



the
spiers
centre ^{inc}

caring for our
community

Last updated: January 2022

2.12 Privacy Policy

Purpose

The Spiers Centre Inc. (hereinafter: "TSC") may require the collection of personal information from individuals to enable it to provide its services or for the purposes of employment. TSC takes its obligations under the Privacy Act 1988 (Cth) (**Privacy Act**) seriously, and as such, will take all reasonable steps to comply with the Act and protect the privacy or personal information that it holds.

The Privacy Act is legislation that regulates the transparent handling of personal information about individuals. This includes the collection, use, storage and disclosure of personal information to other individuals, Government entities or other organisations either by law or for other purposes. The Privacy Act includes 13 Privacy Principles that apply to the handling and use of personal and sensitive information.

Under the Privacy Act, personal information is defined as:

"Information or an opinion about an identified individual, or an individual who is reasonably identifiable". This applies:

- (a) whether the information or opinion is true or not; and
- (b) whether the information or opinion is recorded in a material form or not.

"Sensitive information" is defined as:

- (a) information or an opinion about an individual's:
 - (i) racial or ethnic origin; or
 - (ii) political opinions; or
 - (iii) membership of a political association; or
 - (iv) religious beliefs or affiliations; or
 - (v) philosophical beliefs; or
 - (vi) membership of a professional or trade association; or
 - (vii) membership of a trade union; or
 - (viii) sexual orientation or practices; or
 - (ix) criminal record;that is also personal information; or
- (b) health information about an individual; or
- (c) genetic information about an individual that is not otherwise health information; or
- (d) biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or
- (e) biometric templates.

Publication of this Privacy Policy

This Privacy Policy will be made available internally to staff of TSC, and a copy may be provided on request to third parties whose personal information TSC holds (e.g., members, donors and clients of TSC).

Use of Personal and Sensitive Information

Personal information about members, donors and clients of TSC may be shared with the Commonwealth and State Government agencies, as well as other entities such as accountants and auditors of TSC.

Collection of Personal and Sensitive Information

Personal and sensitive information is collected by TSC in order for it to carry out its functions as a not for profit charitable organisation.

Personal information that is collected may include:

- Name
- Address
- Contact details (telephone and email)
- Postal address
- Date of birth
- Gender
- Emergency contact details
- Employment status including employment details (where necessary)
- Language used
- Educational history
- Tax file number
- Other legal requirements

Sensitive information that is collected includes:

- Ethnicity and origin including language and literacy needs
- Health and disability
- Memberships of professional or trade associations

This information may also include the circumstance of any suspected breach of a student visa condition.

Where possible, this information will be collected directly from the individual. However, TSC acknowledges that there is no obligation for an individual to provide personal information. However, if an individual chooses not to provide TSC with personal details, TSC may not be able to provide the individual with the full range of services.

How the Information is Collected

Personal and sensitive information is generally collected through the provision of services to clients, solicitation of donations from the public, and marketing activities.

Data Security and Storage of Information

TSC will take all reasonable steps to protect the security of the personal information that it holds. This includes appropriate measures to protect electronic materials and materials generated and stored in hard copy.

TSC takes steps to ensure the personal information we hold on individuals is protected against interference, loss, unauthorised access, use, modification, copying, download or disclosure. All staff of TSC are bound to act in accordance with the Australian Privacy Principles, this Privacy Policy and privacy and confidentiality requirements specified in TSC Employee Policies and Procedures Handbook.

Where information held by TSC is no longer required to be held, and the retention is not required by law, then TSC will destroy such personal information by a secure means.

Access to Personal Information

TSC will make available for inspection all personal information that it holds in relation to an individual by that individual upon request. There is no charge for an individual to access personal information that TSC holds about them. However, we may charge a fee to make a copy. Individuals may contact TSC for information on how to access their personal information by way of the following means:

Phone: (08) 9401 2699

Fax: (08) 6145 1821

Email: info@thespierscentre.com.au

Address: 2 Albatross Court, HEATHRIDGE WA 6027

Disclosure of Personal and Sensitive Information

Personal and sensitive information may be shared amongst employees on a need to know basis, as well as various government agencies in the carrying out of their regulatory and statistical functions.

In accordance with the Privacy Act and the Australian Privacy Principles, TSC will not disclose an individual's personal information to another person or organisation unless:

- a) the individual concerned is reasonably likely to have been aware, or made aware that information of that kind is usually passed to that person or organisation;
- b) the individual concerned has given written consent to the disclosure;
- c) TSC believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious threat to the life or health or safety of the individual concerned or of another person and it is reasonably impracticable to obtain consent from the individual concerned on the disclosure;
- d) the disclosure is required or authorised by or under an Australian law or court/tribunal order; or
- e) TSC reasonably believes the disclosure is reasonably necessary for enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of the public revenue activities conducted by an enforcement body; or
- f) TSC has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to TSC's functions or activities has been, is being or may be engaged in and TSC reasonably believes that the disclosure is necessary in order for TSC to take appropriate action in relation to the matter; or
- g) TSC reasonably believes that the disclosure is reasonably necessary to assist any body or person to locate a person who has been reported as missing and the disclosure is in accordance with any rules made by the Information Commissioner under the Privacy Act; or
- h) the disclosure is reasonably necessary for the establishment, exercise or defence of a legal or equitable claim; or
- i) the disclosure is reasonably necessary for the purposes of a confidential alternative dispute resolution process.

Where personal information is disclosed for the purposes of enforcement, activities conducted by an enforcement body, TSC shall include in the record containing that information a note of the disclosure.

Any person or organisation to whom personal information is disclosed as described in this policy will be required to not use or disclose the information for a purpose other than the purpose for which the information was supplied to them.

Disclosure of Information Overseas

TSC may utilise cloud based computing systems for the housing of personal information collected in the course of its functions.

As such, in accordance with Australian Privacy Principle 8, before TSC discloses any personal information about an individual to an overseas body or person, TSC will ensure the recipient of the information is subject to a law or binding scheme that is at least substantially similar to the way in which the Australian Privacy Principles protect the information or ensure that the person acts in accordance with the Australian Privacy Principles unless other permitted situations apply to the disclosure of the personal information under the Privacy Act.

Quality of Data Stored by TSC

If an individual considers their personal information to be incorrect, incomplete, out of date or misleading, they can request that the information be amended. Where a record is found to be inaccurate, a correction will be made. Where an individual requests that a record be amended because it is inaccurate but the record is found to be accurate, the details of the request for amendment will be noted on the record.

There is no fee associated with the alteration, amendment or correction of personal or sensitive information held by TSC.

Making a Complaint

If an individual has any concerns regarding the privacy of personal information, then the individual may lodge a complaint to TSC.

Staff Commitment to Privacy and Confidentiality

All staff, upon commencement, are required to sign to confirm that they have received a copy of and understand the content of this policy. All staff are committed to and implement their responsibilities under the Australian Privacy Principles.

Updating Personal Information

It is the individual's responsibility to keep TSC informed of their contact details.

If at any stage personal contact details change, the individual is obliged to inform TSC as is practicable. This allows TSC to send any communication to the individual in an efficient manner.

Compliance with this Policy and Australian Privacy Principles

If an individual has any concerns regarding the privacy of personal information, then the individual may lodge a complaint to TSC. All queries, concerns or complaints about the handling of personal information may be directed to the CEO of TSC as follows:

The CEO
The Spiers Centre
2 Albatross Court
HEATHRIDGE WA 6027
Phone: (08) 9401 2699
Fax: (08) 6145 1821
Email: info@thespierscentre.com.au

Review

This Privacy Policy will be reviewed annually, when there are any changes to the legal requirements in this area, and updated as required.

Responsibility: Risk Management Committee	Last review: August 2021
Last amendment: May 2020	Endorsed by The Spiers Centre Board Date: 8 June 2020
Description of key changes	