



## **POLICY CGP 2 PRIVACY POLICY**

<b>VERSION</b>	<b>DATE REVIEWED</b>	<b>COMMENTS</b>
1.0	15/3/07	First version
1.1	16/6/14	Review
2.0	08/2/16	Review
3.0	01/05/18	Inclusion of Data Breach Notification Information and update of OAIC contact details
4.0	09/01/2019	Reviewed
5.0	03/02/2020	Reviewed and updated

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## **1. AUTHORISING AUTHORITY**

The Board has delegated authority to the Chief Executive Officer (CEO) for approval of all operational policies, including this policy.

The Head of Risk and Compliance/Company Secretary is responsible for administering this policy.

## **2. PRINCIPLES AND PURPOSE**

CHC's commitment to individual rights and the maintenance of the highest standards of ethical behaviour and professionalism includes commitments to the appropriate collection, storage and use of information, and to the protection of the privacy of personal information.

In undertaking our normal business, CHC collects, stores and uses personal information. While CHC treats this information with the highest standards of confidentiality and privacy, there are occasions when CHC may disclose this information to third parties where required by law, or where necessary for the conduct of CHC's business.

The overall responsibility for privacy at CHC resides with the CEO. The responsibility for day to day management has been delegated to the Compliance Manager as the Privacy Contact Officer (PCO). The PCO is the first point of contact for members of the public should the circumstance arise on privacy matters including general information, requests from staff or Directors to access and/or amend personal information, and for internal review and resolution of complaints.

This Privacy Policy has been published to provide a clear and concise outline of how and when personal information is collected, disclosed, used, stored and otherwise handled by CHC. The Policy relates to personal information collected by any means and by any technology.

CHC treats the handling of personal information very seriously. To that end, CHC has systems and procedures in place to protect privacy in relation to the handling of personal information.

CHC abides by the Australian Privacy Principles, which provide a scheme in relation to the collection, disclosure, use and storage of personal information. CHC's objective is to handle information responsibly and to provide control over the way information is handled.

## **3. APPLICATION OF POLICY**

This Policy applies to all employees, contractors and Directors of CHC whether full time, part time or casual, of any level of seniority and employed or engaged as an internal staff member of CHC. The policy applies to all the activities of CHC.

## **4. PRIVACY POLICY**

### **4.1 Consideration of Personal Information Privacy**

- (a) CHC receives personal information of individuals, including but not limited to those seeking tenancy in CHC properties, and existing tenants. Such personal information may include:
- Personal Descriptors
  - Financial Information
  - Proof of Identity
  - Proof of Residency / Citizenship
  - Proof of custody
  - Rental Information
  - Rental & Employee References
  - Name, date of birth, contact details
  - Drivers licence and Passport details
  - Visa Entitlement Verification
  - Verification, Details of dependent children
  - Current rent/housing status, Residential preferences.
- (b) CHC retains this information as required by law and for genuine operational purposes.
- (c) The information from individuals is held on CHC systems for a period of 7 years, and in the case of financial transactions, indefinitely, for reference purposes in the event of transactional disputes or discrepancies.
- (d) Individuals seeking personal information held by CHC can make a request in writing to the PCO and will be responded to in 30 days.
- (e) If an individual has a complaint that CHC breached one of the Australian Privacy Principles (APPs), the complaint must be made in writing to the PCO, and will be responded to in 30 days.
- (f) CHC does not send personal information overseas under any circumstances unless it is specifically requested by the owner of the information.

### **4.2 Availability of the Privacy Policy**

- (a) CHC's Privacy Policy is available in hard copy, on request, at no charge.
- (b) Upon request, this document will be provided in the language, mode of communication and terms that the tenant/participant is most likely to understand.

### **4.3 Collection of Personal Information**

- (a) CHC will not collect personal information of any individual unless it is reasonably necessary to or related to CHC's functions or activities or as required by law.
- (b) CHC will not collect sensitive information without the individuals consent.

### **4.4 Means of Collection**

- (a) CHC will only collect personal information by fair and lawful means in line with this policy and the APP.

#### 4.5 Dealing with Unsolicited Personal Information

- (a) If CHC receives unsolicited personal information that may be included through communications with applicants or tenants, CHC will destroy that information if it is not deemed reasonably necessary to maintain it for operational purposes.
- (b) CHC will not distribute to other parties any unsolicited personal information under any circumstance.

#### 4.6 Notification of the Collection of Personal Information

- (a) When CHC collects personal information of an individual, CHC will notify the person prior to collecting the information.
- (b) CHC will inform the individual of the consequences for not providing the information requested by CHC, which may include CHC being unable to process housing requests.
- (c) CHC will inform individuals of whom personal information is collected that should their information be requested by third parties by law, the information will be provided to them (eg: Centrelink, court orders, ACAT etc).

#### 4.7 Direct Marketing

CHC at times send CHC tenant newsletters to its existing tenants. Newsletters may contain information related to community support services, CHC policies directly related to CHC tenants, or tenant related meetings such as the Tenancy Advisory Group. Tenants may opt-out of these communications.

#### 4.8 Cross Border Disclosure

Information sent outside Australia will be under the conditions outlined in section 4.1.

#### 4.9 Government Related Identifiers

CHC will not collect or disclose an Individual's Government Identifiers such as Tax File or Medicare numbers unless required for a specific lawful purpose.

#### 4.10 Integrity of Personal Information

CHC will ensure that all personal information CHC holds remains accurate and up to date.

#### 4.11 Security of Personal Information

- (a) All personal information in paper form will be kept in locked filing cabinets or safes.
- (b) All electronic personal information will be held in secure files protected by passwords and firewalls.

#### 4.12 Data or Personal Information Breach

Should a data breach occur or be suspected, CRP 6 Data Breach Response Plan will be initiated.

#### 4.13 Access

CHC must give access to an individual's personal information on request unless:

- (a) CHC believes that giving access would pose a serious threat to life, health, safety, or wellbeing to any individual.
- (b) Giving access would have an unreasonable impact on the privacy of other individuals.
- (c) The request is frivolous or vexatious.
- (d) The information relates to CHC or anticipated legal proceedings between CHC and the individual, and would not be accessible by the process of discovery in those proceedings.
- (e) Giving access would reveal the intentions of CHC in relation to negotiations with the individual in such a way as to prejudice those negotiations.
- (f) Giving access would be unlawful.
- (g) Giving access would likely prejudice a law enforcement investigation.
- (h) Giving the information would reveal a commercially sensitive decision making process.

#### 4.14 Refusal of Access

If CHC refuses access under section 4.13, CHC must outline in writing to the individual:

- (a) The grounds for refusing access.
- (b) The mechanisms available to complain about the refusal.
- (c) Any other matter prescribed by the regulations.

#### 4.15 Correction of Personal Information

If CHC believes information it holds is out of date, incomplete, irrelevant, or misleading, CHC will take steps to correct the information. CHC may refuse to make the correction if it is unreasonable to do so, and the individual is notified in writing.

#### 4.16 Contacts:

Office of the Australian Information Commissioner  
GPO Box 5218  
Sydney NSW 2001  
1300 363 992  
[www.oaic.gov.au](http://www.oaic.gov.au)

(Attention to)  
The Privacy Contact Officer,  
CHC  
PO Box 6239  
O'Conner ACT 2602  
[chc@chcaustralia.com.au](mailto:chc@chcaustralia.com.au)

#### 4.17 Further information and complaints:

If you require any further information about our management of personal information or have a complaint about our handling of your personal

information, you should initially write to the Privacy Officer, who will respond to you within a reasonable time, usually 30 days.

If you are not satisfied with the outcome of your complaint you may contact us further to advise of your concerns and, if we are unable to reach a satisfactory resolution, you may write to the Office of the Australian Information Commissioner for further review of your complaint.

## **5. REVIEW**

This policy will be reviewed as required and when legislation dictates.