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## Purpose

This Privacy Policy describes how the Victorian Foundation for Survivors of Torture (Foundation House) collects, holds, uses, discloses and otherwise manages your personal information. If you have any questions about this Privacy Policy, please contact Foundation House's Privacy Officer on the contact details below.

### Contact details

Privacy Officer

Phone: 03 9389 8900

Post: 4 Gardiner Street, Brunswick, Victoria 3056

Email: [privacy@foundationhouse.org.au](mailto:privacy@foundationhouse.org.au)

## Scope

This Policy applies to the Victorian Foundation for the Survivors of Torture Inc. (VFST), referred to as Foundation House.

This Privacy Policy may be reviewed and amended from time to time to reflect our current obligations and activities. Any changes will take effect from the time that they are posted on our website.

## Policy statement

Foundation House respects and is committed to protecting your privacy. Foundation House complies with laws that protect your personal information, including the *Privacy Act 1988* (Cth) (**Privacy Act**) and the *Victorian Privacy and Data Protection Act 2014* and the *Health Records Act 2001* where applicable.

## Policy details

### What is personal information?

'Personal information' is any information or opinion about an identified individual or an individual who is reasonably identifiable, regardless of whether the information or opinion is true or not or whether it is recorded in a material form or not.

'Sensitive information' is a subset of personal information that is given a higher level of protection because of its sensitive nature. It includes health information, as well as personal information that is about an individual's:

- racial or ethnic origin
- political opinions
- membership of a political association, a professional or trade association, or trade union
- religious beliefs or affiliations
- philosophical beliefs
- sexual orientation or practices, or
- criminal record.

Because of the nature of our organisation and the services that we provide, the personal information we collect may include a large amount of sensitive information.

## What personal information do we collect?

The personal information we collect about you depends on your relationship with us and the nature of any services that we provide to you.

### Clients

We offer a wide range of services to our clients, and the information we collect about you will depend on what services we are providing to you and may include:

- your name and contact details, gender and date of birth
- your country of birth and languages spoken
- your immigration status (including your Immigration number and Boat identification number)
- your family circumstances, housing situation and any legal issues
- your Medicare details (if we are providing you with a mental health clinic service)
- information about other support services you may be accessing, or other individuals who are providing you with support

We may also collect information that you chose to provide to us at the time of referral or when receiving counselling, advocacy or health services from us. This may include personal information that is very sensitive, such as health information, information about your history of detention, your past experiences, or your ethnic, religious or political background. It may also include information that you provide to us about your family members, friends or other associates.

We will generally collect your personal information directly from you. However we may also collect your personal information from other people such as someone referring you to us, a family member or friend of yours, your immigration case worker, your lawyer, or a worker from another Australian agency or service that is providing you with support.

### Employees, volunteers, students, contractors and job applicants

Depending on whether you are an employee, volunteer, a contractor or a job applicant, we may collect the following personal information about you:

- your name, contact details, date of birth, and details of emergency contact(s)
- your position, department, rate of pay, banking details, leave history and applications
- your qualifications, past employment history, membership of or accreditation with professional associations, contact details of referees
- details of your Working with Children Checks and national police record checks
- information about your induction, probation, training and performance
- your ABN and insurance details (where applicable)
- your Medicare provider number (where applicable)
- health information where relevant to your role with us.

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We will generally collect your personal information directly from you, however we may also collect your personal information from third parties such as your nominated referees (if you are a job applicant), other workers in our organisation (including other employees, volunteers and contractors), and from external organisations such as educational institutions, professional bodies or government agencies.

## **External professionals involved in our activities**

We collect the name and contact details of external professionals who participate in our activities such as professional and organisational development programs, programs based in schools and workplaces, forums, networks, research projects and other collaborative activities. We may also collect your position, employer and/or area of practice, any dietary requirements, and details of an emergency contact.

We may collect this information directly from you, or from a third party such as your employer where they are facilitating your participation in the program.

## **Supporters**

We collect the name and contact details of our supporters. We may also collect your position, organisation, and your credit card details where you have elected to pay membership fees or make donations using a credit card. If you are a member then we will also collect details of your membership with us.

We will only collect your personal information directly from you.

## **Website users**

When you visit our website or download information, we will collect and store and your assigned IP address, the date and time of your visit, the information accessed and the referring page. Information which you submit to us in web forms or other means may be stored and used according to this Privacy Policy. We may use the information you provide within Foundation House for the purpose of responding to your comments or questions, providing follow-up information about Foundation House's activities, reporting on website use, and to improve our website.

## **Dealing with us anonymously or using a pseudonym**

If it is lawful and practical, you may have the option of not identifying yourself or using a pseudonym when dealing with us. However, because of the nature of the services that we provide, some people may not have this option because of legal requirements or because it would be impracticable and we would be unable to provide our services. In general:

- if you are an employee, volunteer, student, contractor or job applicant with us, you don't have the option of dealing with us anonymously or pseudonymously
- if you are a supporter or an external professional involved in our activities, you have the option of dealing with us anonymously or pseudonymously
- if you are a client, it depends on what Foundation House program(s) you access. For example clients may not be able to deal with us anonymously or using a pseudonym if they are detention clients (due to requirements of the Department of Immigration and Border Protection), or clients of Foundation House's Refugee Mental Health Clinic (as access to that service requires Medicare details).

## How we use and disclose your personal information

How we use and disclose your personal information also depends on your relationship with us and the nature of any services that we provide to you.

### Clients

The main purpose for which we use your personal information is to provide you with our services. We may also use your personal information for internal quality improvement. Where we are required to do so by our funding agreements, we may also disclose your personal information to external agencies. With your consent, we may also disclose your information to other organisations or professionals who we are dealing with on your behalf.

We will seek consent from you prior to using or disclosing your personal information for other purposes such as research, training, public policy advocacy, or preparation of promotional materials.

### Employees, volunteers, students, contractors and job applicants

We may use your personal information for the purposes of administration and management of Foundation House, internal communications, and internal quality improvement. Where we are required to do so by law or by our funding agreements, we may also disclose your personal information to external agencies. We will seek consent from you prior to using or disclosing your personal information for other purposes such as research or preparation of promotional materials.

### External professionals involved in our activities

We use your personal information to facilitate your involvement in our programs and services, and for internal quality improvement purposes. Where we are required to do so by our funding agreements, we may also disclose your personal information to external agencies. We may disclose your information to your employer in order to coordinate your involvement in our activities. We will seek consent from you prior to using or disclosing your personal information for other purposes such as research, training, public policy advocacy, or preparation of promotional materials.

### Supporters

We may use and disclose your personal information for the purposes of promoting Foundation House and its activities, raising awareness of issues affecting refugees and asylum seekers, administering our membership processes, and for internal quality improvement. We will not sell or give your personal information to third parties. We will seek consent prior to using or disclosing your personal information for any other purpose.

### Website users

We will not sell or give your personal information to third parties without your explicit consent.

### Direct marketing

If you are a supporter of Foundation House or have expressed an interest in becoming a supporter, we may use your personal information to contact you about our activities and services, our fundraising efforts, opportunities to be involved in our work, and (if you are a member) about your membership and associated organisational processes. If you are a client of Foundation House, we may contact you to let you know about events or opportunities that may be of interest to you. We may contact you via telephone, SMS,

email or mail. If you no longer wish to receive these communications from us, you can opt-out at any time by contacting our Privacy Officer on the details above or by following the instructions in the communication.

## Disclosures required or authorised by law

No matter what your relationship with us, we may disclose your personal information to third parties without your consent where we are required to do so by law, or where we believe that the disclosure is necessary to lessen or prevent a serious threat to the health or safety of one or more people.

## How we hold your personal information and keep it secure

We understand the sensitive nature of the personal information that we hold and we take reasonable steps to protect that personal information from misuse, interference and loss, and from unauthorised access, modification or disclosure. Your personal information may be stored in hard copy documents held on our premises or in secure archive facilities, or in electronic format on servers located at Foundation House offices or in external data centres.

We have put in place physical, electronic and procedural safeguards in order to keep your information secure. Filing cabinets and compactuses containing hard copy records are kept locked when unattended. Passwords restrict access to all electronic records. Screen blanking and locking of idle computers helps to prevent unauthorised access to electronic files. User permissions are structured to restrict information sharing within VFST to those with a legitimate need to know the information. Access to archives and backups is tightly controlled. Care is taken to ensure that records are not visible to unauthorised persons, including when records are transported or transmitted offsite.

## Retention and destruction of personal information

Where the information that we hold about you forms part of a health or medical record, that information will be held for a period of at least seven (7) years from the last time we provided you with a health service, in accordance with the Victorian *Health Records Act 2001*. If the health record is that of someone under the age of 18, that information will be held at least until that person turns 25.

Client records will be kept for 75 years prior to de-identification, recognising that at times clients wish to access these records many years after completion of service delivery. Human Resources records will be kept in line with Public Records Office Victoria guidelines. Member records will be retained indefinitely. For all other personal information, we will destroy or de-identify it when we no longer need or are required to keep it for legal or business purposes.

## Accessing your personal information

Generally you have a right to access the personal information Foundation House holds about you. If you would like to request access, please contact our Privacy Officer on the details above. Alternatively:

- if you are a client, you may request access by contacting a Foundation House worker, Coordinator or Manager
- if you are an employee, volunteer, student, contractor or job applicant, you may request access by contacting Foundation House's Human Resources department or your line manager



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- if you are an external professional involved in Foundation House activities, you may request access by contacting the Foundation House staff member who has been coordinating the activity in which you are involved
- if you are a supporter or member, you may request access by contacting the Executive Officer in the CEO's office.

We will need to verify your identity before we can provide you with access. Access will be granted, except in certain circumstances which are set out in privacy legislation, such as where providing you with access would unreasonably impact on the privacy of others or where we are required or authorised by law to deny access. If we refuse your request, we will give you written notice of our decision, including our reasons and how to complain if you are not satisfied with our decision.

## Quality and correction of personal information

Foundation House takes reasonable steps to ensure that the personal information it collects about you is accurate, up-to-date and complete, and also when using and disclosing it, that it is relevant for the purposes of the use or disclosure. If we are satisfied that any of the information should be corrected we will also take reasonable steps to correct that information.

If you believe that the personal information that Foundation House holds about you is inaccurate, incomplete, out-of-date, irrelevant or misleading, please let us know by contacting our Privacy Officer on the details above. Alternatively:

- if you are a client, you may request correction by contacting a Foundation House worker, Coordinator or Manager
- if you are an employee, volunteer, student, contractor or job applicant, you may request correction by contacting Foundation House's Human Resources department or your line manager
- if you are an external professional involved in Foundation House activities, you may request correction by contacting the Foundation House staff member who has been coordinating the activity in which you are involved
- if you are a supporter or member, you may request correction by contacting the Executive Officer in the CEO's office.

If we do not agree that your information needs correcting, we will give you written notice of our decision, including our reasons and how to complain if you are not satisfied with our decision. You can also ask us to associate a statement with the personal information which explains that you believe it is incorrect.

You will not be charged for making a correction request or requesting us to associate a statement with your information.

## Privacy queries and complaints

If you would like to know more about how Foundation House handles your personal information, or you believe that Foundation House has not handled your personal information in accordance with this Privacy Policy or with applicable privacy laws, please contact our Privacy Officer on the details above. We welcome

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your feedback and will use it to improve the way we work. If you wish to make a formal complaint, please provide the Privacy Officer with written details of your complaint. Alternatively, if you are a client:

- you may discuss your concerns with a Foundation House worker, Coordinator or Manager, who will help you to make a complaint if needed
- you may let the Privacy Officer know about your complaint through a phone call or a meeting
- we will arrange for an interpreter to assist you to make your complaint if needed.

We will investigate and respond to your complaint within a reasonable period and generally within 30 days. We may need to request more information from you and we may propose a resolution to your complaint.

If you are not satisfied with our response, you can contact the Office of the Australian Information Commissioner (for general privacy complaints) or the Victorian Health Services Commissioner (for complaints related to provision of health services) on the details below.

## Office of the Australian Information Commissioner

Phone: 1300 363 992

Post: GPO Box 5218, Sydney NSW 2001

Online form: [www.oaic.gov.au](http://www.oaic.gov.au) (Privacy Complaint Form)

## Office of the Victorian Health Complaints Commissioner

Phone: 1300 582 113

Post: Level 26, 570 Bourke Street, Melbourne VIC 3000

## Monitoring and review

### Changes to this Privacy Policy

Foundation House may, from time to time, update or change this Privacy Policy to ensure that it reflects the acts and practices of our organisation as well as any changes in the law. Any changes will take effect from the time that they are posted on our website at <http://www.foundationhouse.org.au/>.

## Roles and responsibilities

Position	Roles and responsibilities
Privacy Officer	<ul style="list-style-type: none"><li>• Oversee the operation of Foundation House's privacy framework</li><li>• Manage privacy-related enquiries, complaints, and requests for access to and correction of personal information, in conjunction with other Foundation House staff</li><li>• Provide advice to other Foundation House staff on privacy-related matters</li></ul>
Foundation House management	<ul style="list-style-type: none"><li>• Review and improve Foundation House's operational systems to ensure they are compliant with the Privacy Policy and with relevant privacy legislation</li></ul>
All Foundation House staff (employees, volunteers, students and contractors)	<ul style="list-style-type: none"><li>• Adhere to the Australian Privacy Principles and to this policy in relation to all personal information to which you have access through your work with Foundation House</li></ul>



## Definitions and abbreviations

Term	Meaning
Client	A person who accesses assistance or support from one or more of Foundation House's service delivery programs (including individual, family, group or community based programs), now or in the past, or who has been referred to Foundation House for assistance
Employee	Any employee of Foundation House, including permanent and casual employees
Volunteer	A person who has a (formal or informal) agreement with Foundation House that they will volunteer their time to assist the work of Foundation House
Student	A student on placement at Foundation House
Contractor	A person contracted by Foundation House to provide services to or on behalf of Foundation House; includes sessional staff, consultants and others
Job applicant	A person who has submitted information to Foundation House with the hope of obtaining work at Foundation House (whether in an employee, contractor, volunteer or other role)
External professional involved in Foundation House activities	A person who is not a Foundation House staff member (employee, contractor, volunteer or student) but who has been involved in Foundation House's activities due to their professional role or background, e.g. attendees at Foundation House professional development sessions, participants in forums or meetings organised by Foundation House, collaborators in projects run by Foundation House, participants in VRHN activities
Supporter	A person who is or may be interested in supporting Foundation House's work, for example members of VFST, donors to Foundation House, community members who may attend Foundation House events, and others on Foundation House's mailing lists

## Document control

Version	3
Policy area	Knowledge Management and Administration
Policy owner	HR and Operations Manager
Policy stakeholders	VFST management and staff Clients
Approved by	CEO
Approval date	22 December 2017
Review cycle	3 years
Next review date	22 December 2020