

# PRIVACY POLICY

Policy number	016	Version	2.01
Drafted by	CEO	Approved by Board on	16/08/2021
Responsible person	Board	Scheduled review date	16/08/2023

## 1. PURPOSE

In the course of the work of Arthritis Queensland there are circumstances where Personal Information is collected. This policy has been developed to ensure that such information is handled appropriately and in accordance with privacy legislation.

## 2. INFORMATION

This policy applies to Personal Information. In broad terms, Personal Information is information or opinions relating to a particular individual who can be identified. Personal Information is fully defined in section 4 of this policy.

Information is not Personal Information where the information cannot be linked to an identifiable individual.

The Privacy Act incorporates the Australian Privacy Principles (APPS). The APPS set out the way in which Personal Information must be treated.

## 3. SCOPE

This policy applies to the board members, staff, volunteers and Supporters of Arthritis Queensland and to any person for whom Arthritis Queensland currently holds, or may in the future collect, Personal Information.

## 4. DEFINITIONS

<b>Commissioner</b>	is an independent statutory office holder with functions relating to privacy and freedom of information.
<b>Consumers</b>	are individuals or organisations who have used a service provided by Arthritis Queensland.
<b>Direct Marketing Communications</b>	are any communications about products, services, events, fundraising or any other activity (including third party products, services, events and fundraising) which may be of interest to the Supporter or Consumer.
<b>Health Information</b>	is a type of Sensitive Information which includes information or opinion about matters such as; <ul style="list-style-type: none"> <li>a) Mental health</li> </ul>

- b) Disability
- c) Health preferences
- d) Use of health services
- e) Bodily donations
- f) Genetic information
- g) Personal information collected to provide, or in providing a health service
- h) Healthcare identifiers

**Notifiable Data Breaches**

is a data breach which is likely to cause an individual or organisation serious harm.

**Personal Information**

is 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. Personal Information includes;

- a) Sensitive Information
- b) contact information
- c) financial information
- d) banking details and
- e) any other Personal Information required to provide education, information or support services.

**Privacy Act**

The Privacy Act 1988 (Cth)

**Privacy Officer**

is the person nominated by Arthritis Queensland to monitor privacy compliance.

**Sensitive Information**

Includes:

- a) Racial or ethnic origin
- b) Political opinions
- c) Membership of a political association
- d) Religious beliefs or affiliations
- e) Philosophical beliefs
- f) Membership of a professional or trade association
- g) Membership of a trade union
- h) Sexual preferences or practices, or
- i) Criminal records
- j) Health Information

**Supporters**

are individuals or organisations who have donated or participated in fund raising and other activities in support of Arthritis Queensland.

## **5. POLICY**

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### **5.1 Types of information collected and held**

Arthritis Queensland may collect and hold Personal Information, including Sensitive Information which may include Health Information.

### **5.2 Collection of Personal Information**

Arthritis Queensland's usual approach to collecting Personal Information is to collect it directly from the individual.

Arthritis Queensland also collects Personal Information in other ways, which might include:

- a) from marketing and mailing lists;
- b) through "cookies" on the Arthritis Queensland website which enable Arthritis Queensland to monitor traffic patterns and to serve people more efficiently if revisiting the site;
- c) through list purchases and from third party organisation such as other charitable and fundraising entities and data cooperatives;
- d) through referrals from individuals or other entities; and
- e) through fundraising events.

### **5.3 Managing Personal Information**

Arthritis Queensland manages the Personal Information that is collected in numerous ways, such as by:

- a) implementing procedures for identifying and managing privacy risks;
- b) implementing security systems for protecting Personal Information from misuse; interference and loss from unauthorised access, modification or disclosure;
- c) providing staff with training on privacy issues;
- d) appropriately supervising staff who regularly handle Personal Information;
- e) implementing procedures for identifying and reporting privacy breaches and for receiving and responding to complaints;
- f) reviewing database entries and archiving where appropriate;
- g) appointing a Privacy Officer within the business to monitor privacy compliance;
- h) allowing individuals the option of not identifying themselves, or using a pseudonym, when dealing with Arthritis Queensland in particular circumstances; and
- i) taking reasonable steps to destroy or permanently de-identify Personal Information if that information is no longer needed for the purposes for which Arthritis Queensland are authorised to use it.

### **5.4 Anonymity and Pseudonyms**

In most circumstances, it will be possible for people to use a pseudonym or remain anonymous when dealing with Arthritis Queensland. Individuals wishing to use a pseudonym or remain anonymous should notify Arthritis Queensland when making first enquiries.

Those choosing to use a pseudonym or to remain anonymous may not be able to access the full range of Arthritis Queensland services, including providing tax receipts for donations.

### **5.5 Holding Personal Information**

Arthritis Queensland's usual approach to holding Personal Information includes:

- a) physically, at Arthritis Queensland's premises; and
- b) electronically:
  - i. on secure servers;
  - ii. on a private cloud; and
  - iii. by a third party data storage provider.

### **5.6 Securing Personal Information**

Arthritis Queensland secures the Personal Information that it holds in numerous ways, including:

- a) using unique access codes to access areas that contain Personal Information after hours;
- b) using secure servers to store Personal Information;
- c) using unique usernames, passwords and other protections on systems that can access Personal Information;
- d) de-identifying documents and using confidential disposal systems; and
- e) holding certain sensitive documents securely.

### **5.7 Access to Personal Information and correcting Personal Information**

Anyone may request access to their Personal Information held by Arthritis Queensland or ask Arthritis Queensland for their Personal Information to be corrected by contacting the Privacy Officer whose contact details can be found in this policy.

Subject to the following, Arthritis Queensland will grant access to Personal Information as soon as possible.

- a) In keeping with our commitment to protect the privacy of Personal Information, Arthritis Queensland may not disclose Personal Information to anyone without proof of identity.
- b) Arthritis Queensland may deny access to Personal Information if:
  - a. the request is unreasonable;
  - b. providing access would have an unreasonable impact on the privacy of another person;
  - c. providing access would pose a serious and imminent threat to the life or health of any person; or
  - d. there are other legal grounds to deny the request.

Arthritis Queensland will not charge a fee for changing or removing Personal Information.

If the Personal Information Arthritis Queensland holds is not accurate, complete and up-to-date, Arthritis Queensland will take reasonable steps to correct it so that it is accurate, complete and up-to-date, where it is appropriate to do so.

## 5.8 Complaints

Anyone wishing to complain about an interference with privacy must follow the following process:

- a) The complaint must be firstly made to Arthritis Queensland in writing, using the contact details in this section. Arthritis Queensland will have a reasonable time to respond to the complaint.
- b) In the unlikely event the privacy issue cannot be resolved the individual may take the complaint to the Office of the Australian Information Commissioner.
- c) A person may make a complaint or request to access or correct Personal Information about them held by Arthritis Queensland. Such a request must be made in writing to the following:

Privacy Officer: Emma Thompson  
Postal Address: PO Box 2121, Lutwyche, QLD, 4030  
Telephone number: (07) 3857 4200  
Email address: [emma@arthritis.org.au](mailto:emma@arthritis.org.au)

## 5.9 Purpose of collecting, holding, using or disclosing Personal Information

Arthritis Queensland takes reasonable steps to use and disclose Personal Information for the purpose for which it is collected. The purpose for which information is collected varies, but is generally to provide information or support services to Consumers. For example, this might include:

- a) provision of information and support to Consumers;
- b) processing donations and other payments and issuing receipts;
- c) communications (e.g. email, printed letters);
- d) fundraising activities to achieve Arthritis Queensland's mission and vision;
- e) seeking ongoing support for research, services and programs provided by or on behalf of Arthritis Queensland;
- f) surveying attitudes and opinions of people who have accessed Arthritis Queensland's services or formed a professional relationship with Arthritis Queensland; and
- g) keeping up-to-date lists of suppliers.

In the case of potential employees, the purpose the information is collected is to assess the individual's suitability for employment.

Personal Information may also be used or disclosed by Arthritis Queensland for other purposes which are within reasonable expectations and which are related to the primary purpose of collection.

Examples of organisations and/or parties that Personal Information may be provided to where appropriate given the goods or services that Arthritis Queensland are providing, and where Arthritis Queensland have explicit consent to do so, include:

- a) other service providers in order to provide the service for, or to assist our functions or activities (such as printing service providers, accountants or law firms);

- b) charitable or likeminded organisations, including fundraising organisation, grant and award providers which are aligned with Arthritis Queensland, and third-party service providers who facilitate the sharing of information between such types of charitable or likeminded organisations (sometimes known as data cooperatives);
- c) third party technology providers such as Arthritis Queensland's data storage providers.

Otherwise, Arthritis Queensland will only disclose Personal Information to third parties if permitted by the Privacy Act.

### **5.10 Consent by Supporters for Direct Marketing Communications**

Where the person is a Supporter:

- a) express consent is given to Arthritis Queensland to use Personal Information; including any email address given to Arthritis Queensland, to send Direct Marketing Communications.

express consent is given to Arthritis Queensland disclosing Personal Information to other Arthritis Australia affiliates who may also use said Personal Information for sending Direct Marketing Communications. Arthritis Queensland will take reasonable steps to ensure that Personal Information is used by other Arthritis Australia affiliates in accordance with the terms of the Privacy Act.

- b) express consent is given to Arthritis Queensland to disclose Personal Information to other likeminded organisations (including other charities, and third party service providers who facilitate the sharing of information between such types of charitable or likeminded organisations) who may also use said Personal Information to send Direct Marketing Communications. Arthritis Queensland will take reasonable steps to ensure that Personal Information is used by such organisations in accordance with the terms of the Privacy Act.
- c) If at any time the individual does not wish Arthritis Queensland to disclose Personal Information to others under paragraphs 5.10 (b) or (c) or does not wish to receive any further marketing information from Arthritis Queensland, then a request can be made to opt out of receiving further Direct Marketing Communications from Arthritis Queensland and/or to ask Arthritis Queensland not to disclose Personal Information to other organisations for that purpose. In the case of paragraph 5.10 (c) Arthritis Queensland will give the individual an opportunity to opt out not less than 30 days before disclosing the individual's Personal Information to such organisations. The individual may do this by contacting the Privacy Officer on the contact details in section 5.8(c).
- d) Read more: <http://arthritis.org.au/about-us/privacy-and-disclaimer-policy/>

### **5.11 Disclosure of Personal Information outside of Australia**

Supporters' Personal Information is collected to process donations, issue tax receipts and to send updates. For these purposes, information may be shared with trusted third parties and Arthritis

Queensland service providers (and their directors, servants and agents), either in Australia or overseas.

Occasionally Arthritis Queensland allows like-minded organisations to contact Consumers and Supporters with information that may be of interest, including some organisations located outside Australia. Those organisations allow Arthritis Queensland to do the same and this way Arthritis Queensland can reach more people with vital information.

### 5.12 Data Breaches

A data breach occurs when Personal Information is accessed or disclosed without authorisation or when it is lost.

Arthritis Queensland takes great care to ensure that data breaches do not happen, however if a data breach is suspected the following steps will be applied by the Privacy Officer:

- a) Appropriate and available steps will be taken to immediately contained the data breach to prevent any further compromise of Personal Information
- b) the facts around the data breach will be gathered and the risks, including potential harm to affected individuals, will be evaluated to assess if the breach is a Notifiable Data Breach. Where possible, action will be taken to remediate any risk of harm.
- c) If the breach is a Notifiable Data Breach:
  - a. individuals effected will be provided with a Notification Statement as soon as practicable; and
  - b. the Commissioner will be notified of the data breach within 30 days of the suspected breach being identified.
- d) the incident will be reviewed and any available steps will be taken to prevent future data breaches.

### 5.13 Changes to the policy

Arthritis Queensland may update, modify or remove this policy at any time without prior notice. Any changes to this policy will be published on our website.

Persons wishing to comment on the policy should contact the Privacy Officer with the contact details in section 5.8 of this policy.

## 6. RELATED DOCUMENTS

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*Privacy Act 1988 (Cth) (Privacy Act)*

### POLICY VERSION AND REVISION INFORMATION

Action	By	Changes	Version	Date
Created	Privacy Officer	Created	V1.0	
Approved	Board	N/A	V1.0	15/08/2014

Reviewed	Privacy Officer	Included Direct Marketing consent provisions for Supporters	V1.1	
Approved	Board	N/A	V1.1	04/11/2016
Reviewed	CEO	Expanded definitions Inclusion of Data Breach policy Layout changes Change to Privacy Officer	V2.1	19/07/2021
Approved	Board		V2.1	16/08/2021