

The purpose of this policy is to:

- *Clearly communicate how Caringa Australia collects, uses, discloses and stores personal information*
- *Explain how individuals may access and correct personal information we hold about them*
- *Enhance the transparency of Caringa Australia operations*
- *Provide individuals with a more clear and complete understanding of the personal information that Caringa Australia holds, and the way that we manage that information*

Record of Policy Development

Version	Date Approved	Date for Review
1	28/06/2023	28/06/2025

Responsibilities and Delegations

This policy applies to	Officers and Directors of Caringa Australia
Specific Responsibilities	Privacy Officer
Policy Approval	Board of Directors

Policy Context- This policy relates to:

Standards	N/A
Legislation	The Privacy Act (1988)
Contractual Obligations	NDIS Quality and Safeguards Commission Standards
Organisation Policies	Cyber Security Policy Complaints Management Policy
Forms, record keeping, other documents	Service Agreement Authority to Release Information Form

Policy Scope:

This policy applies to the collection, use and management of information related to all **'Caringa Australia people'** – our members, employees, supported employees, volunteers, clients, program participants, customers, donors, business partners and online users.

As Caringa Australia is a private sector employer entity, the Privacy Act 1988 and this policy do not apply to acts or practices which directly relate to the employee records of Caringa Australia.

Definitions

Caringa Australia Services refers to the full range of services that Caringa Australia and its divisions provide in supporting people with a disability, and in its commercial and other dealings with the wider community. These services include, but are not limited to Residential Support services, community access services, support coordination and commercial manufacturing and service activities through our Australian Disability Enterprises. During the provision of our services we engage employees, volunteers and business partners, and we receive support, funding and donations from the community, agencies, governments, groups and corporations.

Caringa Australia people are collectively all of the people we have dealings with - our members, delegates, employees, clients, program participants, customers, donors, business partners, volunteers and our web and social media users.

Donors is a term used in this policy to refer to an individual or business who provides an occasional or one-off contribution to Caringa Australia, whether financial or in kind.

Clients, program participants and supported employees refers to individuals living with disability who receive support from Caringa Australia on a one off, short, or long-term basis.

Customers are those who purchase goods or services from Caringa Australia or its divisions.

Business Partners refers to a business or entity that provides support to Caringa Australia through the provision of funds, services or time. This term includes our suppliers.

Authorised person/s is used to refer to anyone holding a Caringa Australia position which requires them to have access to personal or sensitive information. This will include financial and payroll functions, and people with Human Resource related duties.

Personal Information is defined by the Privacy Act 1988 as being information or an opinion about an identified individual, or one who is reasonably identifiable, whether true or not, and whether recorded in a material form or not. The type of Personal Information held about **Caringa Australia people** will vary according to the nature of our dealings and any external obligations imposed upon us.

Sensitive Information is a subset of Personal Information generally afforded a higher level of privacy protection. It is defined by the Privacy Act 1988 as being information or opinion 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; criminal record or health information about an individual; that is also Personal Information.

Online and social media users refers to anyone who accesses the www.caringa.com.au or related websites and social media sites

Policy Statement

1. Purpose

The purpose of this policy is to:

- Clearly communicate how Caringa Australia collects, uses, discloses and stores personal information
- Explain how individuals may access and correct personal information we hold about them
- Enhance the transparency of Caringa Australia operations

Provide individuals with a more clear and complete understanding of the personal information that Caringa Australia holds, and the way that we manage that information

This policy sets out how we comply with our obligations under the Privacy Act 1988. Caringa Australia are bound by the provisions of the Australian Privacy Principles (or APPs) in the Privacy Act which regulate how organisations may collect, use, disclose and store personal information, and how individuals may access and correct personal information held about them.

2. Anonymity and Pseudonymity

If you would like to access any Caringa Australia services on an anonymous basis or by using a pseudonym, please tell us. If this is lawful and possible, we will accommodate your request as much as possible; however, we may not be able to provide specific programs or services if you do not provide information requested and required.

3. Collection of solicited personal information

Caringa Australia only collects personal information necessary for the purposes of undertaking its activities, and maintaining records required under relevant legislation.

Caringa Australia will only collect sensitive information in cases where we have obtained the consent of the individual or their carer/advocate/person responsible if applicable, except in cases where we are required to collect the information by law.

Caringa Australia will only collect information by lawful and fair means. We only collect information directly from the person involved unless it is unreasonable or impracticable to do so.

The types of personal information collected may include –

- contact details
- personal details
- date of birth
- bank details
- Centrelink Customer Reference Number (CRN)
- Tax File Numbers
- purchase history
- ABN details
- payment details including credit card number and expiry date
- health and behavioural details
- email and server details
- Cultural background
- any other details considered reasonable for us to conduct Caringa Australia activities with you.

For employees, applicants for employment and for volunteers we may also collect:

- details of emergency contacts
- place of birth and residency
- indigenous status
- visa details
- employment history and qualifications
- language/s spoken
- driver licence details
- information and opinions from referees and past employers
- Probity checks
- working with children check clearance status and verification
- NDIS Worker Check clearance status
- Vaccination Status

Health Information

Generally, as part of providing services to clients, participants and supported employees we will collect health information. In such cases we will obtain your consent, or ask you directly for the information, and we will explain how the information will be used or disclosed. We will not use your health information beyond the consent provided by you unless - we obtain further consent from you, in accordance with exemptions under the Act, or in compliance with another law.

How we collect your information

Where possible, we collect your personal and sensitive information directly from you. We collect information through a variety of means – forms, face to face and phone interviews, emails and online submissions. If you feel that the information which we are requesting, either on forms or in discussion, is not information which you wish to provide, please raise this with us.

There may be circumstances where we will collect information about you from a third-party source, for instance a doctor or health care professional. If this happens, we will take reasonable steps to contact you and to explain the purpose for gathering the information, and any organisations to which we will disclose the information subject to any exemptions under the Act.

4. Dealing with unsolicited personal information

Caringa Australia may from time to time receive unsolicited personal information. Where this occurs, we review the information to determine whether we could have collected the information for the purpose of our core activities. Where this is so, we may hold and use the information in accordance with this policy and its practices. Where we could not have lawfully collected this information we will destroy or de-identify the information (unless it would be unlawful to do so).

5. Notification of the collection of personal information

Whenever Caringa Australia collects personal information about an individual we take reasonable steps to notify the individual before, at the time, or as soon after as practicable, of the collection, or otherwise ensure that the individual is aware of the collection. We will explain:

- How when and where we collect the information, and whether there was a third party involved
- If the collection is required or authorised by law, and the name of the law or other legal agreement requiring the collection
- The primary and any secondary purpose for the collection
- Any consequences for the individual if all or some of the information is not collected
- That we do not disclose personal information to any overseas entities
- How to access this Privacy Policy in a variety of ways
- That this Privacy Policy contains information as to how the individual may access and seek correction of any personal information held by Caringa Australia; and also, how to complain about any breach of the Australian Privacy Principles by Caringa Australia, and how Caringa Australia will deal with that complaint

6. Use or disclosure of Personal Information

Caringa Australia only uses personal information for the primary use it was obtained, or for secondary purposes where:

- The individual has consented to the secondary disclosure,
- An individual would reasonably expect the secondary use or disclosure and there is a direct relationship to the primary purpose for collection,
- The use or disclosure of the information is required by law.

Where the secondary disclosure was made in an 'enforcement related activity' Caringa Australia will make written record of the use or disclosure including the following details:

- Date of use or disclosure
- Details of the information used or disclosed
- The enforcement body conducting the enforcement related activity, and
- If the body used the information – any advice we have received as to how it was used, and the basis for our reasonable belief that we were required to disclose the information.

7. Direct Marketing

Caringa Australia does not disclose or use the personal information that it holds about an individual for direct marketing purposes without the individual's consent.

8. Cross-Border Disclosure of Information

Caringa Australia is a NSW based organisation providing services to clients, participants and supported employees primarily within a radius of approximately 200km.

Our customers are principally within Australia, however our online users may be from any location in the world.

Some personal information controlled by Caringa is held in cloud-based formats and stored in data centres in various locations. All Caringa server data is transferred and held in encrypted formats. Due to the protection strategy of global transfer of encrypted back up data, some data may be stored outside of Australia at some times.

We do not disclose any personal information overseas, nor do we solicit any personal information from overseas. Unsolicited personal information collected from overseas individuals will be treated in accordance with our stated policy.

9. Adoption, use or Disclosure of Government Related Identifiers

Caringa Australia does not adopt, use or disclose a government related identifier related to an individual except:

- In situations required by Australian law or other legal requirements
- Where it is reasonably necessary to do so to verify the identity of the individual
- Where it is reasonably necessary to fulfil obligations to an agency or State or Territory authority
- Or as prescribed by the Australian Privacy Principle 9 or regulations.

10. Quality of Personal Information

Caringa Australia takes reasonable steps to ensure that the personal information it collects is factually correct, accurate, up to date and sufficient for stated requirements.

Similarly, we take reasonable steps to ensure that the information which we use or disclose is accurate, relevant, up to date and sufficient for the purpose.

Some personal information we hold about some Caringa Australia people is based on opinions. Caringa Australia ensures that this information, as far as is possible, is the result of an informed and unbiased assessment based on all available valid and current evidence, and is expressed in an objective way.

Caringa Australia has quality measures in place to ensure that these standards are maintained which include:

- Systems which ensure documentation and reporting is consistent and from the primary source wherever possible
- Internal practices to monitor, audit, review and correct personal information
- Regular review and updating of relevant personal information at regular or critical service points (My Support Plans, Supported Employment planning, Intake, and Support Coordination Reports) when we engage with Caringa Australia people.
- Caringa Australia will take reasonable steps where appropriate to contact individuals to verify the accuracy of information held before use or disclosure, particularly if there has been a lengthy time period since collection.

11. Security of Personal Information

Caringa Australia views the security of all personal and sensitive information as of the highest importance. We protect personal information against loss, misuse, interference, modification, unauthorised access and disclosure through a number of means including:

- Password protected access to our IT systems at all points (including Multi Factor Authentication where available; and other measures in accordance with Caringa's Cyber Security Policy)
- Restricting access to your personal information to relevant Authorised Persons
- Ensuring that personal information held in hard copy format is kept in secure, lockable storage
- Secure archive storage (electronic or physical) for personal information which is kept for legal or statutory purposes
- Internal archives and other records disposed of in accordance with archiving requirements through internal confidential document destruction processes

12. Access to Personal Information

If an individual requests access to the personal information we hold about them we will allow access within reasonable timeframes unless we consider there is sound reason under the Australian Privacy Principles, the Privacy Act, Freedom of Information Act, or other relevant law for us to withhold the information. It will take longer to provide Personal Information which is aged or archived, or in a format differing to that in which we hold it.

Upon receiving a request to access Personal Information we:

- Ensure through confirmation of identity that the request is made by the individual concerned, or by a person who is authorised to make a request on their behalf
- Act promptly, usually within 10 working days, to inform the individual in writing when notifying our intent to withhold access, including the reasons for refusal in writing, and the complaint mechanisms available to the individual; or
- Provide access to the information requested, in the format it is requested if possible, within 10 working days of the request being received; or in situations where the request is complicated or involves large volumes of material we will take all reasonable steps to provide access to the information requested in the format it was requested (if possible) within 20 working days of the request being received.
- We do not charge an individual for access to the Personal Information we hold about them, however we may charge for large volumes of photocopying, conversion to a different format, for printing, or for delivery or retrieval of the information if stored off site.

13. Correction of Personal Information

Caringa Australia acknowledges the requirement that the Personal Information we hold be accurate, current, and relevant. Caringa Australia has measures in place to review the relevant Personal Information which we hold, and offer regular opportunity for our clients, participants and employees through our planning and review models. All **Caringa Australia people** are able to provide us with information, and request that we update or correct the information which we hold about them.

Caringa Australia may determine that the Personal Information held for a particular purpose is no longer accurate or up to date, in which case we will make all reasonable efforts to correct that situation.

If Caringa Australia receive a request from an individual to correct Personal Information and we are satisfied that the request is in accordance with the APP, we will take reasonable steps to correct the information we hold. If Caringa Australia have provided the inaccurate information to a third party, and if requested to do so by the individual, we will take reasonable steps to notify the third party of the correction unless this would be impracticable or unlawful.

If Caringa Australia refuses to correct the Personal Information as requested by the individual, we will take reasonable steps to provide in writing:

- the reasons for our decision;
- advice to the individual of any complaint mechanisms available to them; and
- any other relevant matter prescribed in the regulations

If Caringa Australia refuses to correct the Personal Information as requested by the individual, and the individual requests that we associate with the information a statement that the information is out of date, inaccurate, incomplete, irrelevant or misleading we will take reasonable steps to associate the statement in a way that will make it apparent to users of the information.

If Caringa Australia corrects your Personal Information in response to a request, or associates a statement as described, we will not charge the individual for this.

Requests for access or correction should be mailed to The Privacy Officer, Caringa Australia limited, PO Box 299 Grafton NSW 2460 or email to feedback@caringa.com.au

14. Contacting us to Make a Complaint About Privacy Matters

If an individual has provided Caringa Australia with Personal or Sensitive Information, the person has a right to make a complaint about the use, storage or protection of their information, and to have the complaint investigated and dealt with in a fair way.

Any privacy complaint should be in writing and include the date, time and circumstances of the matter that the complaint is about, how you believe that your privacy has been interfered with, and how you would like the matter resolved.

Privacy complaints directed to the Privacy Officer will be handled in accordance with Caringa Australia's Complaints Management policy. Any investigation undertaken with respect to a complaint direct to the privacy officer will:

- outline whether in the view of Caringa Australia there has been a breach of this Policy, or any applicable legislation
- detail any action, if any, Caringa Australia will take to rectify the situation
- provide contact details for the Office of the Australian Information Commissioner, who may investigate the actions of Caringa Australia in this matter.

Complaints can be mailed to:

- The Privacy Officer, Caringa Australia Limited, PO Box 299 Grafton NSW 2460
- Or emailed to feedback@caringa.com.au

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