

## **PRIVACY POLICY**

### **1. PURPOSE / BACKGROUND**

SYC provides a large range of services that require the collection of personal information from clients, suppliers, potential employees, employees, volunteers and other stakeholders.

SYC is committed to protecting the privacy and confidentiality of personal information and to maintaining robust physical, electronic and procedural safeguards to protect personal information in our care.

This Policy applies to the collection, usage, storage, disclosure, access and correction of personal information.

### **2. ENDORSEMENT(S)**

SYC Executive Committee 07 / 12 / 2012

### **3. POLICY STATEMENT AND DETAILS**

#### **3.1. Personal information**

- 3.1.1 Personal information means information or an opinion, about a person whose identity is clear, or who can be reasonably identified, whether the information is true or not.
- 3.1.2 Personal Information includes, for example, your name, address, telephone number, email address, employment details and date of birth.
- 3.1.3 The types of personal information that we collect from you will depend on the circumstances of collection and on the type of service you request from us.
- 3.1.4 This Privacy Policy does not apply to SYC employee records, which are generally exempt from the legislation.
- 3.1.5 Typically, SYC collects your personal information for the following purposes:
  - To assist you in accessing the services SYC offers to help young people achieve.
  - To assist you to obtain training and employment opportunities.
  - To assist you in accordance with SYC's Purpose.
  - To raise funds to further SYC's Purpose.
  - In the recruitment of employees and volunteers.

#### **3.2. Collecting Personal Information**

3.2.1 SYC will :

- Only collect personal or sensitive information from you with your consent.
- Tell you why your personal information was collected.
- Tell you to whom or which persons or organisations your personal information may be disclosed.
- Only collect personal information which is necessary for one or more of SYC's activities or functions.
- Collect personal information directly from you, as far as this is practical.
- Only collect personal information by fair and lawful means and not in an unreasonably intrusive manner. If SYC collects personal information from a young person or minor, it may be fair to involve their parent or guardian.

- 3.2.2 When SYC collects personal information about you, we will take reasonable steps to ensure that you are aware of:
- who SYC is and how to contact us,
  - your rights to access your personal information held by SYC,
  - any law that requires SYC to collect your personal information, and
  - the consequences (if any) if you do not provide all or part of the information requested.
- 3.2.3 We may collect personal information about you when you talk with us over the telephone, when you send us a letter, fax or email, when you visit our web sites or when you have contact with us in person.
- 3.2.4 SYC may collect personal information about you from other sources, e.g. Government agencies, funding bodies, private service providers or employers, etc.
- 3.2.5 When SYC obtains information from a third party, we will inform you or we may reasonably expect that you know that we have been given this information (for example, a person using our employment services will be told, or can be reasonably expected to know, that we have already received some information about them from Centrelink).
- 3.2.6 Where we receive unsolicited personal information about you, we will check whether that information is reasonably necessary for our functions or activities. If it is, we will handle this information the same way we do with other information we seek from you. If not, we will ensure we destroy or de-identify it.

### **3.3. Consent**

- 3.3.1 We will ask you for your consent to collect and use your personal information in order to provide you with the services you have requested.
- 3.3.2 We may ask you to provide your consent at another time if your personal circumstances change or you request additional services from us, for example:
- If your Centrelink circumstances change and this affects your status with Job Prospects.
  - If you enrol in a training program, or another type of training program, at Training Prospects.
  - If you request a different service, or we recommend you to a different service, in HYPAs.
- 3.3.3 We will make sure that you understand what giving us your consent means and provide you with assistance if you don't.
- 3.3.4 You may withdraw your consent for us to use your personal information at any time by notifying your Case Manager, any other SYC Manager or SYC's Privacy Officer ([privacy@sync.net.au](mailto:privacy@sync.net.au)); however SYC may be unable to provide the services you are requesting if you do not provide us with your consent to use your personal information.

### **3.4. Use and Disclosure**

- 3.4.1. Generally, SYC will use your information solely for the purpose for which it was collected or for a closely related secondary purpose, where your needs have changed or become extended.
- For example, you may provide information when joining one of SYC's programs. At a later date, you may join a different program or be referred on to a different provider who may better meet your needs. In either case, your information will be shared between related SYC Divisions where this is necessary to provide services to you.

3.4.2. Typically, SYC uses and discloses your personal information in the following circumstances:

- to third parties such as employers, superannuation funds, recruitment agencies, training and education providers, Government departments and agencies, or accommodation, personal counseling or welfare service providers in order to provide related services;
- to raise funds to further SYC's Purpose.

3.4.3. SYC will not, without your prior consent, use or disclose your personal information for another purpose except in any of the following situations:

- SYC reasonably believes that the use or disclosure is necessary to lessen or prevent either:
  - a serious and imminent threat to an individual's life, health, safety or welfare; or
  - a serious threat to public health, public safety or public welfare; or
  - disclosure is consistent with Information Sharing Guidelines.

3.4.4. We may be required to disclose information by law or for various legal purposes (for example, we often have to provide information on clients to the government bodies that fund our programs).

### **3.5. Data Quality**

3.5.1. SYC will take reasonable steps to ensure that the personal information it collects, uses or discloses is accurate, complete and up to date.

### **3.6. Data Security**

3.6.1. All personal information is held under secure conditions with access restricted to those employees who need it to carry out their work under SYC's programs.

3.6.2. SYC will take reasonable steps to destroy, permanently de-identify or securely archive personal information if it is no longer needed for any purpose. Such personal information cannot be destroyed if it is not allowed under funding body and/or Government regulation.

### **3.7. Openness**

3.7.1. SYC will make this Policy available to anyone who asks for it. Access may be given via the SYC Internet website, via the SYC Intranet or by providing the Policy in hard copy format.

3.7.2. On request by a person to the Executive General Manager, People and Culture, SYC will take reasonable steps to let the person know, generally, what sort of personal information it holds about them, for what purposes, and how it collects, holds, uses and discloses that information.

### **3.8. Access and correction**

3.8.1 You have a right to access your personal information held by SYC, except to the extent that:

- providing access would pose a serious and imminent threat to the life or health of any individual; or
- providing access would have an unreasonable impact on the privacy of other individuals; or
- the request for access is frivolous or vexatious; or
- providing access would be unlawful; or
- denying access is required or authorised by or under law; or
- a law enforcement agency performing a lawful security function asks SYC not to provide access to the information.

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- 3.8.2 We reserve the right to take reasonable steps to ensure that the person seeking access is in fact the individual to whom the data relates; or is otherwise entitled to access the data.
- 3.8.3 Your request to provide access to this information will be dealt with in a reasonable time.
- 3.8.4 We will take reasonable steps to ensure that your personal information is accurate, complete, and up-to-date whenever we collect or use it.
- 3.8.5 If the personal information we hold about you is inaccurate, incomplete or out-of-date, please contact us and we will take reasonable steps to either correct this information, or if necessary, discuss alternative action with you.
- 3.8.6 If access is refused or restricted, we will give an explanation for this decision.
- 3.8.7 All requests to access your personal information held by SYC shall be directed to the Executive General Manager, People and Culture.

**3.9. Unique identifiers**

- 3.9.1 SYC may be obliged to collect and use unique identifiers issued by government agencies.
- 3.9.2 We will not use or disclose such identifiers unless the use or disclosure is necessary for the organisation to fulfil its obligations to an agency.

**3.10. Anonymity**

- 3.10.1. Wherever it is lawful and practicable, clients and customers of SYC will have the option of not identifying themselves when dealing with SYC. However, SYC may be unable to provide the services you are requesting if you do not provide us with your personal information.

**3.11. Cross Border data flows**

- 3.11.1. Personal or private information collected by SYC is collected and used only within Australia.
- 3.11.2. SYC may be required to provide information to government agencies. Data is transmitted to these agencies under secure conditions.

**3.12. Sensitive information**

- 3.12.1. Information on race, ethnicity, religious beliefs, health information or sexual inclination is classed as sensitive information.
- 3.12.2. SYC will not collect or disclose your sensitive information without your consent. We will tell you at or before the time of collecting the information that we are collecting sensitive information about you.
- 3.12.3. SYC will not collect sensitive information about you unless:
  - the collection is required under law;
  - the collection is necessary to prevent or lessen a serious and imminent threat to the life or health of you or any other individual;
  - the information is collected in the course of the normal activities of SYC, and
  - the information relates solely to clients, suppliers, potential employees, employees, volunteers and other stakeholders in connection with the activities of SYC.

3.12.4.SYC will collect sensitive information about you if:

- the collection is necessary for research, or the compilation or analysis of statistics, relevant to government funded targeted welfare or educational services; or
- the collection is of information relating to an individual's racial or ethnic origin and is collected for the purpose of providing government funded targeted welfare or educational services; and
- there is no reasonably practicable alternative to collecting the information for that purpose; and
- it is impracticable for SYC to seek your consent to the collection.

### **3.13. Information Sharing Guidelines**

3.13.1.SYC follows the South Australian Government Information Sharing Guidelines to Promote the Safety and Wellbeing of Children, Young People and their Families (ISG).

3.13.2.This means that SYC will work closely with other agencies to coordinate the best support for young people and their families. Under the ISG a young person's informed consent for the sharing of information will be sought and respected in all situations unless:

- it is unsafe or impossible to gain consent or consent has been refused and
- without information being shared, it is anticipated a child, young person or a member of their family will be at risk of serious harm, abuse or neglect, or pose a risk to their own or public safety.

### **3.14. Information collected from visitors to SYC Websites**

3.14.1.Information regarding the collection of information and the privacy commitment for visitors to SYC Internet websites (including websites for SYC Divisions) is contained in a "Website Privacy Statement" available on all SYC websites at "[Terms and Conditions](#)".

3.14.2.The Website Privacy Statement covers the SYC website (including websites for SYC Divisions). It does not cover links from this website.

### **3.15. Complaints**

3.15.1.If you believe your privacy has been invaded you should speak to your Case Manager or a SYC Manager.

3.15.2.You may lodge a complaint, in writing, to SYC's Privacy Officer ([privacy@sync.net.au](mailto:privacy@sync.net.au)).

3.15.3.If this is not resolved to your satisfaction after 30 days you may make a complaint to the Office of the Australian Information Commissioner on 1300 363 992 or [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au).

## **4. APPLICABILITY, PERIODIC REVIEW REQUIREMENT AND RISK ASSESSMENT**

This policy applies to all SYC Directors, permanent, fixed term or casual employees and to volunteers.

It is the responsibility of SYC's management, employees and volunteers to ensure compliance with this Policy when collecting and managing personal information. All managers will be responsible for the awareness and implementation of this policy in their area.

Organisational compliance with this policy will be determined through Management Review.

Risk Rating: Low

Complaints or suggestions for improvement regarding this Policy or its implementation may be registered in the SYC Continuous Improvement Register.

## **5. ASSOCIATED DOCUMENTS**

In support of this policy, the following documents apply:

Show Your Colours: Towards 2015 SYC's Strategic Plan

All organisational policies, procedures and processes must take into consideration the effect of the defined process on the privacy of the individual and refer to this Policy.

## **6. DEFINITIONS**

For purposes of this document, unless otherwise stated, the following definitions shall apply:

Nil.

## **7. REFERENCES**

[Privacy Act 1988](#) and Amendments

[Australian Privacy Principles](#) (Schedule 1 of the Privacy Act, 1988)

[Office of the Australian Information Commissioner](#)

[Office of the Guardian for Children and Young People](#)