

Privacy Policy

Overview

This policy outlines how Cawarra Residential handle personal information and meet our legal duties.

Scope

This policy applies to all personal information collected, received, used and held by Cawarra. (we, our and us).

This policy doesn't cover personal information we collect or hold about current or former employees. For privacy information relating to current or former employees, please refer to the Recruitment and Selection Policy.

Aim

This policy aims to make sure that:

- ☐ We respect the privacy of our customers
- ☐ We meet our obligations under relevant privacy laws

Definitions

Personal Information - Personal information means information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- a. Whether the information or opinion is true or not; and
- b. Whether the information or opinion is recorded in material form or not. Personal information includes:
 - ☐ A person's name, address, telephone number, bank account details or credit card information
 - ☐ Photos
 - ☐ Information about a person's opinions or what they like.
 - ☐ Sensitive Information: Sensitive information includes information about a person's:
 - health (including predictive genetic information)
 - racial or ethnic origin
 - political opinions
 - membership of a political association, professional or trade association or trade union
 - religious beliefs or affiliations
 - philosophical beliefs
 - sexual orientation or practices
 - criminal record
 - biometric information that is to be used for certain purposes
 - biometric templates

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Types of Information Collected and Held

We might collect and hold personal and sensitive information about a person including their name, postal, residential and email address, gender, date of birth, nationality, language spoken, education and qualifications, bank account details, proof of identity, photographs, health or medical information and emergency contact details.

We might also collect, use or disclose government related identifiers, such as a drivers licence or Centrelink Reference Number (CRN), where we need the information for our functions or activities.

Collection of Personal Information

We might collect personal information and sensitive information in the following circumstances:

- ? When it is reasonably necessary for one or more of our functions or activities
- ? When it is required or authorised by an Australian law or a court/tribunal order
- ? When a permitted general or health situation exists.

Our functions or activities may include but are not limited to:

- ? Delivery of products/services
- ? Service improvement
- ? Employment related functions for potential employees

Where possible, we will collect personal information about a person from the person. We might collect personal and/or sensitive information from a person when they:

- ? Fill out a form
- ? Call us
- ? Email us
- ? Visit our website
- ? See us in person

Where it is practicable and legal, we will let people remain anonymous or use a pseudonym in their interactions with us. We will tell a person if we cannot let them remain anonymous or use a pseudonym.

Use and Disclosure

We will only use or disclose personal information that we hold for the purpose which we collected it for (the primary purpose), or for a related purpose (or a directly related purpose for sensitive information), unless:

- ? The person has given us permission to use or disclose it for another (secondary) purpose
- ? The person would reasonably expect us to use or disclose the information for another (secondary) purpose

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- ☐ The use or disclosure is required or permitted under Australian law or by a court or tribunal order
- ☐ We reasonably believe that use or disclosure is reasonably necessary for enforcement related activities
- ☐ We reasonably believe that use or disclosure is needed to reduce or prevent a serious threat to the life, health or safety of any person, or to public health or safety
- ☐ For any other legal purpose

Where possible, we will check that personal information is accurate before we disclose it. We will only disclose personal information about an individual to the police or another enforcement body if it is reasonably necessary for enforcement related activities or if information is requested under the Record of Understanding.

Enforcement related activities include the prevention, detection, investigation and prosecution or punishment of criminal offences and intelligence gathering activities.

Refer to the Record of Understanding (Police) policy for further details.

If we use or disclose information for enforcement related activities, we will make a note in the relevant record, unless a law prohibits us from making such a note.

If we do direct marketing, we will comply with the Privacy Act 1988 (Cth) and any other relevant laws or regulations.

Storage and Protection of Personal Information

We store personal information in both hard copy and electronic form. We will take all reasonable steps to make sure that personal information is stored securely and is protected from misuse, interference or loss and unauthorised access, modification or disclosure. If information we hold is part of an eligible data breach, we will meet our obligations under the Notifiable Data Breaches Scheme.

Some personal information we hold electronically might be stored overseas using cloud computing or other electronic storage services. Where we store personal information overseas, we will comply with legal requirements. If we hold personal information about an individual and we don't need the information anymore or we aren't legally required or authorised to keep the information, we will take all reasonable steps to destroy or de-identify the information.

Integrity of Personal Information

We will take all reasonable steps to make sure the personal information that we collect, use and disclose is accurate, up to date, complete and relevant. If we are satisfied that the personal information that we hold, use or disclose is inaccurate, out of date, incomplete, irrelevant or misleading or the person who the information is about asks us to correct the information, we will take all reasonable steps to make sure that the information is corrected within a reasonable time.

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If a person thinks that personal information we hold about them is incorrect they can ask us to correct the information. These requests must be made in writing. We may ask the person to provide evidence to support the request. If we aren't satisfied that the personal information should be changed, we will provide the person with a written notice explaining the reasons for our decision and how they can make a complaint if they aren't happy with our decision.

If we refuse a request to change personal information, the person can ask us to attach a statement to the record stating that the information is inaccurate, out-of date, incomplete, irrelevant, or misleading. When a person asks us to attach a statement to their record, we will consider the following:

- ☐ Whether content in a statement is irrelevant, defamatory, offensive, abusive or breaching another person's privacy.
- ☐ The length of the statement. If it is unreasonable to associate the statement provided because it is too long or because of the content of the statement, we will give the person a chance to revise the statement.

Access to Personal Information

A person can request access to personal information that we hold about them. However, there may be circumstances when we will refuse these requests. These circumstances include when:

- ☐ We believe that giving access would pose a serious threat to the life, health or safety of any person, or to public health or public safety
- ☐ Giving access would have an unreasonable impact upon the privacy of other people
- ☐ The request for access is frivolous or vexatious
- ☐ The information relates to existing or anticipated legal proceedings between us and the person, and it wouldn't be accessible by the process of discovery in those proceedings
- ☐ Giving access would reveal our intentions in relation to negotiations with the person and would impact those negotiations
- ☐ Giving access would be unlawful
- ☐ Denying access is required or authorised by or under an Australian law or a court or tribunal order
- ☐ We have reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to our functions or activities has been, is being or may be engaged in and giving access would likely impact action in relation to the matter; or
- ☐ Giving access would be likely to impact one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
- ☐ Giving access would reveal evaluative information generated by us about a commercially sensitive decision-making process.

We will respond to requests for access within a reasonable time. If we agree to providing access, we will usually give access in the way they requested. If we can't give access, for one of the above reasons or because we can't give the person access in the way they requested, we will try to provide access that meets the needs of the person and us.

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We might charge a person a reasonable fee for accessing their personal information. We will tell the person about any charges when we approve their request. If we refuse a request for access, we advise the person in writing and will explain the reasons for our decision and what the person can do if they aren't happy with our decision.

Privacy and our Website

We might use 'cookies' to collect data to help us to manage our website and improve our online services. 'Cookies' are small files placed on your computer when you visit a website. 'Cookies' capture how often you visit pages and other data about browsing preferences. 'Cookies' are not used to identify people but can help us to provide a more personalised online experience. Users can configure their browsers to manage, accept or reject cookies.

Our website might also contain links to other sites. Because these websites are not subject to our policies and privacy standards, we cannot guarantee the privacy practices of the websites. We encourage users to read and understand the privacy policy of those websites before using them

Resolving Privacy Issues and Further Information

We are committed to working with people to resolve any issues or concerns about privacy. Anyone who feels that they have been affected by a decision made under this policy has a right to appeal the decision.

Any issues, concerns, complaints, questions and appeals relating to privacy should be directed to our Privacy Officer.

If a person receives our response to a complaint and is still unhappy, they have the option of referring their complaint to the Office of the Australian Information Commissioner (OAIC).

Recording Conversations/Meetings with us

We do not allow customers to record conversations and meetings with our workers. However, if requested, we may provide a written statement of agreed actions following a meeting or conversation.

Relevant Legislation/Legislative Instruments

 [Privacy Act 1988 \(Cth\)](#)

 [Health Records and Information Privacy Act 2002 \(NSW\)](#)