

Privacy Policy

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Contents

1.0	About this Policy.....	1
2.0	Purpose and Scope.....	2
3.0	Our Commitment to Privacy	2
4.0	How We Collect Personal Information.....	2
5.0	Anonymity and Pseudonymity	3
6.0	Types of Personal Information We Collect.....	3
7.0	Accuracy of Personal Information.....	4
8.0	How We Use Personal Information.....	4
9.0	How We Protect and Share Personal Information.....	5
10.0	Information Security	5
11.0	Electronic Security	6
	11.1 E-payment security	6
	11.2 Cookies and Tracking Technology.....	6
	11.3 IP Addresses.....	6
12.0	Information Retention and Disposition	6
13.0	Responsibilities of Individuals	6
14.0	Right to Access and Seek Amendments to Personal Information.....	7
15.0	Our Right to Refuse Access.....	7
16.0	Privacy Inquiries, Feedback and Complaints.....	8
17.0	Related Documents.....	8
18.0	References.....	8
19.0	Definitions	9

1.0 About this Policy

This document is the corporate Privacy Policy of **yourtown** Ltd:

Street Address: **yourtown** Business Centre
Suite 5, Cordova Street
Milton QLD 4064

Postal Address: GPO Box 2469
Brisbane QLD 4001

Phone: (07) 3368 3399

Fax: (07) 3368 1599

Email: privacy@**yourtown**.com.au

This document is reviewed regularly to ensure it continues to protect the privacy of our clients, customers, supporters, contractors, suppliers, and personnel (hereafter refer to as our 'stakeholders').

Privacy Policy

All yourtown

2.0 Purpose and Scope

The purpose of this policy is to provide information on how **yourtown** collects, uses, discloses, and handles personal information in safeguarding the privacy of our stakeholders.

This policy applies to all **yourtown** programs, services, and operations. It underpins all privacy notices that are published online and that we provide to stakeholders.

3.0 Our Commitment to Privacy

yourtown is committed to protecting the privacy of individuals and the personal information provided to us by our stakeholders.

yourtown abides by Commonwealth and state / territory privacy legislation, and other relevant contractual and legislative requirements in dealing with personal information. We take such steps as necessary to ensure our practices and internal processes comply with legislation and associated Privacy Principles.

yourtown will provide a copy of this Privacy Policy in the format requested, and at no cost, providing it is reasonable for us to do so in the circumstances.

4.0 How We Collect Personal Information

yourtown will only collect and record personal information by fair, lawful and unobtrusive means.

Generally, personal information held by **yourtown** is collected directly from individuals, or through their appointed representatives or agents, either:

- in person
- by telephone, mail, or e-mail, or
- through the use of a **yourtown** website.

We may also gain such information from third parties, such as:

- statutory bodies / government agencies
- other service providers through information sharing protocols
- public sources of information (e.g. the White Pages).

Prior to, at the time of collecting personal information, or as soon as practicable afterwards, **yourtown** will provide information in an appropriate manner regarding:

- why the personal information is being collected (ie. purposes / requirements for collection)
- consequences for individuals if the personal information is not provided and collected
- entities to which the personal information may be disclosed, including to any overseas recipients
- how individuals can access and seek corrections to their personal information, where necessary
- how to access our Privacy Policy and that our Privacy Policy contains details about our complaints processes
- how to contact us.

Privacy Policy

All **yourtown**



5.0 Anonymity and Pseudonymity

Individuals may deal with **yourtown** anonymously or via the use of pseudonyms. Examples where it may be possible to do so include when:

- talking with an online Counsellor
- submitting online feedback
- joining a **yourtown** Blog.

However, in many instances, dealing with us anonymously or via a pseudonym may prevent or limit us in providing / delivering the particular program or service or completing transaction (e.g. when the purchasing Art Union tickets).

Questions about providing *personal information* to **yourtown** may be referred to the **yourtown** Privacy Officer via privacy@yourtown.com.au or by calling (07) 3368 3399.

6.0 Types of Personal Information We Collect

yourtown only collects *personal information* necessary for providing individuals access to our programs, services, and products, and for our related internal functions. The types of *personal information* we may collect and record include:

- name, address, and contact details
- applicable health related information, case notes, and clinical assessments
- information regarding participation in a program or service
- feedback provided about the quality and suitability of a program or service, and other *personal information* that assists the provision of services
- financial information required to complete and reconcile financial transactions (e.g. credit card numbers, cheque numbers, BSB numbers, etc)
- information regarding skills, qualifications, and employment history
- information that relates to current, pending, or anticipated legal proceedings
- other *personal information* that will assist in the provision of services.

We may also be required or permitted by legislation or contract to collect information for:

- statistical reporting purposes
- incident and Duty of Care reporting purposes
- tailoring and improving our services
- securing professional advice (e.g. from our auditors, lawyers, etc)
- assisting contractors, service providers, and other organisations working with or for **yourtown** to manage and/or deliver services (e.g. mailing houses, credit card payment providers, etc).

We may collect other *personal information*, as applicable to a program, service, or function.

The collection, use, and handling of all *personal information* will always comply with applicable privacy legislation, and will take into account pertinent ethical considerations to the extent possible under the circumstances.

Privacy Policy

All yourtown

7.0 Accuracy of Personal Information

yourtown takes reasonable steps to ensure the *personal information* we collect, use, and disclose is accurate, complete, and up-to-date.

If it is believed that any *personal information* held by **yourtown** is inaccurate or inappropriate, we will:

- amend or remove *personal information* if it is possible and reasonable for us to do so
- provide a reason, in writing, if the record cannot be altered or removed
- place a note on file of an individual's objection and what they believe is the correct *personal information*.

All requests for the removal or amendment of *personal information* of any client (ie. program participant) must be approved by the Chief Executive Officer or *authorised personnel*.

8.0 How We Use Personal Information

Personal information allows us to:

- assess and discuss an individual's program or service needs and eligibility where they have been referred to us or have contacted us for assistance
- provide / deliver the requested service to the individual in accordance with program and contractual requirements
- determine other support we may be able to provide and/or to advocate on behalf of individuals who may be at risk of harm
- assess and discuss with individuals their referees as part of a job or volunteer application lodged with us
- provide fundraising and Art Union information as requested, along with any tickets which may have been purchased
- compile and provide statistical data for research, advocacy, and/or funding purposes
- disclose *personal information* for purposes reasonably expected (e.g. credit checking).
- **yourtown** will not use *personal information* about individuals for any service development, fundraising, advertising, or promotion of **yourtown** or a related partner without consent.

yourtown will not use *personal information* for *Direct Marketing* purposes unless:

- the individual has consented or would reasonably expect us to do so after providing their *personal information*
- we are acting as a contracted service provider under a government contract and the *Direct Marketing* fulfils an obligation under the contract.

At any time, an individual may 'opt-out' of receiving *Direct Marketing* communications by:

- using the Unsubscribe link / facility provided, or by
- contacting **yourtown** on 1800 500 101 or via privacy@yourtown.com.au.

If **yourtown** ever intends to share personal information to overseas recipients (e.g. to a data service), stakeholders will be advised in accordance with Section 4: *How We Collect Information*.

Privacy Policy

All yourtown



9.0 How We Protect and Share Personal Information

We treat the protection and security of *personal information* seriously. We strive to ensure that all individuals enjoy:

- respect and dignity in accordance with our corporate values and Consumer Rights Position Statement
- freedom from intrusion and public attention
- a commitment that *personal information* is protected from unauthorised access and interference
- a commitment that any other **yourtown** partner (e.g. service partners, consultants, contractors, etc) or overseas recipient (e.g. data services) who may come into contact with *personal information* will also agree to act in accordance with the applicable *Privacy Principles* by:
- completing a Privacy / Confidentiality Agreement and demonstrating relevant clearances, and/or
- having appropriate privacy and confidentiality clauses included in their contract, and/or
- having a compliant Privacy Policy.

No *personal information* will be shared without due consideration of the *Privacy Principles*, other applicable Acts or Regulations, the Australian Direct Marketing Association Code of Practice, and the **yourtown** *Consumer Rights Position Statement*.

yourtown will not sell, licence, rent, share, disclose, or swap *personal information* unless we have consent or where disclosure is authorised or permitted by legislation or a contractual requirement.

For instance, we may be obliged to share *personal information* about individuals to government agencies and/or other service providers without consent to lessen or prevent a serious threat to life, health or safety.

Unless not appropriate or reasonable in the circumstances, we will attempt to gain consent where it is safe to do so before disclosing *personal information*. In circumstances where consent has not been obtained, an *authorised person* will make reasonable efforts to advise them of the disclosure.

10.0 Information Security

yourtown's information and business management systems are protected and meet numerous information security standards as relevant to each program.

We maintain a comprehensive information technology (IT) security system supported by:

- information security policies which outline **yourtown's** expectations of information security practice by personnel, and
- externally facilitated system penetration tests, scans and security audits.

Physical records containing *personal information* are held in secured premises with access only permitted by *authorised personnel*. Lockable filing cabinets are also used where required by contractual requirements.

Internal audits are conducted on the management of both soft and hard copy records to test system and data integrity, along with compliance with records management and records protection protocols.

Privacy Policy

All yourtown

11.0 Electronic Security

11.1 E-payment security

yourtown uses encryption technology that complies with the Payment Card Industry Delivery Services Standards (*PCI DSS*) to safeguard the security of any credit card details provided and payments processed.

11.2 Cookies and Tracking Technology

'Cookies', 'pixel tags' and similar tracking and storage technologies are typically small pieces of data or code that are transferred to an individual's computer to collect information about what the individual is browsing when visiting a web site.

yourtown relies on these technologies for monitoring and analysing our web traffic, and for customising content and browsing experiences based upon an individual's previous visits. In our fundraising website, these technologies help individuals remember specific details (such as their account numbers) and to access various social media features. They also help us to monitor the effectiveness of our promotional campaigns.

We utilise the above technologies through the web tools and third-party services we choose to use (such as Facebook, Google Analytics, Google AdWords and Sizmek). These services use these same technologies to determine the advertisements you see when using these services.

Individuals have choice whether they wish to allow the collection and use of this information for these purposes. For instance, we require individuals to opt-in by providing reminder messages with consent buttons. These are presented when first entering a site and/or visiting a specific web page. Individuals can also modify their computer settings to stop receiving cookies.

11.3 IP Addresses

Each time an individual visits a **yourtown** website, we may collect and record the IP address of the internet connection being used. This number is assigned by the individual's Internet Service Provider.

12.0 Information Retention and Disposition

yourtown takes reasonable steps to ensure personal information held by **yourtown** is retained, secured, and where applicable, destroyed in accordance with legislative and contractual requirements.

For example, physical records are retained in accordance with Australian Records Retention standards and are disposed of securely (e.g. via the use of secured document destruction services). Electronic data is retained and safeguarded by our information technology security system (refer to section 10: *Information Security*).

13.0 Responsibilities of Individuals

Individuals (or their appointed representatives) are responsible for:

- providing accurate and current *personal information* relevant to the program, service, or purchase
- contacting us whenever their contact details change
- contacting us in a timely manner when their personal circumstances change, especially if the change is likely to impact upon program participation or involvement with **yourtown**
- act in a manner that is respectful to **yourtown** personnel
- pay any fee requested
- access a service for the purpose it is offered.

Privacy Policy

All **yourtown**



14.0 Right to Access and Seek Amendments to Personal Information

Individuals, or their appointed representatives, have the right to access *personal information* held by **yourtown** unless **yourtown** has a legal or legitimate reason not to release the information (see *Our Right to Refuse Access*, below).

All requests to access *personal information* must be provided in writing, preferably using the **yourtown Request to Access Records & Information Application Form**. **yourtown** may request additional information to clarify such requests.

yourtown requires proof of identity before granting access to any *personal information*. Individuals who have engaged with us via the use of a pseudonym are also required to establish to our satisfaction that they are the 'owner' of the pseudonym to whom the *personal information* relates.

yourtown requires photographic identification wherever possible (e.g. a copy of the individual's drivers licence, passport, Student of 18+ card, etc). In lieu of photographic identification, we require two (2) other forms of identification (e.g. birth certificate plus a rates notice, or a health care card plus a bank statement in the individual's name, etc). Other forms of identification may also be acceptable, as agreed with **yourtown**.

Where an individual has appointed a representative to access *personal information*, we require signed consent from the individual confirming the representative's appointment. The representative will need to provide identification prior to any information being released, as detailed above.

An employee of **yourtown** will be present when an individual or their appointed representative/s views any *personal information* held. *Personal information* can only be altered or removed in accordance with **yourtown's** policies and procedures.

yourtown reserves the right to charge a fee to access *personal information* to cover the costs incurred in collating and/or copying information and records.

Individuals can request to access their *personal information* or for us to amend the information we hold about them by emailing privacy@yourtown.com.au or by writing to the Chief Executive Officer at the above address (page 1).

15.0 Our Right to Refuse Access

To the extent allowed under applicable privacy legislation, **yourtown** reserves the right to refuse any request to access *personal information*. We may refuse a request if, for example:

- the individual is not genuinely entitled to the information under legislation
- providing access to the information would pose a serious and imminent threat to the life, health or safety of any individual
- we consider the request to be of a frivolous or vexatious nature
- giving access would compromise the privacy or safety of another individual.

yourtown reserves the right to seek professional advice before deciding upon any request to access *personal information*. We will provide reasons for any refusal of a request to access or amend *personal information*.

Privacy Policy

All yourtown

16.0 Privacy Inquiries, Feedback and Complaints

yourtown welcomes feedback concerning our Privacy Policy and privacy practices.

Inquiries, feedback and complaints concerning privacy can be submitted by:

- talking to a **yourtown** worker
- using the Feedback link on one of our websites (www.yourtown.com.au/ or www.kidshelp.com.au)
- emailing privacy@yourtown.com.au, or by
- writing to the Chief Executive Officer at the above address (page 1).

Complaints may also be received by other agencies in respect to specific programs and services offered by **yourtown** under a government contract. Information about additional complaint processes is provided in the Privacy Notices for those programs.

yourtown responds to complaints by investigating the issue, deciding on any required actions, and responding to the individual within twenty (20) business days of lodgement (or sooner if required). Further information is contained within the **yourtown** Feedback and Complaints Policy.

Anyone providing feedback or making a complaint is entitled to remain anonymous or use a pseudonym if they so choose. In both instances, **yourtown** may be limited in what action it can take in investigating and addressing the feedback or complaint.

17.0 Related Documents

This document should read in conjunction with any applicable program-specific requirements as found in:

- privacy notices on our websites (e.g. **yourtown** Art Union, Kids Helpline, Parentline, etc).
- client / resident handbooks
- contractor Confidentiality Agreements
- Request to Information application form(s) and associated guidelines
- Consent to Release / Obtain Personal Information forms.

For further assistance, please email privacy@yourtown.com.au.

18.0 References

External

- Australian Direct Marketing Association Code of Practice
- Australian Privacy Principles Guidelines: Privacy Act 1988 (OAIC, 2014)
- Payment Card Industry Delivery Services Standards.
- Privacy Act 1988 (Cth) and associated Australian Privacy Principles
- Privacy Amendment (Enhancing Privacy Protection) Act 2012

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- Consumer Rights Position Statement – bd
- Duty of Care Position Statement – bd
- Feedback and Complaints Policy - bms

Privacy Policy

All yourtown



19.0 Definitions

Authorised person/ personnel	An officer of yourtown who has the delegated authority of the Chief Executive Officer to make decisions on particular matters.
Chief Executive Officer	The Chief Executive Officer is the officer-in-charge of yourtown .
Direct Marketing	Direct marketing involves the use of an individual's <i>personal information</i> for the purpose of communicating directly with the individual to promote an organisation's goods and services.
Privacy Principles	Commonwealth <i>Australian Privacy Principles</i> and state/territory privacy principles such as the Queensland <i>Information Privacy Principles</i> . Privacy Principles are the legislated base line 'standards' that private sector organisations and government agencies must comply with in relation to the <i>personal information</i> they collect and handle.
Personal information	As defined by the Privacy Act 1988, means <i>information or an opinion about an identified individual, or an individual who is reasonably identifiable:</i> <i>(a) whether the information or opinion is true or not; and</i> <i>(b) whether the information or opinion is recorded in a material form or not.</i> As used in this document, <i>personal information</i> also includes <i>sensitive information</i> as defined by the <i>Privacy Act 1988</i> .
PCI DSS	Payment Card Industry Data Services Standards. These standards provide guidance regarding the security and privacy of payment / credit card information held by vendors.