



Form CM1.3.3 Privacy Information Agreement

1. Introduction

Phoenix Lifestyle Support Association Inc (“we” or “us”) value your privacy. We take reasonable steps to protect your personal information. We abide by the requirements of the *Privacy Act 1988 (Cth)* (“Act”) in relation to the collection, use and disclosure of your personal information and comply with other applicable laws protecting privacy including State and Territory health information legislation.

By engaging our services or providing personal information to us, you consent to our collection, use and disclosure of that information as per the terms of Privacy Information Agreement, FormCM1.3.3 and any other contractual or other arrangements (if any) that may apply between us.

2. Scope of this Privacy Information Agreement Form

The Privacy Information Agreement, Form CM1.3.3 describes how your privacy is respected and protected in accordance with the Australian Privacy Principles. It applies to all information we collect about you through the use of our services. This includes personal information collected in person, in forms completed by you or on your behalf, by telephone, through our website, via other service providers and by other electronic communication channels (e.g. desktop, laptop, mobile phone or other consumer electronic device) to access our services.

3. Agreeing to these terms (use constitutes acceptance)

Your continued use of our service indicates that you accept the conditions of the Privacy Information Agreement, Form CM1.3.3 and consent to the collection and use by us of any personal information you provide while using our services.

4. What is personal information?

Personal information is any information that can be used to identify you. This may include your name, address, telephone number, email address and profession or occupation. If the information we collect personally identifies you, or you are reasonably identifiable from it, the information will be considered personal information.

5. Why do we collect personal information?

We collect personal information that is necessary for us to undertake and provide our services and activities. Due to the nature of our services, this may include sensitive information, including health information.

We also collect personal information so that we can improve and perform our business activities and functions, to provide you with any products or services you may request, or to respond to any query or complaint that you may have.

6. When do we collect personal information?

Examples of personal information we may collect, and when we may collect it, include (but is not limited to) the following:

- **Providing services to participants** – we collect our participants', and their family members' personal information, such as names, addresses and other contact details. Information which we may collect from participants includes date of birth, other information about our participants' needs and circumstances (such as living arrangements), records of communication and as otherwise required in order to provide our services. This information may include health information about them. The specific information will depend on the type of service provided and will be collected from the participant before and during the provision of services.
- **Distributing publications**– if we have met you or provided services to you we may collect and store your personal information on our publication list (which may include name, address, email address, and mobile phone number) in order to distribute newsletters and other communications in print and electronic form from time to time.
- **Assisting with your queries** - you may choose to provide us with your name or other contact details when you call us by phone or write to us so that we can respond to your requests for information about our services or operations. If you choose to remain anonymous we may not be able to provide the full range, or any, services to you.
- **Conducting our general business activities** - we collect personal information about individuals for our general business operations. From time to time, we may collect, use and disclose your personal information for quality assurance, risk management, billing and administrative purposes.
- **Sensitive Information:** we may collect sensitive information if it is relevant to the provision of our services. That information will be treated in accordance with requirements of the Privacy Act and any state and territory health information legislation.

7. How do we collect your personal information?

It is our usual practice to collect personal information directly from you or your authorised representative such as a parent, guardian or other responsible person. We collect information from an authorised representative if you have consented for us to collect the information in this way, or where it is not reasonable or practical for us to collect this information directly from the participant (such as in an emergency, because the participant is not able to provide the information required or where collection in this way is a lawful, reasonable and efficient way to collect the information without inconvenience to the participant).

If you choose not to provide certain personal information to us, we may not be able to provide you with the services you require or communicate with you.

In addition to the means of collection set out above, we may also collect personal information:

- when you provide information through our website;
- from publicly available sources of information;
- from third parties, where it is reasonably necessary or normal business practice, so that we can continue to provide you with our services.

How do we use your personal information?

We use and disclose personal information we collect:

- to provide and improve our services to our participants and their family members, including to:
 - identify and provide services required including those offered by third parties;
 - allow exchange of information between service providers with whom we deal with on behalf of participants;

- assess the adequacy of, and our participants' and their family members' level of satisfaction with, our services;
- to verify your identity;
- to communicate with our participants and their family members and distributing our publications, conducting events and raising awareness about our services;
- to undertake our general business activities, including interacting with contractors and service providers, billing and administration;
- to administer and manage our services including charging and billing you for those products (as applicable);
- to conduct appropriate checks for fraud;
- to update our records and keep your contact details up to date;
- maintain and develop our business systems and infrastructure, including testing and upgrading of these systems; and/or
- for other purposes with your consent or as permitted by law.

8. When will we disclose your personal information?

We will not share any of your personal information with third parties without your consent except:

- if we are required by law or we believe in good faith that such action is necessary in order to comply with law, cooperate with law enforcement or other government agencies, or comply with a legal process served on the company (including other service providers or insurers) or court order;
- if the disclosure of the information will prevent or lessen a serious and imminent threat to somebody's life or health;
- to our contractors, service providers and volunteers only to the extent necessary for them to perform their duties to us; or
- to our related companies;
- to our professional advisers, including our accountants, auditors and lawyers;
- to any governmental or semi - governmental organisation who requests it (including but not limited to as part of any application for a grant or other benefit under the NDIS);
- if you are a participant, to your family members or your health or other service providers if required for us, or other service providers, to provide services to you;
- if you are not able to provide us with consent, we may use and disclose your personal information with the consent of a responsible person (as defined under the Privacy Act)
- as otherwise permitted by law.

If we retain any sensitive information, that information will not be used, shared or disclosed without your express or implied consent that is current, voluntarily given and obtained in accordance with the Privacy Principles. If you are unable to give consent then we may use and disclose your personal and sensitive information with the consent of a responsible person (as defined under the Privacy Act)

9. Security of your personal information

We regard the security of your personal information as a priority and implement a number of reasonable physical and electronic measures to protect it. Staff and volunteers who may have access to your information are required to sign a confidentiality agreement and if contract service providers are used, they will be bound by our Privacy, Dignity and Confidentiality Policy, Confidentiality Agreement, Forms CM2.4.2 and CM2.4.1 (for Committee members) and Privacy Information Agreement, Form CM1.3.3 .

We remind you, however, that the internet is not a secure environment and although all care is taken, we cannot guarantee the security of information you provide to us via electronic means.

10. Data quality

We take all reasonable steps to ensure that the personal information we collect is accurate, up to date and complete. This includes maintaining and updating personal information when we are advised it has changed and at other times as necessary.

11. Cross border data transfer

We operate only within Australia and will not provide your information to parties in any other country. We do from time to time, however, use web-based programs for particular activities such as email broadcast which may be hosted offshore, or cloud service providers but only when the supplier agrees with us to be bound by privacy laws or where the jurisdiction in which the data is located has laws that are equal to or better than Australian privacy laws.

12. What if there is a data breach?

We take all reasonable steps to prevent data breaches. However, if we suspect that a data breach has occurred, we will undertake a reasonable and expeditious assessment to determine if the data breach is likely to result in serious harm to any individual affected. If so, we will:

- take all reasonable steps to contain the breach;
- where possible, taking action to remediate any risk of harm;
- notify individuals and the Commissioner where an individual is likely to suffer serious harm (or if otherwise required by law); and
- review the incident and consider what actions can be taken to prevent future breaches.

13. Accessing and correcting your information

You are entitled to view the information we hold about you and reasonable requests for access and correction will be responded to as quickly as possible. Access to a large amount of information or information from various sources within the organisation may take time before we can respond. If you wish to view the information we hold about you, please contact the Manager using the contact detailed set out below. If we refuse to give you access to your personal information or to correct your personal information, we will give a reason for this decision. Generally, if requested, we will amend any personal information which you demonstrate is inaccurate, incomplete or not current, and will remove any information that is not relevant. If we disagree with your view on these matters we will keep a note on the file setting out your view of the information held.

14. Links to other websites

Our websites may contain links to third party websites, and third party websites may also have links to our websites. We do not endorse any of those websites or links. Privacy Information Agreement, Form CM1.3.3 does not apply to external links or other websites who may also collect your personal information. We encourage you to read the privacy policies of any website you link to from our website.

15. Effective date and updates

This is our current Privacy Information Agreement, Form 1.3.3. We may at any time vary this Privacy Information Agreement Form CM1.3.3 by publishing an updated version on our website. You accept that by using the website or continuing to use our services, provided you with sufficient notice of the variation.

16. Changes to this Privacy Information Agreement form

We reserve the right, as it may be necessary, to review, revise or make changes to our Privacy Information Agreement, Form CM1.3.3 and will notify you of those changes by posting those changes on our web site.

17. Complaints

If you wish to make a complaint about a possible breach of privacy, please provide full details of your complaint in writing, and send it to the Manager

If your complaint relates to our failure to provide access to or to correct any personal information that we hold about you, you may lodge a complaint directly with the Office of the Australian Information Commissioner (for more information, please see www.oaic.gov.au)

If your complaint does not relate to these matters, you must first lodge a complaint with us in writing and provide us with details of the incident so that we can investigate. We will treat your complaint confidentially, investigate your complaint and aim to ensure that we contact you and your complaint is resolved within a reasonable time (and in any event within the time required by the relevant privacy legislation, if applicable).

Individuals enquiring about their rights and remedies for breaches of privacy, can access detailed information at the Office of the Australian Information Commissioner, www.oaic.gov.au

18. More Information

If you would like more information about our Privacy Information Agreement form or the way we manage your personal information, you can contact the Manager by -:

Email: phoenix@phoenixlsa.org.au

Mail: T21/30-32 Cypress Street.
Redland Bay, QLD 4165

Phone: 07 3829 2992
0408 483 380

Alternatively, additional information on the Australian Privacy Principles can be obtained from <http://www.oaic.gov.au/>