

Governance

Privacy Policy

1. Purpose and Scope

- 1.1. The aim of this policy is to ensure that Uniting WA is compliant with the legislative requirements of the Privacy Act 1988 (Privacy Act) and all associated amendments.
- 1.2. This policy forms part of the organisation’s information and security management practices, the responsibility of which falls under the jurisdiction of the Uniting WA Board.
- 1.3. This policy applies to all Uniting WA workers, and any other person who has access to Uniting WA’s systems and information.

2. Glossary of Terms/Definitions

Term	Definition
2.1. Agency	Refers to UnitingCare West (trading as Uniting WA).
2.2. Health Information	Health Information, also considered to be sensitive in nature, may include: <ul style="list-style-type: none">• Information or an opinion about the health of an individual (including an illness, disability or injury); or an individual’s expressed wishes about the future provision of health services; or information regarding a health service provided, or to be provided, to an individual• Other personal information collected to provide, or in providing, a health service to an individual• Other personal information collected in connection with the donation, or intended donation, by an individual of his or her body parts, organs or body substances

	<ul style="list-style-type: none"> Genetic information about an individual in a form that is, or could be, predictive of the health of the individual or a genetic relative of the individual. Examples may include information about an individual’s physical / mental health, notes of an individual’s symptoms and treatment given, specialist reports and test results, prescriptions, information about individual’s suitability for a job if it reveals health information.
2.3. Personal Information	<p>Information, or an opinion, about an identified individual, or an individual who is reasonably identifiable, whether true or not, and whether recorded in material form or not.</p> <p>Information collected may include a person’s name, date of birth, residential addresses, email addresses, telephone numbers, bank account details, employment details, driver’s license number, tax file number, health information and other identifiers.</p>
2.4. Sensitive Information	<p>Sensitive Information is defined as a subset of ‘personal information’.</p> <p>Information deemed sensitive in nature may include a person’s racial or ethnic origin, political opinions, membership of a political association, religious beliefs, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation, criminal record, health, genetic or biometric information and/or biometric templates.</p>
2.5. Service User/s	<p>Any individual to whom Uniting WA provides/provided a service. Service Users may also be referred to as ‘care leavers’, ‘clients’, ‘participants’, ‘young persons’ or ‘residents’.</p>
2.6. Worker/s	<p>All employees, volunteers, contractors, sub-contractors, self-employed persons, outworkers, apprentices or trainees, work experience students and/or an employee of a labour hire company placed with Uniting WA.</p>

3. Principles

- 3.1. Uniting WA is committed to promoting a culture that respects the privacy rights of all individuals associated with the Agency.
- 3.2. Uniting WA is committed to ensuring that all personal and sensitive information acquired by the Agency is collected, maintained, used, stored and disposed of, in accordance with the standards outlined by the Privacy Act.

- 3.3. Uniting WA adopts and upholds all 13 of the Australian Privacy Principles through the implementation of this policy, the [Information Storage and Disposal Policy](#), [Website Terms of Use Policy](#), [Information Security Management Policy](#), [Third-party Requests for Service User Information Policy](#) and the [Service User Requests for Personal Records Policy](#).

4. Policy

4.1. Open and Transparent Management of Personal Information

4.1.1. Uniting WA will ensure that:

- Service users are provided with information about their rights regarding privacy, and
- All workers, including members of the Uniting WA Board, understand what is required in meeting these obligations.

4.1.2. Uniting WA clearly expresses its policy on the management of personal information by publishing the most up-to-date versions of this Privacy Policy, the [Privacy Brochure](#) and the [Privacy Brochure – Easy Read English](#), on the organisation’s website.

4.1.3. Uniting WA’s Privacy Policy is accessible to workers and service users. On request, Uniting WA will take reasonable steps to let a person know what type of personal information it holds, for what purposes, and how it collects, holds, uses and discloses that information.

4.2. Anonymity and Pseudonymity

4.2.1. Uniting WA will endeavour to provide individuals the option of disclosing information anonymously, or by pseudonym, where it is practical and lawful to do so.

4.2.2. Providing an option for anonymity or pseudonymity may impose certain limitations. For example, Uniting WA will accept anonymous donations, but will therefore be unable to issue a tax-deductible receipt to the donor.

4.3. Collection of Solicited Personal Information

4.3.1. Collection of personal information by Uniting WA will be fair, lawful and non-intrusive.

4.3.2. A person asked to disclose personal information, or from whom personal information is gathered verbally, will be notified of the following:

- Our Agency's name
- The purpose of collection
- That the person can get access to their personal information and how to do so
- To whom this information will be disclosed, and
- What happens if the person does not give the information.

4.3.3. Informed consent is required from the individual, prior to the collection and use of personal and sensitive information.

4.3.4. Service users under the age of 15 and / or who do not have the capacity to consent require consent from someone who can legally act on the individual's behalf (e.g., parent, guardian or other person recognised by relevant laws).

4.3.5. Uniting WA will not collect personal information unless the information is necessary for one or more of its functions or activities.

4.4. **Dealing with Unsolicited Personal Information**

4.4.1. Uniting WA will occasionally receive unsolicited personal information from individuals and organisations.

4.4.2. Uniting WA will, if it is lawful and reasonable to do so, destroy any unsolicited personal information or ensure that the information is de-identified.

4.5. **Notification of the Collection of Personal Information**

4.5.1. Uniting WA will advise individuals and groups of the reasons for the collection of personal information at the time it is requested unless it can be justified as being reasonable not to.

4.6. **Use and Disclosure of Personal Information**

4.6.1. Uniting WA will only use or disclose personal information for the primary purpose for which it was collected. Exceptions to this are as follows:

- The information is disclosed for another purpose which is directly related to the purpose for which consent was given
- Consent has been given to use the information for another purpose
- Uniting WA is required or authorised by law to disclose the information for another purpose or

- The disclosure of the information is reasonably necessary for the enforcement of the law.

4.6.2. If Uniting WA uses or discloses personal information for one or more enforcement related activities conducted by, or on behalf of an enforcement body, a written note of the use or disclosure will be made.

4.7. **Direct Marketing**

4.7.1. Uniting WA will only use personal information for the purposes of providing direct marketing to individuals where the individual would reasonably expect their personal information to be used for direct marketing.

4.7.2. Uniting WA will provide a simple way for individuals to opt-out of receiving direct marketing communications from the organisation.

4.7.3. Uniting WA will comply with requests from individuals not to receive future direct marketing communications.

4.8. **Cross-border Disclosure of Personal Information**

4.8.1. Uniting WA will only transfer personal information to a recipient or contracted service provider for disclosure or use in a foreign country in circumstances where the information will have appropriate protection and/or enforceable contractual arrangements are in place.

4.9. **Adoption, Use or Disclosure of Government-related Identifiers**

4.9.1. When implementing its own identification system Uniting WA will not adopt, use or disclose an identifier (number, letters, code) which has been assigned to a person by a Commonwealth government agency.

4.9.2. Exceptions include where such a use or disclosure is necessary to fulfil an obligation to a government agency.

4.10. **Quality of Personal Information**

4.10.1. Uniting WA will take reasonable steps to:

- Make sure that the personal information it collects uses or discloses is accurate, complete and up to date
- Permanently de-identify personal information if it is no longer needed for any purpose (including archiving) for which the information may be used or disclosed.

4.11. Security of Personal Information

- 4.11.1. Uniting WA will take reasonable steps to protect all personal information from misuse and loss and from unauthorised access, modification or disclosure.
- 4.11.2. All Uniting WA data and personal information will be classified and secured according to its level of sensitivity and classification type.
- 4.11.3. All workers will ensure that electronic data is kept within secure network storage and undertake to only access that data which is necessary to perform their role.
- 4.11.4. Personal information will be appropriately destroyed or de-identified once it is no longer needed for any purpose for which it may be used or disclosed under the Australian Privacy Principles, unless there is a requirement not to.

4.12. Access to Personal Information

- 4.12.1. Uniting WA will, where it is legally and ethically possible to do so, provide access to the personal information held by the organisation about an individual. Where applicable, requests will be acknowledged in writing and fulfilled in the most appropriate form, within 30 working days.
- 4.12.2. As detailed in the [Third-party Requests for Service User Information Policy](#) and the [Service User Requests for Personal Records Policy](#), Uniting WA may withhold information that has been requested. In such situations the individual will be given either:
 - The opportunity of using a mutually agreed intermediary to review the information; or
 - A reason for the denial of access.
- 4.12.3. If Uniting WA charges for providing access to personal information, those charges:
 - Will reflect only the costs involved in collection of the data; and
 - Will not apply to lodging a request for access.

4.13. Correction of Personal Information

- 4.13.1. Individuals have the right to seek to have amended, if necessary, any information that Uniting WA holds about them.

5. Privacy Officer

5.1. Uniting WA's appointed Privacy Officer is responsible for:

- Ensuring that all workers are familiar with the [Privacy Policy](#) and administrative procedures for handling personal information
- Ensuring that service users and other relevant individuals are provided with information about their rights regarding privacy
- Handling any queries or complaints about privacy issues
- Ensuring compliance with the [Privacy Policy](#) for every operation or function of Uniting WA where personal information is collected
- Providing information about the [Privacy Policy](#), upon request
- Receiving and managing privacy complaints and / or concerns.

6. Complaints

6.1. If an individual wishes to make a complaint about privacy, or report known or suspected data breaches, they are to contact the Privacy Officer (Senior Manager Risk and Compliance) by:

Post, addressed to: [Privacy Officer](#)
[Uniting WA](#)
[GPO Box B74 PERTH WA 6383](#)

Phone: [1300 663 298](#)

Email: privacyofficer@unitingwa.org.au

6.2. All privacy complaints will be dealt with promptly and confidentially.

6.3. If Uniting WA has not responded to a complaint within 30 days, or a complaint is not resolved to the complainant's satisfaction, the complainant may refer their complaint to the Office of the Australian Information Commissioner (OAIC).

OAIC Contact Information

Post: Director of Complaints
Office of the Australian Information Commissioner
GPO Box 5218, SYDNEY NSW 2001

Phone: 1300 363 992

Online Enquiry: [OAIC Enquiry Form](#)

6.4. If an individual with a disability requires assistance in progressing their complaint, free and confidential advocacy support can be provided. Contact

yoursay@unitingwa.org.au who can assist and refer to independent advocacy services.

7. Privacy Breaches

- 7.1. In accordance with the Privacy Amendment (Notifiable Data Breaches) Act 2017, data breaches deemed ‘eligible’ under the Notifiable Data Breach Scheme will be notified to the Office of the Australian Information Commissioner, as outlined in the [Data Breach Response Plan](#).

8. Variations

- 8.1. Uniting WA reserves the right to vary or change this policy from time to time.

9. Related Documents

- 9.1. Australian Privacy Principles
- 9.2. Equal Opportunity Act (WA) 1984
- 9.3. Guardianship and Administration Act (WA) 1990
- 9.4. OAIC Guide to Health Privacy (September 2019)
- 9.5. Privacy Act 1988
- 9.6. Privacy Amendment (Notifiable Data Breaches) Act 2017
- 9.7. Privacy Amendment (Private Sector) Act 2000
- 9.8. Uniting WA Acceptable Use of ICT and Information Service’s Resources Policy
- 9.9. Uniting WA Access to Worker Records Policy
- 9.10. Uniting WA Bring Your Own Device (BYOD) Policy
- 9.11. Uniting WA Data Breach Response Plan
- 9.12. Uniting WA Information Management Policy
- 9.13. Uniting WA Information Security Management Policy
- 9.14. Uniting WA Information Storage and Disposal Policy
- 9.15. Uniting WA Privacy Brochure
- 9.16. Uniting WA Privacy Brochure – Easy Read
- 9.17. Uniting WA Service User Requests for Personal Records Policy
- 9.18. Uniting WA Third-party Requests for Service User Information Policy

9.19. Uniting WA Website Terms of Use

10. Authorisation of any Changes or Retirement



7 March 2024

Approver's Signature

Date

Approver	Board Chairperson
Responsible Officer/s	Finance, Property and Audit Committee (FPAC)
Document Owner	Chief Executive Officer
Specialist Advisor/s	Privacy Officer (Senior Manager Risk and Compliance), ICT Manager, Chief Governance Officer
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Review schedule	Annually

11. Version Control

Version No.	Review Date	Reviewers	Comments
0	24/11/2020	Policy Officer, Practice Lead Risk and Compliance, FPAC	Re-branded. NDIS review. Review against Moores / Our Community template.
1	28/02/2022	Policy Officer, Practice Lead Risk and Compliance, Chief Administrative Officer, FPAC	Changes to align with renewed RFI document structure. Minor templating changes. Position title Changes.
2	28/02/2023	Policy Officer, Chief Administrative Officer, FPAC	Minor templating amendments. Position title changes. Amendments made to ensure compliance with APP 7 - Direct Marketing (opt-out); revision to Privacy Officer role to align with current practice for the CAO to manage RFIs.
3	07/03/2024	Governance and Compliance Officer; Chief Governance Officer; FPAC	Minor formatting amendments. Position Title Changes. Glossary / Definitions alphabetised. References to new Privacy Brochure / Privacy Brochure – Easy Read.