

# PUBLIC PRIVACY POLICY

## 1. Purpose

This Privacy Policy sets out Learning for Life Autism Centre Inc's (**Learning for Life**) framework for the protection of Personal Information provided to Learning for Life by members of the public (including donors and supporters of Learning for Life, families making enquiring about Learning for Life's service offering, applications for volunteer and paid positions at Learning for Life and users of the Learning for Life website).

## 2. Policy Statement

- 2.1. Learning for Life is bound by the Privacy Act 1988 (Cth) (Privacy Act), the Australian Privacy Principles as set out in the Privacy Act and the Victorian Health Privacy Principles as set out in the Health Records Act 2001 (Vic).
- 2.2. Learning for Life respects your right to privacy. Learning for Life realises that it is important that you understand the purpose for which Learning for Life collects your Personal Information.
- 2.3. Learning for Life takes its obligations seriously and carries out all reasonable steps to protect the privacy of the Personal Information that we hold.
- 2.4. Learning for Life shall engage employees and contractors that have the right skills, training and clearances to meet the standards prescribed by this Policy.

## 3. Scope

- 3.1. This Privacy Policy applies to all employees, contractors, volunteers (including board members) of Learning for Life and will be implemented with respect to information provided to Learning for Life by members of the public (including donors and supporters of Learning for Life, families making enquiring about Learning for Life service offering, applicants of volunteer and paid positions at Learning for Life and users of the Learning for Life website).
- 3.2. Personal Information provided to Learning for Life by persons other than members of the public is covered by the Client Confidentiality & Privacy Policy (with respect to Personal Information provide by Clients) and the Staff & Volunteer Confidentiality & Privacy Policy (with respect to Personal Information provided by Learning for Life staff and volunteers).

## 4. Communication

- 4.1. Upon its commencement, this Privacy Policy will be displayed and be accessible on the Learning for Life website, accompanied by an easy read and pictorial format version of the Privacy Policy.
- 4.2. Learning for Life understands the needs of different parties to access and view its website as a means of communication. In designing and updating the website, Learning for Life shall have regard to the *Disability Discrimination Act (Cth) 1992* and make reasonable efforts to provide the information needed to allow equitable access for people with disability.

## 5. Definitions

In this Privacy Policy, unless the context requires otherwise, a reference to 'we', 'us' or 'our' is a reference to Learning for Life. In the context of a child, a reference to "you" also means its parents or guardians.

**APP or Australian Privacy Principles** means the privacy principles set out under the Privacy Act establishing standards for collection and handling of Personal Information.

**HPP or Health Privacy Principles** means the health privacy principles established under the *Health Records Act 2001 (Vic)* that apply to the collection and handling of health information in Victoria by the Victorian public and private sector.

**Personal Information** means information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

## 6. Types of Personal Information

6.1. Learning for Life, may collect the following types of Personal Information:

- your name, address, date of birth, telephone number, email address, bank account details and credit card details; and
- "health information", including mental ailments, medical treatment or procedures received, medications, allergies, vaccination records, medical history, records of medical appointments, and other records related to your health condition, including information provided by referring doctors and psychologists, psychological examinations and speech pathology reports.

6.2. Under the APPs, health information should be afforded a higher degree of protection than other Personal Information. We will not collect your health information unless you consent to its collection and the health information is reasonably necessary to one or more of our functions or activities.

## 7. Collection of Personal Information

7.1. Learning for Life may collect Personal Information using a variety of means, including (but not limited to):

- face-to-face verbal communication;
- telephone calls;
- video calls or online video conferencing platforms;
- email;
- written communication via letters, application forms, website forms and messages;
- business transactions;
- publicly available information sources (telephone directories, internet websites and social media, etc.);
- direct marketing databases;
- from your referees; and
- from referring health care workers.

7.2. Learning for Life shall only use lawful means of collecting Personal Information. Wherever possible, Learning for Life shall collect information directly from you unless you consent to the information being collected from another individual or entity. Learning for Life may also collect Personal Information when it is authorised or required under law to do so.

7.3. In some cases, completion of a consent form may be required prior to information being collected from you, other sources or provided to other parties. Any consent form shall be kept on your file.

- 7.4. When collecting information from a third party without consent or inquiry from you, Learning for Life shall take reasonable steps to notify you of:
- Learning for Life's identity and contact details;
  - the fact that the information has been collected from a third party;
  - the lawful obligation Learning for Life has to collect this information (if any);
  - the purpose of collecting the information;
  - the expected consequences of not collecting this information;
  - any other third party to which this information may be disclosed;
  - this Privacy Policy, including notification that this Privacy Policy outlines how and why information may be collected; and
  - if relevant, whether the information is likely to be disclosed to overseas recipients and in which countries those recipients are likely to be located.
- 7.5. You are under no obligation to provide Personal Information to us, although in some cases, Learning for Life may be unable to respond to your request or provide services without collecting information about you.
- 7.6. Personal Information received by Learning for Life without prior request shall be considered unsolicited and shall be destroyed unless:
- this information could have been collected in line with the Australian Privacy Principles; or
  - this information is contained within a Commonwealth record.

## **8. Holding Personal Information**

- 8.1. Learning for Life takes reasonable steps to ensure that all Personal Information is kept secure in accordance with reasonable physical, electronic, and managerial procedures. However, for Personal Information collected online and stored in electronic databases, you acknowledge that no security system is impenetrable and that the security of those databases can never be guaranteed. Learning for Life also cannot guarantee that the information you supply will not be intercepted while being transmitted over the internet.
- 8.2. Accordingly, any Personal Information or other information which you transmit to us is transmitted at your own risk. Nevertheless, once we receive your transmission, we will take reasonable steps to preserve the security of such information and ensure that there are appropriate security protections in place.
- 8.3. While Learning for Life's principal place of business is Victoria, Australia, we do have staff and volunteers who reside and work interstate and information held on cloud-based software may also be held in servers located interstate. Accordingly, Personal Information provided to us by you may be transmitted interstate but will continue to be treated in accordance with the terms of this Privacy Policy.

## **9. The purpose for which we collect, hold, use and disclose your Personal Information**

- 9.1. We will only use your Personal Information for the primary purpose(s) for which it was collected. We will not use or disclose personal information about you for any secondary purpose, unless you consent to that use or disclosure, or you would reasonably expect the use or disclosure in the circumstances, and that secondary purpose is:
- in the case of Personal Information which is not health information: related to the primary purpose for which we have collected that information, and
  - in the case of health information: directly related to the primary purpose.
- 9.2. The purposes for which we use the information we collect from you include:
- to assess whether our services are able to support your enquiry and/or to be able to commence provision of any services you may request;
  - to provide you with information relating to our services, events or activities or other services, events or activities relevant to services we provide and the community we serve;
  - to respond to any query or complaint that you may make;
  - to consider an application for employment submitted by you;
  - for other purposes to which you have consented to; and
  - for any other purposes required or authorised by law or a court/tribunal order or by a regulatory body.

9.3. We may disclose Personal Information we collect about you:

- to other service providers, including suppliers which provide IT and cloud services to us; or
- if required or authorised by law (for example, to respond to a subpoena or search warrant).

When your Personal Information is disclosed to our service providers, we will take reasonable measures to ensure that those third parties are aware of and comply with this Privacy Policy when dealing with that information.

We also note that our clinicians are bound by their own professional codes of ethics which may include additional regulatory and legal disclosure obligations.

9.4. We may also send out newsletters, event invitations and other information to individuals that agree to receive marketing material. We will not add your details to mailing lists without your prior knowledge and consent. You are under no obligation to agree to receive marketing communications, and if you have agreed but no longer wish to receive communications, you may unsubscribe or opt out to remove yourself from the mailing list.

## 10. Access to Personal Information

10.1. You may request to access your Personal Information kept by Learning for Life. Requests should be made in writing by filling out the Request for Access form supplied by Learning for Life.

10.2. Any requests made to Learning for Life to release your Personal Information shall be recorded and kept on your file.

10.3. Subject to clauses 10.4 and 10.5 below, Learning for Life will provide access by allowing you to inspect, take notes of, or receive copies or printouts of any held Personal Information requested about you. Under certain circumstances, Learning for Life may provide access to the appropriate parts of and not the entire record.

10.4. Irrefutable proof of identification must be provided when accessing Personal Information. This is necessary to ensure that the Personal Information about you is provided only to the correct individual. With respect to Personal Information of a child, the correct individual will include both parents, where both parents are the joint guardians, unless by order of the Family Court of Australia. It may also include the non-parent guardian, as by order of the Supreme Court of Australia or the Children's Court of Australia.

10.5. A request to access Personal Information will be denied if any of the following is applicable to the request:

- the request does not relate to the Personal Information of the individual making the request;
- the person making the request is not the legal guardian of the child;
- providing access would be unlawful;
- denial of access is required or authorised by law;
- providing access would pose a serious and imminent threat to life or health of an individual;
- providing access would create an unreasonable impact on the privacy of others;
- the request is frivolous or vexatious;
- the request relates to legal proceedings between you and Learning for Life;
- the request relates to an employee record; or
- any other reason provided for under applicable law.

Where a request for Personal Information is denied, we will provide a written response containing an explanation of the circumstances that prevent Learning for Life from disclosing it along with the details for how you can appeal that decision or make a complaint.

## 11. Correction of Personal Information

11.1. We will take such steps as are reasonable in the circumstances to correct Personal Information we hold to ensure that it remains accurate, up to date, complete, relevant and not misleading. We can correct faulty Personal Information we hold on our own initiative or on request from you.

11.2. If you request that we correct your Personal Information and we refuse to correct the Personal information because:

- we are not satisfied that the information is faulty;
- it would be unlawful to change the information; or
- changing the information would post a serious threat to the life or health of any individual,

we must give you a written notice setting out the reasons for the refusal (except to the extent that it would be unreasonable to do so, having regard to the grounds for refusal) and the complaint mechanisms available to you (refer clause 12 below).

11.3. If we have collected Personal Information and then disclosed that Personal Information to a third party, we may have an additional obligation in relation to that information if a correction request is received from you. If you request that we notify the third party of a correction to your Personal Information, then we must take such steps (if any) as are reasonable in the circumstances to notify that third party of the correction unless it is impracticable or unlawful to do so.

11.4. If we refuse to correct Personal Information, we must, at your request, take reasonable steps to associate a statement with the Personal Information indicating that you believe the information to be inaccurate, out-of-date, incomplete, irrelevant or misleading. The statement must be apparent to users of the information and be associated with all records containing Personal Information claimed to be faulty.

## 12. Complaints

12.1. Complaints about the handling of privacy matters can be directed to the Privacy Officer at:

**Email:** victoria.crane@learningforlife.com.au

**Tel:** 0402 443 949

**Post:** PO Box 7118, Hawthorn North, VIC 3122

12.2. All complaints will be dealt with fairly and as quickly as possible and be responded to within a reasonable time frame.

12.3. If you still feel our response was unsatisfactory, you may discuss the issue with us further, or contact the Australian Information Commissioner for more information at:

**Website:** <https://www.oaic.gov.au/about-us/contact-us/>.

**Tel:** 1300 363 992

**Post:** GPO Box 5218, Sydney NSW 2001

## 13. Website cookie policy

13.1. When the Website is visited, Learning for Life's Internet Service Provider makes a record of the visit. The following information (**Device Information**) is automatically logged for statistical purposes:

- the server address;
- the top level domain name;
- the date and time of the visit to the site;
- the pages that have been accessed;
- the search terms used;
- the documents downloaded;
- the previous site visited;
- the type of browser being used.

13.2. The Website uses session cookies during a search query of the website. Cookies can be either persistent or session based. Persistent cookies are stored on your computer, contain an expiry date, and may be used to track your browsing behavior upon return to the issuing website. Session cookies are short lived, are used only during a browsing session and expire when you quit your browser.

- 13.3. Learning for Life uses Device Information collected to help screen for potential risk and fraud (in particular, a user's IP address), and more generally to improve and optimise the Website (for example, by generating analytics about how users browse and interact with the Website, and to assess the success of marketing or advertising campaigns).
- 13.4. Learning for Life may share the Device Information (or other Personal Information provided by Website users) to help Learning for Life use the information in the manner described above. For example, Learning for Life uses Google Analytics to understand how users use the Website– further information about how Google uses Personal Information can be viewed here: <https://www.google.com/intl/en/policies/privacy/>. You can also opt-out of Google Analytics here: <https://tools.google.com/dlpage/gaoptout>.
- 13.5. Learning for Life may use Device Information or other information provided by users to provide users with targeted communications that Learning for Life believes may be of interest to the user. The Network Advertising Initiative's educational page at <http://www.networkadvertising.org/understanding-online-advertising/how-does-it-work> provides further information about how targeted advertising and communication works. Users can opt out of targeted advertising by visiting the Digital Advertising Alliance's opt-out portal at: <http://optout.aboutads.info/>.
- 13.6. Learning for Life does not alter the Website's data collection or use practices when a Do Not Track signal is received from a user's browser.

#### 14. Changes to this Privacy Policy

- 14.1. We will use and disclose Personal Information in accordance with the Privacy Policy under which the information was collected. If we change this Privacy Policy, we will post those changes on our website so you are always aware what Personal Information is collected, how it is used and under what circumstances, if any, it is disclosed.
- 14.2. Amendments will be effective immediately upon being placed on the Website for those who continue to access the Website. Your continued use of the Website following such amendments being placed on the Website will represent an agreement by you to be bound by the Privacy Policy, as amended.

#### Review and Changes

- Version 1:
  - Developed and Approved 1 Jan 2009
- Version 2:
  - Substantial rewrite 17 May 2021
  - Reviewed 15 January 2023 – no changes required

