

## 1. Purpose

From time to time AFAO is required to collect, hold, use and/or disclose personal information relating to individuals (including its stakeholders, contractors, suppliers and employees) in the performance of its business activities.

This document sets out AFAO's policy in relation to the protection of personal information, as under the *Privacy Act 1998* (Cth) (the "Act") and the Australian Privacy Principles ("APP"). The APPs regulate the handling of personal information. While the Act and Principles are Australian, they are applied by AFAO across its Australian and international operations.

## 2. Responsibilities

All staff and volunteers are required to comply with this policy.

## 3. Application of policy

This policy applies fully to all of AFAO's operations, including its international activities and the AFAO Foundation. References in this policy to AFAO include the AFAO Foundation.

In relation to the AFAO Foundation, where this policy is contradicted by Thai legal and regulatory requirements, those requirements will prevail.

Where this policy is contradicted by contractual obligations to funders, the contractual obligations must be adhered to. Exceptions to such obligations should be sought from funders prior to entering into contracts and any substantive areas of difference must be drawn to the attention of the Chief Executive Officer.

## 4. What is personal information?

Personal information means information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

## 5. Employee records

This policy does not apply to the collection, holding, use or disclosure of personal information that is an employee record.

**Policy number:** 012

**Date approved:** 25 October 2018

**Review date:** October 2020

**Approved by:** AFAO Chief Executive Officer

An employee record is a record of personal information relating to the employment of an employee. Examples of personal information relating to the employment of the employee include, but are not limited to, health information and information about the engagement, training, disciplining, resignation, termination, terms and conditions of employment of the employee. Please see the Act for further examples of employee records.

## 6. Kinds of information that AFAO collects and holds

AFAO collects personal information that is reasonably necessary for one or more of its functions or activities.

The type of information that AFAO collects and holds may depend on your relationship with AFAO. For example:

- a) *Candidate*: if you are a candidate seeking employment with AFAO, we may collect and hold information including your name, address, email address, contact telephone number, gender, age, employment history, references, resume, medical history, emergency contact, taxation details, qualifications and payment details
- b) *Stakeholder*: if you are a stakeholder of AFAO, we may collect and hold information including your name, address, email address, contact telephone number, gender and age
- c) *Supplier*: if you are a supplier of AFAO, we may collect and hold information including your name, address, email address, contact telephone number, business records, billing information, information about goods and services supplied by you
- d) *Referee*: if you are a referee of a candidate being considered for employment by AFAO, we may collect and hold information including your name, contact details, current employment information and professional opinion of candidate
- e) *Sensitive information*: we will only collect sensitive information where you consent to the collection of the information and the information is reasonably necessary for one or more of AFAO's functions or activities. Sensitive information includes information or an opinion about racial or ethnic origin, political opinions, religious beliefs, philosophical beliefs, membership of a trade union, sexual orientation, criminal record, health information or genetic information.

## 7. How AFAO collects and holds personal information

AFAO must collect personal information only by lawful and fair means. We will collect personal information directly from you if it is reasonable or practicable to do so.

We may collect personal information in a number of ways, including without limitation:

- a) through application forms
- b) by email or other written mechanisms
- c) over a telephone call
- d) in person
- e) through transactions
- f) through our website
- g) through surveillance camera
- h) by technology that is used to support communications between us
- i) through publically available information sources (which may include telephone directories, the internet and social media sites)
- j) direct marketing database providers.

When AFAO collects personal information about you through publicly available information sources, it will manage

such information in accordance with the APPs.

Unsolicited personal information is personal information that AFAO receives which it did not solicit. Unless AFAO determines that it could have collected the personal information in line with the APPs or the information is contained within a Commonwealth record, it must destroy the information to ensure it is de-identified.

## **8. Purposes for which AFAO collects, holds, uses and/or discloses personal information**

AFAO will collect personal information if it is reasonably necessary for one or more of its functions or activities.

The main purposes for which AFAO may collect, hold, use and/or disclose personal information may include but are not limited to:

- a) recruitment functions
- b) training and events
- c) surveys and general research and
- d) stakeholder relationship management.

AFAO may also collect, hold, use and/or disclose personal information if you consent or if required or authorised under law.

### **8.1 Direct marketing**

AFAO may use or disclose personal information (other than sensitive information) about you for the purpose of direct marketing (for example, advising you of new activities being undertaken by AFAO).

AFAO may use or disclose sensitive information about you for the purpose of direct marketing if you have consented to the use or disclosure of the information for that purpose.

You can opt out of receiving direct marketing communications from AFAO by contacting the privacy officer in writing or if permissible accessing AFAO's website and unsubscribing appropriately.

## **9. Disclosure of personal information**

AFAO may disclose your personal information for any of the purposes for which it is was collected, as indicated under section 6 of this policy, or where it is under a legal duty to do so.

Disclosure will usually be internally and to related entities or to third parties such as contracted service suppliers.

Before AFAO discloses personal information about you to a third party, we will take steps as are reasonable in the circumstances to ensure that the third party does not breach the APPs in relation to the information.

## **10. Access to personal information**

If AFAO holds personal information about you, you may request access to that information by putting the request in writing and sending it to the privacy officer. AFAO will respond to any request within a reasonable period, and a

charge may apply for giving access to the personal information.

There are certain circumstances in which AFAO may refuse to grant you access to the personal information. In such situations we will give you written notice that sets out:

- a) the reasons for the refusal
- b) mechanisms available to you to make a complaint.

## 11. Correction of personal information

If AFAO holds personal information that is inaccurate, out-of-date, incomplete, irrelevant or misleading, it must take steps as are reasonable to correct the information.

If AFAO holds personal information and you make a request in writing addressed to the privacy officer to correct the information, we must take steps as are reasonable to correct the information and will respond to any request within a reasonable period.

There are certain circumstances in which AFAO may refuse to correct the personal information. In such situations we will give you written notice that sets out:

- a) the reasons for the refusal
- b) the mechanisms available to you to make a complaint.

If AFAO corrects personal information that it has previously supplied to a third party and you request us to notify the third party of the correction, we will take such steps as are reasonable to give that notification unless impracticable or unlawful to do so.

## 12. Integrity and security of personal information

AFAO will take such steps (if any) as are reasonable in the circumstances to ensure that the personal information that it:

- a) collects is accurate, up-to-date and complete
- b) uses or discloses is, having regard to the purpose of the use or disclose, accurate, up-to-date and complete.

AFAO will take steps as are reasonable in the circumstances to protect the personal information from misuse, interference, loss and from unauthorised access, modification or disclosure.

If AFAO holds personal information, it no longer needs the information for any purpose for which the information may be used or disclosed, the information is not contained in any Commonwealth record and AFAO is not required by law to retain the information, it will take such steps as are reasonable in the circumstances to destroy the information or to ensure it is de-identified.

## 13. Anonymity and pseudonymity

You have the option of not identifying yourself, or using a pseudonym, when dealing with AFAO in relation to a particular matter. This does not apply:

- a) where AFAO is required or authorised by or under an Australian law, or a court/tribunal order, to deal with individuals who have identified themselves or
- b) where it is impracticable for AFAO to deal with individuals who have not identified themselves or who have used a pseudonym.

However, in some cases if you do not provide AFAO with your personal information when requested, we may not be able to respond to your request or provide you with what you are requesting.

## 14. Complaints

You have a right to complain about AFAO's handling of your personal information if you believe we have breached the APPs.

If you wish to make such a complaint to AFAO, you should first contact the privacy officer in writing. Your complaint will be dealt with in accordance with AFAO's complaints procedure and we will provide a response within a reasonable period.

If you are unhappy with AFAO's response to your complaint, you may refer your complaint to the Office of the Australian Information Commissioner.

## 15. Privacy officer contact details

AFAO's privacy officer is Ms Sarita Ghimire, Manager, Business Operations, who can be contacted in the following ways:

- a) Telephone number: +61 2 8568 1103
- b) Email address: [sghimire@afao.org.au](mailto:sghimire@afao.org.au)
- c) Postal address: PO Box 51, Newtown NSW 2042, Australia.

## 16. Breach of this policy

Any employee who is found to have breached this policy may be subject to disciplinary action, up to and including termination of employment.