

7 DATA SECURITY & PRIVACY POLICY

OVERVIEW

This privacy policy outlines how the Ngaimpe Aboriginal Corporation (The Glen Centre for Men and The Glen Centre for Women) protects and manages personal information, including sensitive and health information, consistent with its obligations under the Privacy Act 1988 (Privacy Act) and the Australian Privacy Principles (APPs).

This policy sets out

- the kinds of personal information that we collect and hold
- how we collect and hold personal information
- the purposes for which we collect, hold, use and disclose personal information
- how to contact us if you want to access or correct personal information that we hold about you
- how you can complain about a breach of the Privacy Act, and how we will respond to your complaint

In this policy, personal information, sensitive information and health information, have the meaning given by the Privacy Act, which is available on the Comlaw website at

<https://www.legislation.gov.au/Home>

WHY WE COLLECT PERSONAL INFORMATION

The Glen Centre for Women and the Glen Centre for Men are operated by the Ngaimpe Aboriginal Corporation (Ngaimpe). We only collect personal information required to perform our functions or as part of undertaking activities incidental to our functions.

These functions are to:

- operate Drug and Alcohol Rehabilitation Centres
- provide services including but not limited to cultural, education, health, accommodation and social support to Aboriginal and non-Aboriginal people
- share with and learn from other rehabilitation services
- share and promote Aboriginal culture and Reconciliation among all Australians and
- operate and maintain 'The Ngaimpe Aboriginal Corporation Gift Fund' in accordance with the requirements of the Income Tax Assessment Act 1997 (Cth).

Our functions are set out in the Rule book of Ngaimpe Aboriginal Corporation (ICN 2326) registered on 22 November 2019 in accordance with the Corporations (Aboriginal and Torres Strait Islander) Act 2006. More information about our functions and activities is available on our website at:

<http://www.theglencentre.org.au/>

PURPOSES OF COLLECTION

When you deal with us for a particular purpose, you will usually be given a notice that sets out what we will do with your personal information.

We collect your personal information, including sensitive information and health information, for the following purposes:

- to assess, administer and process your application for enrolment in the rehabilitation or other programs offered by the Glen Centre
- to provide rehabilitation, health and related program services to you
- to answer queries, and provide information or advice about our programs
- to update our records and keep your contact details up-to-date
- to process and respond to any complaint that you make
- to provide information to our contractors or service providers to enable them to provide you with healthcare or program services, including for research and related purposes
- program administration and management, including conducting planning, program development and research
- compiling statistics and evaluation of the provision of healthcare and rehabilitation program services
- fundraising and marketing (including social media)
- funding applications, acquittal and reporting
- performing employment, work health and safety and personnel functions
- to comply with any Australian law, orders of courts or tribunals, any rule, regulation, lawful and binding determination, decision or direction of a regulator, or in co-operation with any governmental authority.

HOW WE COLLECT PERSONAL INFORMATION

In general, we collect your personal information directly from you when you deal with us by telephone, letter, email, face-to-face or through our website. We only collect personal information where it is reasonably necessary for, or directly related to, our functions or activities.

For further details about the information collected by Ngaimpe (The Glen Centre) when you use our website, see our website privacy statement: <https://www.theglencentre.org.au/privacy/>

Sometimes, we also collect personal information from third parties or publically available records. However, we will only do so if you expressly or impliedly consent, unless it is unreasonable or impracticable to collect your personal information from you or where we are required or authorised to do so by or under an Australian law or court or tribunal order.

For example, we collect personal information regarding your entitlements to benefits from Services Australia when we deal with them on your behalf about payment of your accommodation costs and to assist you with employment and housing for after you leave the program.

We may collect sensitive personal information or health information with your express or implied consent when it is necessary for or directly related to the performance of our functions or activities.

The Privacy Act also allows the collection of sensitive information in certain other exceptional circumstances, including where collection of the information is reasonably necessary to lessen or prevent a serious threat to life, health or safety.

COLLECTION OF UNSOLICITED PERSONAL INFORMATION

Sometimes personal information is not sought by us but provided to us by a third party. This information is referred to as 'unsolicited personal information'.

Where we receive unsolicited personal information, we will determine whether the information is directly related to one or more of our functions or activities.

- If this cannot be determined, we may, as soon as practicable and in accordance with the Privacy Act, destroy or de-identify the information
- If this can be determined, we will notify you of the purpose of collection and our intended uses and disclosures according to the APPs, unless it is impracticable or unreasonable for us to do so.

HOW WE STORE PERSONAL INFORMATION

We store your personal information using our physical filing system and our computer servers.

Your privacy is important to us. We use a range of physical and electronic security measures to protect your personal information from misuse and loss and from unauthorised access, modification or disclosure. For example, we restrict physical access to our offices, employ security containers, firewalls, secure databases, secure online payment systems, computer user identifiers and passwords.

Access to records by staff and contractors is also restricted on a 'need to know' basis.

THE KINDS OF INFORMATION WE COLLECT AND HOLD

The kinds of personal information we collect and hold will depend on the function or activity being undertaken. Examples of personal information we collect and hold include:

- your name, address and contact or identity details (date of birth, gender and marital status)
- information about your financial affairs
- information provided in employment applications including academic qualifications, credentials, references and employment histories
- information about your personal and family circumstances including emergency contacts and next of kin
- Government identifiers (Medicare and Concession/Health Care Card numbers) and information about any benefit payments or other entitlements
- photos and videos.

Examples of sensitive information we collect and hold include:

- information about your indigenous status, criminal records, religion, sexual preference, political opinions or membership of organisations and family or carer responsibilities
- health information about physical or mental disabilities, illicit or prescription drug use, medical conditions, diagnoses or diseases
- personnel and payroll records including health information and records relating to character checks.

CAN YOU DEAL WITH US ANONYMOUSLY OR PSEUDONYMOUSLY?

Where it is practicable, you may choose to remain anonymous or adopt a pseudonym when dealing with us. For example, when seeking general information about our programs and activities.

However, in most situations it will be necessary for us to collect your name and other personal details, for example, if you apply for entry to our rehabilitation or other treatment programs.

HOW DO WE USE AND DISCLOSE PERSONAL INFORMATION?

We will use and disclose your personal information for the particular purpose for which it was collected, including to assess your application to enter the program, and to provide rehabilitation, healthcare and other program services to you.

We also routinely disclose your personal information to contractors or health service providers to support your treatment and participation in our programs and to government agencies, for example, Services Australia to make arrangements for the payment of your accommodation costs.

We may collect and use your health and other personal information to ensure the health and safety of other clients, our employees and contractors, including managing potential, suspected or confirmed cases of COVID-19 or similar medical conditions.

We may also disclose information to corrections services, your lawyers, police or the courts where it is required to:

- confirm your enrolment in the program as part of your bail conditions
- provide progress reports to the courts and to facilitate arrangements for entry to and exit from the program
- take appropriate action in response to suspected illegal activity or misconduct of a serious nature that relates to our functions or activities.

We may also use or disclose your personal information for a purpose related to, or directly related to, the purpose of collection where you would reasonably expect that your information would be used or disclosed for this other purpose.

This includes to prepare funding applications and reports on our programs, fundraising and marketing and to administer and manage payment of your accommodation expenses and assist you to locate housing and employment after you have exited the program.

We may use or disclose your personal information for another purpose permitted by the Privacy Act and the APPs provided, including where:

- you expressly or impliedly consent
- we are required or authorised by or under an Australian law
- a permitted general situation exists as defined in the Privacy Act (e.g. where it is necessary to lessen or prevent a serious threat to the life, safety or health of an individual, or to public health and safety)
- we reasonably believe that the use or disclosure is reasonably necessary for enforcement related activities conducted by, or on behalf of, an enforcement body.

DO WE USE YOUR PERSONAL INFORMATION FOR THE PURPOSES OF EDUCATION, MARKETING OR QUALITY ASSURANCE?

We may, if you consent, use and disclose your personal information to promote the programs and treatment provided at The Glen Centre. For example, we publish client testimonials, photos and videos on our website and on social media sites such as Facebook and Twitter.

WILL WE SEND YOUR PERSONAL INFORMATION OVERSEAS?

We do not ordinarily send your personal information overseas. However, in limited circumstances, we may disclose your personal information to another person if they are located outside of Australia.

If we propose to disclose your personal information to an overseas recipient we will take reasonable steps before disclosure to ensure that the overseas recipient will not breach the APPs. Alternatively:

- we will expressly inform you of the potential consequences of providing your consent to the overseas disclosure, and obtain your consent; or
- ensure the recipient of the information is subject to a law, or binding scheme, that has the effect of protecting information in a way that, overall, is at least substantially similar to the way in which the APPs protect the information.

We may also be required to disclose your personal information to an overseas entity by or under an Australian law or court order or if another exception exists under the Privacy Act.

EMPLOYEES, STAFF AND CONTRACTORS

We collect and handle information for the purposes of recruiting and engaging staff (including volunteers) and contractors, and to properly manage staff employment, performance, workplace health and safety and our business affairs.

The types of information we collect, use and disclose include:

- employee, volunteer and contractor personal and contact details
- referee and emergency contact details
- job applications

- employment contracts, and other records relating to employment and contractor or volunteer engagement
- salary and leave records
- superannuation, taxation and banking details
- medical certificates and health related information
- information relating to training, conduct and performance.

We will generally collect personal information directly from individual employees, contractors, volunteers and applicants. We may collect information from other persons, such as supervisors, recruitment agents and previous employers.

We will use and disclose staff or contractor personal information to manage your employment, performance and workplace health and safety.

We may collect and use your health and other personal information to ensure the health and safety of you and other Ngaimpe personnel, including managing potential, suspected or confirmed cases of COVID-19 or similar medical conditions.

We may also need, or be legally required, to disclose your health and other personal information to government entities, or third parties, including health authorities, for health and safety purposes.

HOW DO YOU ACCESS AND CORRECT YOUR PERSONAL INFORMATION?

You have a right to request access to your personal information and to request its correction.

Upon request or pursuant to the Privacy Act, we will provide you with access to your personal information or take reasonable steps to correct your personal information to ensure that it is accurate, up-to-date, complete, relevant and not misleading, subject to any applicable exceptions under the Privacy Act.

If you wish to obtain access or seek correction of your personal information, please contact our Privacy Contact Officer through one of the following means in the first instance:

- Jacqui Kelly (intake@theglencentre.org.au)

Your request should specify the information you are seeking or correcting and provide your contact details including an email address or mailing address.

If you are unhappy with the response we provide, you may make a formal application for access or correction of personal information under the Privacy Act.

Before providing access to or correcting your personal information, we may require you to verify your identity. You will not be charged for lodging a request to access or correct your personal information.

We will respond to your request within 30 days of the request being made.

HOW DO YOU MAKE A COMPLAINT ABOUT OUR PRIVACY PRACTICES?



If you wish to make a complaint about our privacy practices, you should submit a written complaint by emailing our Privacy Officer using the contact details set out in this policy. We will respond to your complaint within 30 days.

If you are not satisfied with our response, you may make a written complaint to the Office of the Australian Information Commissioner (OAIC) setting out the details of the practices which you think interfere with your privacy. OAIC will generally expect you to complain to us first, and will likely refer your complaint to us if you have not done so already.

For more information see the OAIC website (www.oaic.gov.au) or telephone 1300 363 992 (local call charge).

FURTHER INFORMATION

To find out more about how we manage personal information you can call the Glen on (02) 4388 6360

From time to time, we will review and revise this Privacy Policy. We reserve the right to amend this policy at any time and any amendments will be notified by posting an updated version on our website.