

Privacy Policy

Purpose

The right to privacy is a fundamental human right. ADACAS is committed to ensuring that the security, privacy, and confidentiality of the personal information which ADACAS collects is respected and protected.

ADACAS complies with our obligations under Australian privacy law including the:

- a. *Privacy Act 1988 (Cth)* incorporating the *Australian Privacy Principles (APP)*;
- b. Any other relevant legislation that may be in force governing information privacy in the Commonwealth, the ACT and NSW.

Scope

This Privacy Policy outlines how your information is handled throughout its life cycle, from collection to use and disclosure, storage, accessibility, and disposal. This Policy operates in addition to our obligation of confidentiality to you if you are our client.

ADACAS will endeavour to provide this Policy in a format which is accessible to any individual requesting it.

Please read this Policy and contact us if you have any questions or concerns about it. When you give us your information through our website or any other way we will assume that you have read, understood and accepted this Privacy Policy and agree to the collection, use and disclosure by ADACAS of your personal information as set out in this Privacy Policy.

Definitions

Personal Information means information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- a. Whether the information or opinion is true or not; and
- b. Whether the information or opinion is recorded in a material form or not.

Personal Information includes Sensitive Information.

Sensitive information is a subset of Personal Information and consists of information or opinions about your racial or ethnic origins; religious beliefs or affiliations; sexual orientation or practice; membership of a professional or trade associations; criminal record; health information about an individual; or biometric templates.

Policy

Why we collect personal information

ADACAS only collects the personal information that we need to provide our services including:

- a. Responding to enquiries or comments

- b. Carrying out advocacy, or other services on behalf of clients
- c. Accounting to ADACAS funders for the monies we receive
- d. As part of systemic advocacy and public education programs
- e. Responding to or investigating complaints
- f. For feedback on services provided
- g. As required by the law or legal proceedings
- h. If you ask to join our mailing list and receive newsletters or publicity information from us.

We may also collect information from service providers and potential suppliers or contractors in order to use their services.

When we collect personal information, we will inform you of the reason we are collecting it and what will happen to it. You are always able to choose how much personal information you give us, but this may affect our ability to help you. We will make it clear to you that you have choices about how much information you give us and the consequences of your choice when you contact us.

This Policy does not apply to the collection, use and disclosure of information that relates to anyone's employee relationship with ADACAS and the records we hold about any such person as an employee.

The type of personal information we collect and how

The type of information we collect about you depends on the type of dealings we have with you. We collect information when you ask us to do something for you. This may include advocating or providing services to and for you, joining our mailing list, or when you make a general enquiry or lodge a complaint.

The personal information we collect will depend on what we need to complete the task you require from us and may include:

- name, title, gender, ethnicity
- pension details and medical information
- current supports and support needs
- address, email address, phone number, family
- healthcare and lifestyle preferences
- information relating to the NDIS
- information relating to My Aged Care
- information relating to the Redress Scheme

Information is collected from what is entered on our websites; from enquiries over the phone; from mail or emails you send us; through conversations in person; from family members or representatives when they have your permission or are authorized to do so; from healthcare professionals; from other organisations, service providers or government agencies you have dealt with such as Centrelink, hospitals and care providers; or from publicly available sources.

Sensitive information

The information we collect from you may include sensitive information which is given a higher level of protection under the Australian Privacy Principles. It may include medical information; government identifiers such as pension or Medicare numbers; racial or ethnic origin; health care information and contact details.

We will only collect sensitive information with an individual's consent and use it for the purposes set out above, or if it is authorised or required by law.

How we use and disclose that information

ADACAS only discloses/uses personal information for the purposes for which it was collected (as outlined above), unless:

- a. you have consented to its use for another purpose;
- b. you would reasonably expect it to be used for a related purpose;
- c. it is authorised or required by law;
- d. we believe the disclosure is necessary to prevent or lessen a serious threat to life, health or safety and it is unreasonable to obtain the individual's consent; and/or
- e. where it is permitted by the Australian Privacy Principles.

How we protect and manage information to ensure its security and quality

ADACAS will take all reasonable steps to ensure that information it holds is up to date, accurate, relevant, and complete, including updating our records when we are informed of changes by individuals.

ADACAS will take reasonable steps to protect any information it collects.

This includes:

- securing paper files in lockable cabinets
- physical access restrictions to the premises
- maintaining software and access protocols such as passwords to protect electronic files
- returning, destroying, de-identifying or deleting personal information that is no longer required, in accordance with the law.

Where copies of documents recording personal information in electronic or paper form have been provided to an individual, it is the individual's responsibility to ensure the security of that information.

Information transmitted to or entered on ADACAS websites, for example www.adacas.org.au or www.support-my-decision.org.au, cannot be guaranteed to be secure from intrusion. We maintain physical, electronic and procedural measures to safeguard against unauthorised access, but we cannot completely guarantee the security of any information you transmit to or receive from us.

We use cookies on our website. Cookies are text files placed in your computer's browser to store your preferences. Cookies do not identify individual users but record information about your use of the website. If you enter any personal information on the site, this information may be linked to the data stored in the cookie.

We may also use web beacons on our websites. These beacons collect data about how visitors use the website, such as which pages they visit or view longest.

Our websites may contain links to other organisations' websites. These websites are not governed by the ADACAS privacy policy and any information you provide to them will be outside our control.

Retention and destruction of information

Our retention periods for Personal Information are based on business needs and legal requirements. We retain Personal Information for as long as is necessary for the purpose(s) for which the

information was collected, and any other permissible, related purpose. For example, we may retain certain details and correspondence to comply with regulatory requirements regarding the retention of such data. When Personal Information is no longer needed, we either securely destroy it, or irreversibly de-identify the data.

Do we disclose personal information overseas?

As part of our usual business ADACAS is unlikely to disclose personal information to overseas recipients. We would only do so with your consent and after ensuring as far as possible that the overseas recipients do not breach the Australian Privacy Principles in relation to your data.

Access and correction of your information

You have legal rights to view, update and correct the personal information which ADACAS stores about you. However, there are situations in which ADACAS will deny you access to your personal information, for example if we are required or authorised legally to withhold it or we believe that giving you access would unreasonably impact or endanger others.

In any case where you are denied access, ADACAS will inform you in writing of the reason for the denial, as far as we are able to do so, and of further action you can take.

If you wish to access or update your personal information, please contact your advocate or ADACAS reception (using the contact details below) and we will go through the process with you.

A more detailed statement of how we manage an individual's access to their personal information in accordance with the Australian Privacy Principles, the ADACAS Access to Personal Information Procedure, is available on request.

Handling of unsolicited information

When we receive unsolicited personal information ADACAS will decide within a reasonable time whether we could have received this information through our normal collection processes outlined above. If not, we will de-identify or destroy the information providing it is lawful and reasonable to do so and it is not information contained in a (Commonwealth or State) public record.

Direct marketing

If you are a client, ADACAS will not use personal information collected from you for the purpose of direct marketing or pass it on to any other organisation for this purpose without your consent to do so.

You are able to unsubscribe from our email database or opt out of communications at any time by contacting us on (02) 6242 5060 or by email: adacas@adacas.org.au.

For other individuals, ADACAS will only send you direct marketing materials about our organisation or services if we believe they may be of interest to you. If you do not want to receive direct marketing materials, you can opt out at any time by contacting us by mail or email as above.

We do not sell or pass on your information to any other person or organisation for the purposes of direct marketing.

How ADACAS will handle a privacy enquiry or complaint

If you wish to complain about how we have collected or handled your personal information or if you believe we have breached the Australian Privacy Principles, you can make a complaint by:

Email: adacas@adacas.org.au;

Phone: (02) 6242 5060;

In writing: ADACAS, PO Box 3167, Weston Creek ACT 2611.

In your correspondence, please identify the conduct that is the basis for the complaint and include as many details as possible. We will investigate your complaint promptly in line with our Feedback and Complaints Policy and report our findings back to you within 30 days. If you are not satisfied that your complaint has been adequately handled by ADACAS, you may refer the matter to the Office of the Federal Privacy Commissioner.

Related documents

- *Australian Privacy Act (Commonwealth) 1988* : <https://www.legislation.gov.au/details/c2014c00076> including the Australian Privacy Principles
- *Health Records (Privacy and Access) Act (ACT) 1997*
- *Health Records and information Privacy Act (NSW) 2002*
- *The Spam Act (Cth) 2003*
- [ADACAS Access to Personal Information Procedure](#)

Consequences of breaching this Policy

Any breach of the Policy may result in disciplinary action, including, but not limited to, issue of a warning, demotion, suspension or termination of employment (or, for Contractors, the termination or non-renewal of their contract for service).

Variations

ADACAS reserves the right to vary, replace or terminate this policy from time to time.

Version control

Changes applied to Policy	Date approved by Governance Committee	Next review date
Reviewed & Updated	27 March 2024	March 2026