

Section: Human Resources (Privacy)

Privacy Statement

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1. RESPONSIBILITIES

Travellers Aid Australia acknowledges its responsibilities to respect the importance of privacy and confidentiality as an individual right. Travellers Aid collects and stores personal information and or sensitive information from its clients, staff, customers, board, volunteers, students and the broader community to provide appropriate and responsive service delivery. This Privacy Statement has been developed to pursue the highest standard in the protection and preservation of privacy and confidentiality.

2. DEFINITIONS

2.1. What is Personal Information?

- 2.1.1. Personal information is information or an opinion, whether it is true or not, about an individual whose identify is apparent, or can be reasonably ascertained, from that information or opinion.
- 2.1.2. For the purposes of this Privacy Statement, a reference to personal information should be read as including sensitive and health information, unless otherwise specified.

2.2. What Is Sensitive Information?

- 2.2.1. Sensitive information is a subset of personal information which is afforded a higher level of protection under the Australian Privacy Principles (APPs). This includes information which relates to an individual's race or ethnic origin, political opinions or memberships of a political association, philosophical beliefs, religious beliefs or affiliations, membership of a professional or trade association or union, sexual preferences or practices, criminal record or health information about an individual.
- 2.2.2. Our collection, use and disclosure of personal information, including sensitive information, will comply with the APPs.

2.3. What is Health Information?

Health information is personal information that is also information or an opinion about the physical, mental or psychological health of an individual, a disability of an individual, an individual's expressed wishes for the future provision of their healthcare, or a health service provided to an individual.

2.4. Travellers Aid Privacy Statement

This Privacy Statement, and Travellers Aid's internal privacy procedures, have been prepared on the basis that Travellers Aid is a Health Service Provider as defined in the Health Records Act 2001.

3. PROCEDURES

3.1. Overview

- 3.1.1. Travellers Aid complies with the Australian Privacy Principles (APPs), Information Privacy Principles (IPPs) and Health Privacy Principles (HPPs).
- 3.1.2. Travellers Aid is committed to protecting personal information in accordance with these laws.
- 3.1.3. This Privacy Statement sets out how we manage your personal information, including sensitive and health information. It describes the types of information we collect and hold and why we do so, how to access and correct information, and how to make a privacy complaint.

3.2. What Personal Information Do We Collect and Hold?

We may collect the following types of personal information:

- 3.2.1. Name, address, age or birth date, gender, race, telephone number, email address, details of next of kin/responsible person, physical abilities, health information, details of health care professionals, social circumstances information, details of your profession, occupation or job title.
- 3.2.2. Details of services you have received from us or which you have enquired about, together with any additional information necessary to deliver those services and to respond to your enquiries, for example details of your medication and care needs.
- 3.2.3. Any additional information relating to you that you provide to us directly or indirectly through use of our website.
- 3.2.4. Information you provide to us through our service centres, customer surveys or visits by our representatives from time to time.
- 3.2.5. We may also collect some information that is not personal information because it does not identify you or anyone else. For example, we may collect anonymous answers to surveys.
- 3.2.6. For job applicants, employees or volunteers, we may collect details about employment history, qualifications, resumes, references, banking details, fitness for work or other such documents.

3.3. How Do We Collect Your Personal Information?

We collect your personal information directly from you unless it is unreasonable or impracticable to do so. When collecting personal information from you, we may collect in ways including:

- 3.3.1. During conversations between you and our representatives.
- 3.3.2. When you complete an application.
- 3.3.3. We may also collect personal information from third parties who provide services to you, health care professionals and organisations such as law enforcement agencies and other government departments and agencies.
- 3.3.4. Travellers Aid will only collect sensitive information and health information about you with your consent.

3.4. Information Given in Confidence to Travellers Aid

- 3.4.1. On occasion Travellers Aid may receive personal information about an individual, from someone other than the individual, with the request that the information be kept confidential.
- 3.4.2. Travellers Aid will only collect health information about an individual with their consent. Should the individual consent to Travellers Aid receiving confidential information about the individual from a person other than the individual, in these circumstances Travellers Aid will:
 - 3.4.2.1. Confirm that the information is to be kept confidential;
 - 3.4.2.2. Record the information only if it is relevant to the provision of health services to, or the care of, the individual;
 - 3.4.2.3. Take reasonable steps to ensure that the information is accurate and not misleading; and
 - 3.4.2.4. Take reasonable steps to record that the information is given in confidence and is to remain confidential;
- 3.4.3. Travellers Aid will take reasonable steps to ensure that the person giving the information to Travellers Aid in confidence is aware of the Privacy Statement.

3.5. What Happens If We Can't Collect Your Personal Information?

If you do not provide us with the personal information described above, some or all of the following may happen:

- 3.5.1. We may not be able to provide the requested services or functions to you, either to the same standard or at all.
- 3.5.2. We may not be able to provide you with information about functions and services that you may want, including information about special activities or promotions.

3.6. For What Purposes, Do We Collect, Hold, Use and Disclose Your Personal Information?

We collect, hold, use and disclose your personal information for the following purposes:

- 3.6.1. To provide quality functions and services to you.
- 3.6.2. To provide best possible quality of customer service.
- 3.6.3. To answer enquiries and provide information or advice about existing and new functions or services.
- 3.6.4. To send communications requested by you.
- 3.6.5. To update our records and keep your contact details up to date.
- 3.6.6. To comply with relevant laws and legislation.
- 3.6.7. To meet government funding requirements.
- 3.6.8. Your personal information will not be shared, sold, rented or disclosed other than as described in our Privacy Policy, Privacy Procedures and Privacy Statement documents.

3.7. To Whom May We Disclose Your Information

For the purposes of providing quality services to you, there will be times when Travellers Aid will need to disclose your personal information to third parties, this may include:

- 3.7.1. Contractors or service providers for the purposes of operation of our organisation, fulfilling requests by you and to otherwise provide functions and services to you.
- 3.7.2. Health care providers and your representatives including your guardian and/or family.
- 3.7.3. The use and disclosure of personal information that meets the criteria of "*Permitted General Situation*" and/or "*Permitted Health Situation*" (as a condition of government contractual agreement). A written note of the use/disclosure is to occur. (Refer to *Section 5–References* for further detail on relevant legislative measures).
- 3.7.4. Suppliers and other third parties with whom we have commercial relationships, for business, marketing, and related purposes.
- 3.7.5. Any organisation for any authorised purpose with your express consent.

- 3.7.6. The law also allows some uses without consent, such as law enforcement purposes and to protect safety.
- 3.7.7. Travellers Aid is conscious of its obligations regarding use and disclosure of personal information. Travellers Aid will only use and disclose personal information in a manner which is consistent with its legislative obligations.

3.8. Data Retention

- 3.8.1. Travellers Aid will take reasonable steps to protect the health information it holds from misuse and loss and from unauthorised access, modification or disclosure.
- 3.8.2. Travellers Aid will not delete health information relating to an individual even if it is later found or claimed to be inaccurate unless:
 - 3.8.2.1. The deletion is permitted, authorised or required by the regulations or any other law; or
 - 3.8.2.2. The deletion is not contrary to the regulations or any law and occurs, on the later date of:
 - 3.8.2.2.1. In the case of health information collected while the individual was a child, after the individual attains the age of 25 years; or
 - 3.8.2.2.2. In any case, more than 7 years after the last occasion on which a health service provided to the individual by the provider.

3.9. Direct Marketing Materials

- 3.9.1. Travellers Aid may, from time to time, use your personal information to provide you with current information about our services, offers you may find of interest, changes to our organisation, or new services being offered by Travellers Aid, or any company with whom we are associated.
- 3.9.2. These communications may be sent in various forms, generally by mail, in accordance with applicable marketing laws. You may at any time opt-out of receiving such information by advising us in writing or telephoning.
- 3.9.3. We do not provide your personal information to other organisations for the purposes of direct marketing.

3.10. Updating Your Personal Information

It is important to Travellers Aid that the personal information we hold about you is accurate and up to date. During the course of our relationship with you we may ask you to inform us if any of your personal information has changed. While we take care to ensure that your personal information that we collect, use and disclose is correct and up to date, we may ask that you:

- 3.10.1. Advise Travellers Aid if you know of any errors in your personal information.
- 3.10.2. Keep Travellers Aid informed of any changes to your personal information.

3.11. How Can You Access and Correct Your Personal Information?

- 3.11.1. You may request access to any personal information Travellers Aid holds about you at any time by contacting us.
- 3.11.2. Where we hold information that you are entitled to access, we will try to provide you with suitable means of accessing it (e.g. by mailing or emailing it to you). We may charge you a fee to cover our administrative and other reasonable costs in providing the information to you. We will not charge for simply making the request and will not charge for making any corrections to your personal information.
- 3.11.3. There may be instances where we are not required to provide you with access to your personal information. For example, if it interferes with the privacy of others, if the information relates to existing or anticipated legal proceedings, if your request is vexatious, if the information is subject to confidentiality, or another permissible exception applies. An explanation will be provided to you in writing if we deny you access to your personal information.

- 3.11.4. If you believe that personal information Travellers Aid holds about you is incorrect, incomplete or inaccurate, then you may request us to correct it.
- 3.11.5. If appropriate we will correct the personal information at the time of the request otherwise, we will provide an initial response to you within seven days of receiving your request. Where reasonable, and after our investigation, we will provide you with details about whether we have corrected the personal information within 30 days. Travellers Aid may need to consult with other entities as part of our investigation. If we refuse to correct personal information we will provide you with written reasons for not correcting the information.

3.12. Making Information Available to Another Health Service Provider

- 3.12.1. You may:
 - 3.12.1.1. Request that Travellers Aid provide health information relating to you, which is held by us, to another health service provider;
 - 3.12.1.2. Authorise another health service provider to request health information relating to you which is held by us.
- 3.12.2. In such circumstances Travellers Aid, upon payment of a prescribed fee (if applicable) and subject to the terms of this Privacy Statement, will provide a copy or written summary of that health information to that other health service provider as soon as practicable.

3.13. What Is The Process For Complaining About A Breach of Privacy?

- 3.13.1. If you believe that your privacy has been breached, please contact us and provide details of the incident so that we can investigate it. Our procedure for investigating and dealing with privacy breaches will be undertaken by the Chief Executive Officer of Travellers Aid who will initiate the course of action to examine if a breach has occurred.
- 3.13.2. Where Travellers Aid's Privacy Policy, Privacy Procedures or Privacy Statement is inconsistent with Travellers Aid's legislative obligations, the legislative obligations will prevail. Where Travellers Aid's Privacy Policy, Privacy Procedures or Privacy Statement is silent on a matter, Travellers Aid will look to legislation for guidance as to its obligations.

3.14. Do We Disclose Your Personal Information To Anyone Outside Australia or Victoria?

- 3.14.1. Travellers Aid does not itself store or process any of your personal information outside of Victoria.
- 3.14.2. Your health information will only be transferred outside Victoria if:
 - 3.14.2.1. You consent;
 - 3.14.2.2. The transfer is for your benefit and it is impracticable to obtain your consent to the transfer and if it were practicable to obtain your consent, you would likely give your consent to the transfer;
 - 3.14.2.3. The transfer is authorised or required by any other law.
- 3.14.3. Our cloud storage providers and IT servers are located within Victoria.
- 3.14.4. Some of our third-party providers, for example cloud storage providers, may store data outside of Victoria. **However, all of these providers are contractually required to comply with the HPPs, IPPs and APPs.**
- 3.14.5. If we transfer health information outside of Victoria, we will take reasonable steps to ensure that the recipient of the information does not hold, use or disclose the information inconsistently with the HPPs and APPs.

3.15. Using Government Related Identifiers

- 3.15.1. If Travellers Aid collects government identifiers, such as Medicare, Veterans Affairs, Centrelink details we do not use or disclose this information other than authorised by law.
- 3.15.2. Travellers Aid will never use a government identifier in order to identify you.

3.16. Support Without Identifying You

- 3.16.1. In most circumstances, it will be necessary for TAA to identify you in order to successfully provide services and functions to benefit you.
- 3.16.2. However, where it is lawful and practicable to do so, TAA will offer you the opportunity of using our services without providing us with personal information, for example if you make general enquiries about current events, services offered, promotions etc.

3.17. Security

- 3.17.1. Travellers Aid takes reasonable steps to protect your personal information by storing it in a secure environment and that it remains private and confidential within our organisation at all times.
- 3.17.2. We may store your information in electronic and paper form and will take reasonable steps to protect any personal information from misuse, loss and unauthorised access, modification or disclosure.

3.18. Further Information

You may request further information about the way we manage your personal information by contacting us.

4. RELATED DOCUMENTS

- Travellers Aid Privacy Policy
- Travellers Aid Privacy Procedures
- Travellers Aid Privacy Work Instructions
- Travellers Aid Information Technology Policy
- Travellers Aid Information Technology Procedures.

5. REFERENCES

- Privacy Act 1988 (Commonwealth)
- Privacy and Data Protection Act 2014 (Victoria)
- Health Records Act 2001 (Victoria)
- Office of the Australian Information Commissioner APP Guidelines
- Justice Connect Privacy Compliance Manual
- Justice Connect Privacy Guide – Not-For-Profit Law Guide
- Website: www.oiac.gov.au
- Website: www.legislation.vic.gov.au
- Website: www.comlaw.gov.au
- Website: www.nfplaw.org.au
- Website: www.cpdp.vic.gov.au

6. AUTHORISATION

Chief Executive Officer
Travellers Aid Australia