



PRIVACY AND CONFIDENTIALITY POLICY AND PROCEDURES

Applies to	All Sylvanvale members, volunteers, employees, customers/beneficiaries, donors, business partners and online users
Version control	Version: 1.0
Standards or other external requirements	National Standards for Disability Services NSW Disability Services Standards Australian Privacy Principles Guidelines
Legislation or other requirements	Privacy Act 1988 Privacy Regulations 2013 Spam Act 2003 Health Records and Information Privacy Act 2002
Contractual obligations	N/A

1 POLICY STATEMENT

Sylvanvale respects the privacy of all people including members, employees, volunteers, our customers/beneficiaries, donors, business partners and online users, and is committed to safeguarding the personal information that is provided to us.

The [Privacy Act 1988](#) and this Privacy Policy do not apply to acts or practices which directly relate to employee records of Sylvanvale current and former employees.

The purpose of this privacy policy is to:

- Clearly communicate the personal information handling practices of Sylvanvale
- Enhance the transparency of Sylvanvale operations, and
- Give individuals a better and more complete understanding of the sort of personal information that Sylvanvale holds, and the way we handle that information.

2 SPECIFIC RESPONSIBILITY WITHIN CONTEXT OF POLICY

The specific roles and responsibilities within the context of the policy are listed in the table below.

Privacy Officer	Point of contact for any concerns regarding Sylvanvale privacy practices or handling of personal and sensitive information.
-----------------	---

3 PROCEDURES

3.1 Definitions

Definitions of terms used and their meaning within the context of this Policy are listed in the table below.

Term	Definition (with examples if required)
Online Users	Refers to anyone that accesses the Sylvanvale website www.sylvanvale.com.au
Personal Information	As defined by the Privacy Act 1988 (as amended) is information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether true or not, and whether recorded in a material form or not.
Sensitive Information	As defined by the Privacy Act 1988 (as amended) is information or opinion (that is also personal information) about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices or criminal record or health, genetic, biometric information or biometric templates, that is also personal information.
The website	Means the Sylvanvale website www.sylvanvale.com.au

3.2 Outline of this policy

Personal Information Handling Practices explains our general information handling practices across Sylvanvale including information about how we collect, use, disclose and store your personal information.

3.3 Our obligations under the Privacy Act

This privacy policy sets out how we comply with our obligations under the Privacy Act 1988 (Privacy Act). We are bound by the Australian Privacy Principles (APPs) in the Privacy Act which regulate how organisations may collect, use, disclose and store personal information, and how individuals may access and correct personal information held about them.

www.oaic.gov.au/privacy/applying-privacy-law/app-guidelines/

3.4 Collection of personal and sensitive information

If you would like to access any Sylvanvale services on an anonymous basis or using a pseudonym, please tell us. If this is possible and lawful, we will take all reasonable steps to comply with your request. However, we may not be able to provide the services in question if we are not provided with the personal information requested.

The nature and extent of personal and sensitive information collected by Sylvanvale varies depending on your particular interaction with Sylvanvale.

Sylvanvale collects personal and sensitive information from customers/beneficiaries, donors, business partners, Sylvanvale people and online users. Further information about the kind of information collected from each of these groups and the usage of such information is detailed below.

3.5 Sylvanvale customers and beneficiaries

Kind of information collected:

- Contact details (name, address, email etc.)
- Personal details including: date of birth, gender, income
- Information on personal issues and experiences, relationships
- Family background, supports customers may have in the community
- Areas of interest
- Health information and/or medical history
- Credit card numbers or bank account details.

How the information is collected:

- Membership applications
- Online registration
- Telephone
- Service agreements
- Enrolment forms.

Purpose for which Sylvanvale uses the information:

- To provide Sylvanvale services
- To provide customers/beneficiaries with the most appropriate services for their needs
- To meet any requirements of government funding for programs
- To monitor and evaluate existing services and plan for future services
- To produce annual reports
- For research purposes which may involve contracted organisations and for which informed consent will be sought
- To comply with legal obligations.

3.6 Sylvanvale Donors

Kind of information collected:

- Contact details (name, address, telephone numbers, email etc.)
- Personal details including: date of birth, gender, income
- Areas of interest
- Donation history
- Credit card numbers or bank account details of all our donors
- Expiration date of credit card.

How the information is collected:

- Communications, email, flyers
- Online registration
- Telephone – call centre.

Purpose for which Sylvanvale uses the information:

- To provide Sylvanvale services
- To process donations and provide accurate receipts
- To facilitate on-going fundraising and marketing activities
- To comply with legal obligations
- To provide transparency relating to donated funds, particularly for Appeals for public donations.

3.7 Sylvanvale Business Partners

Type of information collected:

- Contact person's name, the name of the organisation which employs the person, telephone numbers, fax number, street and postal address, email address and position title
- Areas of interest by category and industry
- Bank details (if Sylvanvale is to receive payment or make payment for services received)
- Australian Business Number (ABN)
- Type of support (e.g. workplace giving, goods in kind, program support, volunteering).

How the information is collected:

- Communications, email, flyers
- Online registration
- Telephone.

Purpose for which Sylvanvale uses the information:

- To provide Sylvanvale services
- To process donations and provide accurate receipts
- To pay for services
- To establish and manage partnerships
- To receive services from you or the organisation which employs you
- To manage Sylvanvale relationship with the business partner
- To provide information about Sylvanvale services
- To update the company on Sylvanvale appeals for public donations, programs and services.

 Refer to: [Research policy and procedures](#)

3.8 Sylvanvale People

Volunteers, employees, delegates and candidates for volunteer work and prospective employees.

Type of information collected:

- Contact details (name, address, telephone numbers, email etc.)
- Personal details including personal details of emergency contact person(s)
- Date of birth
- Country of birth, citizenship, residency and/or visa details
- Details of current/previous employment or volunteer involvement
- Skills and experience
- Languages spoken and written
- Qualifications, drivers licence details
- Information and opinions from referees for prospective employees and candidates for volunteer work.

A Police Check and Working with Children Check is required for all roles in Sylvanvale. Individuals will be required to provide certain information for a Police Check. There are different arrangements for Police Checks in each state and territory of Australia.

In some cases the Police Check will be received directly by Sylvanvale and then stored securely or destroyed.

In some rare situations it is necessary for Sylvanvale to collect or receive information about an individual's health. In this circumstance, Sylvanvale will advise why the information is being collected and whether and to whom it will be released.

Purpose for which Sylvanvale uses the information:

- To provide Sylvanvale services
- To process an application to become a member, volunteer or employee of our organisation
- To facilitate a placement in an appropriate service or position
- To assist with services whilst an individual is employed or engaged as a volunteer with Sylvanvale
- To provide feedback on performance as a volunteer or employee
- To meet legislative responsibilities to all volunteers and employees
- To obtain feedback from individuals about their experiences
- To assist Sylvanvale to review and improve its programs and services to keep individuals informed about Sylvanvale developments and opportunities
- To provide information about services
- To facilitate further involvements with Sylvanvale (e.g. Disability supports, membership or donor or supplier).

 Refer to: [Recruitment policy and procedures](#)

 Refer to: [Purchasing policy and procedures](#)

3.9 Sylvanvale Members

Type of information collected:

- Contact details (name, address, telephone numbers, email etc.)
- Date of birth
- Credit card details
- Expiration date of credit card
- Areas of interest.

Purpose for which Sylvanvale uses the information:

- To provide Sylvanvale services
- To provide communication updates and ensure transparency
- Relating to donated funds, particularly Appeals for public donations, and Sylvanvale operations
- To process donations and provide accurate receipts
- To facilitate ongoing fundraising and marketing activities
- To provide information about Sylvanvale Limited
- To receive invitations to upcoming events and activities
- To recognise your support of Sylvanvale.

3.10 Online Users

To the extent that this Privacy Policy applies to online privacy issues, it is to be read as forming part of the terms and conditions of use for the Sylvanvale website.

Type of information collected:

- Contact details (name, address, telephone numbers, email etc.)
- Credit card number
- Expiration date of credit card
- Non-personal information e.g. visitor navigation and statistics
- Server address, browser type, date and time of visit
- Personal information.

Purpose for which Sylvanvale uses the information:

- To process donations, purchase orders, online bookings, purchases/transactions (e.g. booking Gala Dinner tickets)
- To analyse website usage and make improvements to the website
- Sylvanvale does not match the personal information collected with the non-personal information.

3.11 Additional information

The website may from time to time contain links to other websites. Sylvanvale stresses that when an online user accesses a website that is not the Sylvanvale website, it may have a different privacy policy. To verify how that website collects and uses information, the user should check that particular website's policy.

We will never knowingly send you electronic messages without your consent. Refer to the [Spam Act 2003](#) for more information.

3.12 How we collect information

At initial intake/initial assessment, where possible, we collect your personal and sensitive information directly from you. We collect information through various means, including telephone and in-person interviews, appointments, forms and questionnaires. If you feel that the information that we are requesting, either on our forms or in our discussions with you, is not information that you wish to provide, please feel free to raise this with us.

In some situations we may also obtain personal information about you from a third party source. If we collect information about you in this way, we will take reasonable steps to contact you and ensure that you are aware of the purposes for which we are collecting your personal information and the organisations to which we may disclose your information, subject to any exceptions under the Act. For example, we may collect information about you from a health care professional, such as your doctor.

 Refer to: [Service access and exit policy and procedures](#)

3.13 Health Information

As part of administering Sylvanvale services, Sylvanvale may collect health information. For example, Sylvanvale collects health information (such as medical history) from some customers/beneficiaries participating in Sylvanvale programs. When collecting health information from you, Sylvanvale will obtain your consent to such collection and explain how the information will be used and disclosed.

If health information is collected from a third party (such as your doctor), Sylvanvale will inform you that this information has been collected and will explain how this information will be used and disclosed.

Sylvanvale will not use health information beyond the consent provided by you, unless your further consent is obtained or in accordance with one of the exceptions under the Privacy Act or in compliance with another law. If Sylvanvale uses your health information for research or statistical purposes, it will be de-identified if practicable to do so.

 Refer to: [Health Records and Information Privacy Act 2002](#)

3.14 Use and disclosure of personal information

We only use personal information for the purposes for which it was given to us, or for purposes which are related to one of our functions or activities. This includes the lawful functions and activities of the Sylvanvale Board of Directors.

For the purposes referred to in this Privacy Policy (discussed above under 'Collection of Personal and Sensitive Information'), we may also disclose your personal information to other external organisations including:

- Government departments/agencies who provide funding for Sylvanvale services
- Contractors who manage some of the services we offer to you, such as distribution centres who may send information to you on behalf of Sylvanvale. Steps are taken to ensure they comply with the APPs when they handle personal information and are authorised only to use personal information in order to provide the services or to perform the functions required by Sylvanvale
- Doctors and health care professionals, who assist us to deliver our services
- Other regulatory bodies, such as WorkSafe
- Referees and former employers of Sylvanvale employees and volunteers, and candidates for Sylvanvale employee and volunteer positions, and
- Our professional advisors, including our accountants, auditors and lawyers.

Except as set out above, Sylvanvale will not disclose an individual's personal information to a third party unless one of the following applies:

- The individual has consented
- The individual would reasonably expect us to use or give that information for another purpose related to the purpose for which it was collected (or in the case of sensitive information – directly related to the purpose for which it was collected)
- It is otherwise required or authorised by law
- It will prevent or lessen a serious threat to somebody's life, health or safety or to public health or safety
- It is reasonably necessary for us to take appropriate action in relation to suspected unlawful activity, or misconduct of a serious nature that relates to our functions or activities
- It is reasonably necessary to assist in locating a missing person
- It is reasonably necessary to establish, exercise or defend a claim at law
- It is reasonably necessary for a confidential dispute resolution process
- It is necessary to provide a health service
- It is necessary for the management, funding or monitoring of a health service relevant to public health or public safety
- It is necessary for research or the compilation or analysis of statistics relevant to public health or public safety
- It is reasonably necessary for the enforcement of a law conducted by an enforcement body
- We do not usually send personal information out of Australia. If we are otherwise required to send information overseas we will take measures to protect your personal information. We will protect your personal information either by ensuring that the country of destination has similar protections in relation to privacy or that we enter into contractual arrangements with the recipient of your personal information that safeguards your privacy.

3.15 Security of personal and sensitive information

Sylvanvale takes reasonable steps to protect the personal and sensitive information we hold against misuse, interference, loss, unauthorised access, modification and disclosure.

These steps include password protection for accessing our electronic IT system, securing paper files in locked cabinets and physical access restrictions. Only authorised personnel are permitted to access these details.

When personal information that we collect is no longer required, we destroy, delete or de-identify it in a secure manner, in accordance with Sylvanvale's Document and Records Management policy.

 Refer to: [Document and records management policy and procedures](#)

3.16 Access to and correction of personal information

If an individual requests access to the personal information we hold about them, or requests that we change that personal information, we will allow access or make the changes unless we consider that there is a sound reason under the Privacy Act or other relevant law to withhold the information, or not make the changes.

Requests for access and/or correction should be made to the Privacy Officer (details of which are set out below). For security reasons, you will be required to put your request in writing and provide proof of your identity. This is necessary to ensure that personal information is provided only to the correct individuals and that the privacy of others is not undermined.

In the first instance, Sylvanvale will generally provide a summary of the information held about the individual. It will be assumed (unless told otherwise) that the request relates to current records. These current records will include personal information which is included in Sylvanvale data bases and in paper files, and which may be used on a day to day basis.

We will provide access by allowing you to inspect, take notes or print outs of personal information that we hold about you. If personal information (for example, your name and address details) is duplicated across different databases, Sylvanvale will generally provide one printout of this information, rather than multiple printouts.

We will take all reasonable steps to provide access or the information requested within 14 days of your request. In situations where the request is complicated or requires access to a large volume of information, we will take all reasonable steps to provide access to the information requested within 30 days.

Sylvanvale may charge you reasonable fees to reimburse us for the cost we incur relating to your request for access to information, including in relation to photocopying and delivery cost of information stored off site. For current fees, please contact the Privacy Officer.

If an individual is able to establish that personal information Sylvanvale holds about her/him is not accurate, complete or up to date, Sylvanvale will take reasonable steps to correct our records.

Access will be denied if:

- The request does not relate to the personal information of the person making the request
- Providing access would pose a serious threat to the life, health or safety of a person or to public health or public safety
- Providing access would create an unreasonable impact on the privacy of others
- The request is frivolous and vexatious
- The request relates to existing or anticipated legal proceedings
- Providing access would prejudice negotiations with the individual making the request
- Access would be unlawful
- Denial of access is authorised or required by law
- Access would prejudice law enforcement activities
- Access would prejudice an action in relation to suspected unlawful activity, or misconduct of a serious nature relating to the functions or activities of Sylvanvale Limited
- Access discloses a 'commercially sensitive' decision making process or information, or
- Any other reason that is provided for in the APP's or in the Privacy Act.

If we deny access to information we will set our reasons for denying access. Where there is a dispute about your right of access to information or forms of access, this will be dealt with in accordance with the complaints procedure set out below.

3.17 Complaints procedure

If you have provided us with personal and sensitive information, or we have collected and hold your personal and sensitive information, you have a right to make a complaint and have it investigated and dealt with under this complaints procedure.

If you have a complaint about Sylvanvale privacy practices or our handling of your personal and sensitive information please contact our Privacy Officer (details of which are set out below).

All complaints will be logged on our database.

A privacy complaint relates to any concern that you may have regarding Sylvanvale privacy practices or our handling of your personal and sensitive information. This could include matters such as how your information is collected or stored, how your information is used or disclosed or how access is provided to your personal and sensitive information.

The goal of this policy is to achieve an effective resolution of your complaint within a reasonable timeframe, usually 30 days or as soon as practicable.

However, in some cases, particularly if the matter is complex, the resolution may take longer. Once the complaint has been made, we will try to resolve the matter in a number of ways such as:

- Request for further information: We may request further information from you. You should be prepared to provide us with as much information as possible, including details of any relevant dates and documentation. This will enable us to investigate the complaint and determine an appropriate solution. All details provided will be kept confidential.
- Discuss options: We will discuss options for resolution with you and if you have suggestions about how the matter might be resolved you should raise these with our Privacy Officer.
- Investigation: Where necessary, the complaint will be investigated. We will try to do so within a reasonable time frame. It may be necessary to contact others in

order to proceed with the investigation. This may be necessary in order to progress your complaint.

- Conduct of our employees: If your complaint involves the conduct of our employees we will raise the matter with the employee concerned and seek their comment and input in the resolution of the complaint.
- The complaint is substantiated: If your complaint is found to be substantiated, you will be informed of this finding. We will then take appropriate agreed steps to resolve the complaint, address your concerns and prevent the problem from recurring.
- If the complaint is not substantiated, or cannot be resolved to your satisfaction, but this Privacy Policy has been followed, Sylvanvale may decide to refer the issue to an appropriate intermediary. For example, this may mean an appropriately qualified lawyer or an agreed third party, to act as a mediator.
- At the conclusion of the complaint, if you are still not satisfied with the outcome you are free to take your complaint to the Office of the Australian Information Commissioner at www.oaic.gov.au. We will keep a record of your complaint and the outcome.

We are unable to deal with anonymous complaints. This is because we are unable to investigate and follow-up such complaints. However, in the event that an anonymous complaint is received we will note the issues raised and, where appropriate, try and investigate and resolve them appropriately.

 Refer to: [Feedback and complaints policy and procedures](#)

3.18 Changes to this Privacy Policy

Sylvanvale reserves the right to review, amend and/or update this policy from time to time.

We aim to comply with the APPs and other privacy requirements required to be observed under State or Commonwealth Government contracts.


If further privacy legislation and/or self-regulatory codes are introduced or our Privacy Policy is updated, we will summarise any substantial modifications or enhancements in this section of our Privacy Policy.

3.19 How to contact us

Individuals can obtain further information in relation to this privacy policy, or provide any comments, by contacting us:

Privacy Officer

General Manager Customer and Community Relations

 Phone: (02) 8536 0100

Post: PO Box 29 SUTHERLAND NSW 1499

Email: privacy@sylvanvale.com.au

4 DOCUMENTATION

Documents related to this policy

Related policies	Research policy and procedures Recruitment policy and procedures Purchasing policy and procedures Service access and exit policy and procedures Feedback and complaints policy and procedures Documents and records management policy and procedures
Forms, record keeping or other organisational documents	N/A

Reviewing and approving this policy

Frequency	3 years
Person responsible	Chief Executive Officer (CEO)
Approval	Sylvanvale Board

Policy review and version tracking

Review	Date Approved	Approved By	Next Review Due
1	16/02/2016	Sylvanvale Board	16/02/2019
2			
3			