

Privacy - External Organisational Standard

LGL-STD-0033

Version 2.3

APPROVAL	
General Counsel	Approval Date: 13/08/2021
Responsible Officer:	Senior Legal Counsel
Delegated Officer:	Legal Counsel
Next review due:	13/08/2024
Parent Document Title & Number:	Privacy Organisational Policy

1 PURPOSE

At AnglicareSA we are guided by five values – Integrity, Compassion, Stewardship, Equity and Servant Leadership. The values inspire us, drive us and act as our guide as we all work together to make a positive difference to the community.

AnglicareSA is required to comply with the *Privacy Act 1988* (Cth) (Privacy Act) including the Australian Privacy Principles (APP). This Policy explains how AnglicareSA collects, retains, uses and discloses personal information and your rights in respect to the personal information we hold about you.

2 SCOPE

This standard applies to:

- any person who receives services and/or goods from AnglicareSA;
- members of the public who contact AnglicareSA but do not receive a direct AnglicareSA service; and
- information provided by a third party about a person who receives services and/or goods from AnglicareSA.

3 REQUIREMENTS

3.1 COLLECTING PERSONAL INFORMATION

3.1.1 What types of personal information does AnglicareSA collect?

- AnglicareSA collects personal information in order to deliver a wide range of aged care, childcare, housing support, foster care support, disability support and social and community services.
- AnglicareSA is required to collect some types of personal information in order to comply with Australian laws and government service and funding agreements that govern how we deliver our services.
- The types of personal information that AnglicareSA collects from an individual will depend on their relationship with AnglicareSA. Generally, such personal information will include:
 - contact details (i.e. name, address, telephone number and/or email address);
 - date of birth;
 - information about the individual's dealings with us (including records of telephone, email, online and other interactions);
 - information about the services that the individual may be receiving, or interested in receiving; and
 - financial information (e.g. bank account details and credit card details), where an individual makes a donation to AnglicareSA or pays for AnglicareSA services or makes a payment for services.
- Some of the information collected about an individual by AnglicareSA may be sensitive information, where that information is reasonably necessary to provide the individual with a particular service. AnglicareSA will only collect sensitive information with your consent, or where we are required or authorised by law to do so.
- If you do not provide all of the personal information we request, it may affect our ability to provide you with the services that you are seeking.

3.1.2 How does AnglicareSA collect personal information?

- In most cases, AnglicareSA will collect personal information directly from you, when you:
 - Contact us in person, or by telephone, email, fax or through our website;
 - Subscribe to our Facebook page or newsletters;
 - Donate or participate in fundraising or corporate sponsorship;
 - Attend events we host or facilitate; or
 - Respond to a survey.
- AnglicareSA may also collect personal information about individuals from third parties in some circumstances, either with consent from the individual, or without the individual's knowledge or consent, such as where:
 - One person's family, social or medical history is relevant to another person who is receiving a health service from AnglicareSA and we need such history in order to provide the health service;
 - A person is not physically or legally able to provide the information to AnglicareSA or provide consent, in which case, we may collect personal information from another person who is legally responsible for that person;
 - An Australian law requires or authorises AnglicareSA to collect that information without consent, in the course of providing health services to that person; or
 - It is unreasonable or impracticable to obtain the person's consent, and the collection is necessary in order to prevent a serious threat to the life, health or safety of a person or the public.
- If you provide AnglicareSA with personal information about a third party, you understand that by doing so you are authorising that the third party has consented to us collecting and using their personal information in accordance with this standard.

4 USING AND DISCLOSING PERSONAL INFORMATION

- AnglicareSA will use and disclose your personal information for the primary purpose for which it was collected, for related purposes that you would reasonably expect, and for other purposes required or authorised by law.
- By providing AnglicareSA with your personal information, you consent to AnglicareSA using and disclosing your personal information for the following purposes:
 - To provide you with services across the organisation and respond to your enquiries and/or requests for information;
 - To assess what services you may require and whether we can provide those services;
 - To evaluate ongoing services provided to you and other individuals;
 - To refer you to another internal service or program;
 - To review and support ongoing improvement of employee performance;
 - To undertake internal reviews and analysis of how AnglicareSA delivers services;
 - To undertake research and analysis and compile funding applications;
 - To undertake statistical reporting, including that needed to comply with service agreements;
 - To monitor and take action on any risks that may arise in delivering services to you and other individuals;

- To respond to feedback or investigate and respond to complaints;
- To provide you with information that you may reasonably expect to receive from AnglicareSA, including information in relation to events, newsletters, and other marketing material AnglicareSA believe may be of benefit or interest to you and/or;
- To undertake any tasks necessary to perform administration within our organisation, including tasks relating to audit, quality control, security and system updates.
- Individuals have the ability to opt out of being contacted by AnglicareSA for the purposes of providing information relating to events, newsletters and other marketing material at any time. Please note that Opting Out of receiving this information will not exclude AnglicareSA from using an individual's personal information for other purposes listed above.
- AnglicareSA does not sell, trade, or rent an individual's personal information for any purpose.
- AnglicareSA may use third-party providers, contractors and applications to support provision of services. Steps are always taken to ensure that those third parties comply with Australian privacy laws. An individual's personal information is otherwise not disclosed outside AnglicareSA without written consent unless we are required or permitted to do so under Australian laws. For instance, we may disclose personal information to an individual's representatives, our professional advisers and government or regulatory authorities (where we are required or authorised by law to do so).
- There are some circumstances where AnglicareSA may lawfully disclose an individual's personal information without their consent. This includes where:
 - AnglicareSA believes there is suspected child abuse or neglect or elder abuse;
 - It is necessary to lessen or prevent a serious threat to the life, health or safety of any person;
 - It is necessary to lessen or prevent a serious threat to public health or safety;
 - It will assist the location of a missing person;
 - A court subpoenas a person's file (this means that the court requires us to provide it with the personal information contained in a file or the entire file itself); and/ or
 - A person is not physically or legally able to give or communicate their consent to us to disclose health information. If that person is receiving a health service from us, we may provide this information to another responsible person.

5 DISCLOSURE TO OVERSEAS RECIPIENTS

- As at the date of this standard, we do not disclose personal information to overseas recipients. If in future we do propose to disclose personal information overseas, we will do so in compliance with the requirements of the Privacy Act.
- However, from time to time, we may engage service providers to develop or implement software systems or host our website servers for us, who use staff, consultants or other agents that are based overseas. Please note that the use of such service providers will not always involve a disclosure of personal information. However, by providing us with your personal information, you consent to the storage of such information on overseas servers and acknowledge that Cross-Border Disclosure of Personal Information (APP 8.1) would not apply to such disclosure. For the avoidance of doubt, in the event that an overseas recipient breaches the APPs, that entity will not be bound by, and you will not be able seek redress under the Privacy Act.
- Please also be aware that when you visit AnglicareSA's website, web traffic information is disclosed to Google Analytics and Google stores information across multiple countries and when you communicate with AnglicareSA through any AnglicareSA social media, these platforms may collect and hold the individual's personal information overseas.

6 STORING PERSONAL INFORMATION

- AnglicareSA holds your personal information as either physical records or electronic records on our servers, and in some cases, electronic records on third party servers.
- AnglicareSA maintains systems and processes to protect the security of the personal information from the risk of misuse, interference. Loss and unauthorised access, modification or disclosure. This is enforced through physical, technical and administrative controls. Further details about how AnglicareSA protects personal information is outlined in our [Information Technology Security Organisational Standard](#).
- AnglicareSA destroys and/or de-identifies personal information in a secure manner when we no longer need it. Note that AnglicareSA is obliged under some Australian laws to maintain certain records of personal information for minimum or maximum timeframes.

7 ACCESSING AND CORRECTING YOUR PERSONAL INFORMATION

- Individuals can request access to personal information that AnglicareSA holds about them, by contacting our Privacy Officer, using the 'Request for Personal Information' online form available at <https://anglicaresa.com.au/privacy/> or using the details provided in paragraph 9 below. AnglicareSA will respond to requests for access to personal information as soon as practicable.
- We will need to verify your identity before we allow you to access your personal information and may refuse your request for access if we are required or authorised by law to do so. We may charge a reasonable fee for assessing your request and providing access. We will advise the amount once we have assessed your request, and we may require payment prior to providing access. Access may be provided by hard copy or by allowing you to view our records.
- If you believe the personal information, we hold about you is inaccurate, incomplete or out of date, please contact our Privacy Officer using the details provided in paragraph 9.1 below. If you satisfy us that any personal information, we hold about you is not accurate, complete or up-to-date, we will amend our records accordingly.
- AnglicareSA reserves the right to charge for reasonable costs in complying with a request for access, particularly for older or large amounts of information. An estimate of any applicable charges will be provided to you prior to completing the request. Reference to fees is by contact with the Privacy Officer.
- If AnglicareSA refuses to give you access to your personal information, or to correct your personal information, we will notify you in writing setting out the reasons. If we refuse to correct your information you can ask us to attach or link a statement to the record, which states that you believe the information to be incorrect and why.

8 COMPLAINTS

- If you wish to complain to AnglicareSA about how your personal information has been handled, please submit your dispute or complaint to our Privacy Officer. We will confirm receipt of your complaint and investigate and respond within 28 days.
- We will address complaints in accordance with the Privacy Act and relevant AnglicareSA policies, standards and procedures. If you are not satisfied with our response, you may ask for a review by a more senior employee or manager within AnglicareSA (if that has not already happened) or you can complain to the Office of the Information Commissioner (see: <http://www.oaic.gov.au/privacy/making-a-privacy-complaint> for further information).

9 PRIVACY OFFICER

You can contact our Privacy Officer via the details below:

Email: privacy@anglicaresa.com.au

Telephone: 08 8305 9200

Post: The Privacy Officer, AnglicareSA, 159 Port Road, Hindmarsh SA 5007

We reserve the right to amend this standard at any time, without notice to you, to ensure that we maintain the highest standards. The date of this standard will inform you as to whether there have been updates since your last visit.

10 RECRUITMENT

Collection and purpose of collecting Applicant personal information

- The human resources recruitment process involves the collection, use and disclosure of personal information or opinion about potential employees and applicants, including but not limited to: applicant referee and emergency contact details; employment history and performance; employment contracts; training and qualification details; health conditions and health related information; banking information; gender; demographic information; country of birth and criminal history (including information relating to the criminal history check purpose and current or previous application processes (human resources records).
- AnglicareSA may collect your personal information in various ways including but not limited to directly from applicants; through third party service providers where applicants have consented to their information being shared to us or consent is implied; and from references provided by you. The manner of collection may be in paper, verbal and/or electronic form, including through online platforms.
- AnglicareSA keeps and handles human resources records to enable us to properly manage business affairs and the employment of workers. The purpose of collecting information of applicants is to allow AnglicareSA to assess the suitability of prospective employees for employment within AnglicareSA. AnglicareSA also may use the information to perform administrative tasks of our organisation, including tasks relating to audit, quality control, security and system updates.

How AnglicareSA collects and holds Applicant's personal information

- AnglicareSA generally collects personal information directly from applicants or employees but may also collect personal information from other parties such as recruitment agencies, referees and/or employee supervisors.
- AnglicareSA manages and holds human resources records internally and these are accessible only on a 'need to know' basis.

Third-party service provider access to and use of personal information

- AnglicareSA may use third-party service providers to process job applications and help manage the recruitment process. AnglicareSA may disclose personal information about applicants or prospective employees to third-party service providers for this purpose and they may collect, hold, use and disclose personal information of prospective employees in the provision of recruitment services to AnglicareSA. These services may include reference checking.
- As part of the recruitment process, AnglicareSA may conduct a nationally coordinated criminal history check. The provider of checks may vary from time to time, at AnglicareSA's sole discretion. Currently, your information will be collected via an application form, provided to the Australian Criminal Intelligence Commission (ACIC) (or an alternative provider) and Australian Police agencies to undertake the check so that police information relating to you can be disclosed to us, to update records about you and for law enforcement purposes, including purposes set out in the *Australian Crime Commission Act 2002 (Cth)*. AnglicareSA

currently has an agreement in place with ACIC titled the 'Agreement for Controlled Access by Duly Accredited Bodies to Nationally Coordinated Criminal History Checks' that governs how AnglicareSA undertake nationally coordinated criminal history checks. ACIC contact details are available at: <https://www.acic.gov.au/contact-us/contact-us>. Should you wish to dispute a check result, you may contact us and we will accept and escalate all disputes on your behalf by completing the dispute form, uploading it to the system and emailing ACIC to advise that a dispute has been raised. This will result in a review of your result being undertaken (see dispute process diagram below).



Storage and security of personal information

- AnglicareSA stores personal information of applicants or prospective employees in the same manner as outlined in our main policy above. Application files are generally stored for two (2) years and then destroyed in a secure manner, except for information relating to nationally coordinated criminal history checks, which are stored for a minimum of twelve (12) but maximum of fifteen (15) months and then destroyed.

Accessing and correcting personal information or making a complaint

- Applicants or prospective employees can access, request that we correct personal information held or make a complaint about how their personal information was handled in accordance with the process outlined in our main policy above.

11 ICONS

Icon	Description
	A tool to help implement this document. Tools include flowcharts, forms, diagrams and templates.
	Important information.
	A reference that provides further information or assistance.

12 LEGISLATIVE REFERENCES / STANDARDS

Title / Description
Privacy Act 1988 (Cth) (Privacy Act)
Australian Privacy Principles (APP)
Australian Crime Commission Act 2002 (Cth)

13 RELATED DOCUMENTS

Document Title
Request for Personal Information' online form
Privacy Brochure
National Police Checking Service administration operational procedure

14 DEFINITIONS / ABBREVIATIONS

Term / Abbreviation	Definition / Description
Personal Information	any information or an opinion about an identified individual, or an individual who is reasonably identifiable regardless of whether: the information or opinion is true or not; and the information or opinion is recorded in a material form or not (for example: in written, photographic, video, DVD or audio format).
Sensitive information	Subset of personal information which is 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 or trade union, sexual orientation or practices, criminal record or health information. Sensitive information is generally given a higher level of protection.
Health information	Subset of sensitive information, which includes information or an opinion about: the health or a disability (at any time) of an individual (e.g. including notes about symptoms, diagnosis and treatment, reports and test results); or the individual's expressed wishes about the future provision of health services to him or her; or a health service provided, or to be provided, to an individual, and other personal information collected to provide a health service.
Health service	An activity undertaken to: assess, record, maintain or improve the individual's health; or diagnose the individual's illness or disability; or treat the individual's illness or disability or suspected illness or disability

15 DOCUMENT CONTROL INFORMATION

15.1 Summary of Changes

Below is a brief summary of the changes made to the document since the previous issued version.

Version	Description	Date
1.0	New document - Privacy Policy for Customers	April 2017
1.1	Minor review and update use and disclosure of Personal Information. Transfer to new template within document hierarchy.	April 2019
2	Review and update include specific recruitment section in policy	April 2020
2.1	Minor amendments to address non-conformances identified during ACIC Assessment	May 2020
2.2	Minor amendments	August 2021
2.3	Updated Page 4 dot point 3	Dec 2022

15.2 Control

Controlled organisational documents including templates are published to the Intranet.

All native copies of published controlled documents are managed through policy@anglicaresa.com.au.