

# Amber Community Privacy Policy

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Drafted by	B Nugent	Approved by Board on	18 August 2021
Responsible person	B Nugent	Scheduled review date	1 July 2022

Amber Community is committed to protecting the privacy of personal information held or collected by the organisation in accordance with the Australian Privacy Principles (APPs), which came into effect on 12 March 2014, and updated from time to time. Due to the nature of our services, it is necessary for us to collect information in order to provide appropriate services, to facilitate our funding requirements and for your safety.

This Policy explains how Amber Community complies with the relevant Australian Federal, State and Territory Acts and Legislation in relation to the collection, use, disclosure and handling of your personal information.

This Policy does not apply to the collection or use of information about corporations.

## General privacy principles

- Information will be collected only if necessary and for the purpose which it is collected. Therefore, it is limited to relevant, up to date matters.
- If you choose to engage with Amber Community for counselling, we require your consent to collect information about you, and your counsellor will inform you about what information is being collected, how it is used and where it is stored.
- The collection of information is necessary to provide you with appropriate care and is carried out to the professional rules of confidentiality that we are bound by. Confidentiality guidelines will be discussed with you by your counsellor.
- The collection of de-identified information is for the purpose of research or statistical purposes.
- Consent is not required if:
  - Serious or imminent threats to life or health
  - Deidentified information is required for management, research or statistical purposes.
- Adult records are stored for seven years following the last contact (in the absence of relevant legislation)
- Child records are stored until the day the child turns 25 years of age (in the absence of relevant legislation).

## Privacy guidelines

### 1. Personal and sensitive information

Personal information includes a broad range of information, or an opinion, that could identify an individual.

Personal information may include:

- Your name
- Contact details (including email and mailing address and phone numbers)
- Your date of birth
- Bank account/credit details, driver's license and criminal charges for participants in our Road Trauma Awareness Seminar Program. [Privacy Policy for participants](#) is located at the bottom of the booking form.
- Demographic information
- Counsellors write counselling notes following sessions with clients. The details in the notes relate specifically to what was discussed in the sessions.
- Counselling clients: You may choose not to share any additional information with us or use a pseudonym for your interaction with us.

Sensitive information is personal information that includes information or an opinion about an individual and includes but is not limited to:

- Race or ethnic origin
- Political opinions or associations
- Religious or philosophical beliefs
- Sexual orientation or practices
- Criminal record
- Health or genetic information.

Amber Community only collects sensitive information that is directly related to the reason they have engaged with the organisation and will only be collected with consent from the individual.

## **2. How we collect personal information**

Amber Community collects personal information only by fair and lawful means where it is reasonable and practical to do so. This information can be collected by the following means:

- Correspondence and phone calls
- Conference and other event registration forms
- Online booking system
- Sign up for newsletters and publications
- Amber Community may also seek personal information from publicly available sources, such as directories, or educational institutions, registration boards or employers, for the purpose of verifying information provided to Amber Community.
- Amber Community considers handling the personal information of an individual under the age of 18. We must decide if the individual has the capacity to consent on a case-by-case basis. As a general rule, an individual under the age of 18 has the capacity to consent if they have the maturity to understand what's being proposed. If they lack maturity, it may be appropriate for a parent or guardian to consent on their behalf.
- If it's not practical for Amber Community to assess the capacity of individuals on a case-by-case basis, as a general rule, Amber Community may assume an individual over the age of 16 has capacity unless they're unsure.

## **3. How we use your personal information**

Your personal information may be used in order to:

- Provide you with a large range of services
- Administer, manage and develop our services
- Comply with our statutory, legislative, legal or contractual obligations
- Communicate with you and assist you with your enquiries
- Respond to requests, inquiries, complaints or applications
- With your permission, to update you on relevant services, newsletters, and events
- Conduct data analysis and audits
- Identify usage trends.

#### 4. When we disclose your personal information

Amber Community has policies and systems to protect the privacy of clients and education program participants. However, for the purposes outlined above, we may at times disclose your personal information to external organisations. This information will only be disclosed with permission from the person in question. There are also occasions when deidentified information is disclosed:

- To our professional advisors, including auditors
- Government authorities, as required or authorised by law
- Providers of insurance products that cover the organisations' staff and activities
- Required by law: legal proceedings, courts and law enforcement
- Emergency: serious threats to life, health or safety.

#### 5. Accuracy of and access to personal information

Amber Community strives to keep accurate records of the personal information we collect.

- Accuracy depends on the information provided to the organisation, and it is your choice about how much you wish to provide.
- You have a right to access your personal information held by Amber Community, and you can apply to the CEO in writing at [office.manager@ambercommunity.org.au](mailto:office.manager@ambercommunity.org.au).
- Your request must contain your name and address, the contact number you used to access our services, sufficiently identify the information you wish to access and provide your authority if requesting information on behalf of another person.
- We may charge a fee to cover our reasonable costs in meeting an access request. You will be provided with access to the information within 30 days of the request (unless unusual circumstances apply).
- We are not required to give you access to your information if:  
it would be unlawful to do so; or  
denying access is required or authorised by an Australian law or a court/tribunal order; or  
to do so would likely prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body.
- If we do not give you access to your information, you will receive a written notice that explains the reason for the refusal.
- You may print a copy of the Privacy Policy for your records.

#### 6. Storing information

Amber Community is required to store information for counselling clients for a minimum of seven years following the last contact and for records for children until the day the child turns 25 years of age. Records are kept for the following purposes. We take reasonable steps to protect your information against misuse, interference, loss, unauthorised access, and disclosure. These protective steps may include:

- confidentiality requirements of our employees and subcontractors
- limiting access to information to employees who have a need to use the information
- educating our employees in relation to obligations under the relevant Federal, State and Territory Acts and legislation and ethical codes of conduct for health practitioners
- document and file storage security policies
- security measures for restricted access to our systems
- deletion, destruction or de-identification of information where it is no longer required by us
- **Counselling clients:** To provide a record of your contact to ensure that you receive appropriate support
- **Road Trauma Awareness Seminars Program:** Here is a link related to holding and storing your information. [Privacy Policy for participants](#) is located at the bottom of the booking form.

## 7. Correction

We aim to ensure that the information we hold is accurate, complete and up-to-date. We encourage you to contact us in order to update any information we hold about you. Our contact details are set out at the end of this Policy.

If you contact us regarding an apparent inaccuracy in relation to your information and we are satisfied that the information is inaccurate, out-of-date, incomplete, irrelevant or misleading, then reasonable steps will be taken to correct the information within 30 days or a longer period as we agree with you in writing.

If we determine that the correction is not required, we will provide you with written notice stating the reasons why the correction was not made and refer you to our complaints procedure.

If a correction is made to any information that was previously disclosed to a third party, as long as it is reasonable to do so, we will give each such recipient written notice of the correction within a reasonable period. We will also notify you that the correction has been made.

If you have a complaint or any questions about the privacy of your personal information, please call Amber Community Monday to Friday between 9:00 am and 5:00 pm EST on +61 (03) 8877 6900. Alternatively, you can write to the CEO, Suite 2/109 Whitehorse Road, Blackburn, VIC 3130.