employment details</li> <li>• Language and cultural diversity</li> <li>• Disability</li> <li>• Education background</li> <li>• Study reason</li> <li>• Previous qualification details</li> <li>• Unique Student Identifier</li> <li>• Valid identification (Drivers licence, Medicare card, Australian passport, birth certificate, certificate of registration by descent, citizenship certificate)</li> <li>• Health information / medical history</li> <li>• Personal details (DOB, gender, Income etc)</li> </ul>	<ul style="list-style-type: none"> <li>• Enrolment forms</li> <li>• Statements of attainment</li> <li>• Questionnaires</li> <li>• Telephone</li> <li>• Planning meetings</li> </ul>	<ul style="list-style-type: none"> <li>• Statistics required for Australian Skills Quality Authority, National Centre for Vocational Education Research and Skills Tasmania</li> <li>• Verify student and their previous qualifications</li> <li>• Application for Unique Student Identifier</li> <li>• To provide training and development services</li> <li>• To meet legislative requirements &amp; government funding requirements</li> </ul>
<p><b>Members</b></p>	<ul style="list-style-type: none"> <li>• Contact details (Name, address, email etc)</li> <li>• Date of Birth</li> <li>• Credit card Details</li> <li>• Expiration date of credit card</li> <li>• Areas of interest</li> </ul>	<ul style="list-style-type: none"> <li>• Application Forms</li> <li>• Email</li> <li>• Telephone</li> </ul>	<ul style="list-style-type: none"> <li>• To Provide our Services</li> <li>• To provide communication updates and ensure transparency related to donated funds &amp; our operations</li> <li>• To process donations and provide accurate receipts</li> <li>• To receive invitations to upcoming events and activities</li> <li>• To recognise your support of OAK Tasmania</li> </ul>

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<p><b>Online Users</b></p>	<ul style="list-style-type: none"> <li>• Contact details (name, address, phone number etc)</li> <li>• Non-personal information e.g. visitor navigation and statistics</li> <li>• Server address, browser type, date and time of visit</li> </ul>	<ul style="list-style-type: none"> <li>• Online via application forms</li> </ul>	<ul style="list-style-type: none"> <li>• To process donations, purchase orders, online bookings, etc</li> <li>• To analyse website usage and make improvements to the site</li> <li>• We do not match the personal information collected with the non-personal information</li> </ul>
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