

Ability Works Australia Privacy Policy

Introduction:

Ability Works Australia Ltd respects and upholds the rights of individuals to privacy in relationship to personal information. This policy demonstrates that commitment to privacy.

This policy relates to the collection, holding, use, correction, disclosure and transfer of personal information by Ability Works Australia Ltd.

This policy statement is provided in accordance with the Commonwealth Privacy Act 1988, the Privacy Amendment (Private Sector) Act 2000, Privacy Amendment (Enhancing Privacy Protection) Act 2012 and the Australian Privacy Principles which are set out in that Act.

In cases where further information or clarification is required, this Policy should be reviewed in conjunction with Schedule 1 of the Privacy Amendment (Enhancing Privacy Protection) Act 2012, which is the principal source of 13 Australian Privacy Principles.

Ability Works Australia has adopted the 13 Australian Privacy Principles (APPs) which replaced the National Privacy Principles (NPPs) for agencies from 12 March 2014 and has agreed to be held accountable for complying with them.

The 13 Australian Privacy Principles –

1. Open and transparent management of personal information
2. Anonymity & pseudonymity
3. Collection of solicited personal information
4. Dealing with unsolicited personal information
5. Notification of the collection of personal information
6. Use or disclosure of personal information
7. Direct Marketing
8. Cross border disclosure of personal information
9. Adoption, use or disclosure of government related identifiers
10. Quality of personal information
11. Security of personal information
12. Access to personal information
13. Correction of personal information

APP 1: Open and transparent management of personal information

Ability Works Australia will make this policy, on our management of personal information, available upon request and undertake to review this policy on a regular basis.

Ability Works Australia will take reasonable steps, upon written request, to let an individual know what personal information we hold, for what purposes, and how we collect, hold, use and disclose that information.

APP 2: Anonymity & Pseudonymity

Ability Works Australia will, wherever it is lawful and practicable to do so, give people the option to operate anonymously or to make use of a pseudonym.

APP 3: Collection of solicited personal information

Ability Works Australia will collect personal information about you in a number of ways such as by telephone, email, written correspondence and third parties.

- Information received by telephone may be recorded in files as a means of dealing with you as part of our ongoing professional relationship.
- Electronic information may be stored in files and used in future dealings with you as part of our ongoing professional relationship.
- Personal information received in writing may be retained and stored as a record or for future use by our organisation as part of our ongoing professional relationship.

Ability Works Australia will collect personal information on a lawful and fair basis and not in an unreasonably intrusive way.

APP 4: Dealing with unsolicited personal information

In the event that Ability Works Australia receives unsolicited personal information, it will determine whether it would have been permitted to collect this information according to the Privacy Principles contained within APP3 (*APP 3: Collection of solicited personal information*).

If the information could not have been collected under APP 3, and the information is not contained in a Commonwealth record, Ability Works Australia will destroy or de-identify that information as soon as is practicable, but only if it is lawful and reasonable to do so.

APP 5: Notification of the collection of personal information

Ability Works Australia will ensure that the individual is aware of;

- The identity of Ability Works Australia and how to contact us.

- The fact that a person is able to gain access to their information.
- The purposes for which the information is being collected.
- To whom Ability Works Australia discloses information.
- Any law that requires information to be collected.
- The main consequences (if any) for an individual if information is not provided.

Ability Works Australia will not collect your personal information other than for the purpose of our ongoing professional relationship.

APP 6: Use or disclosure of personal information

Ability Works Australia may use your personal information in order to;

- Discharge its duty of care.
- Provide the services you require.
- Administer and manage those services including charging, billing and collecting debts.
- Satisfy the organisation's legal and contractual obligations.

Ability Works Australia will not use or disclose personal information about an individual other than for its primary purpose of collection, unless;

- The individual would reasonably expect the organisation to use or disclose information for a secondary purpose, or it is related to the primary purpose.
- The individual has consented to the use or disclosure.
- It is impractical for Ability Works Australia to seek the individual's consent and the disclosure is necessary to provide the individual appropriate care or treatment.
- Ability Works Australia has reason to suspect that unlawful activity has, or may be engaged in.
- The use or disclosure is required or authorised by law.
- Ability Works Australia believes that the use or disclosure is reasonably necessary for a specified purpose by, or on behalf of, an enforcement body.

APP 7: Direct Marketing

Ability Works Australia will make use of personal information other than sensitive information for the purposes of direct marketing where;

- The individual or entity has consented to their personal information being used for direct marketing.
- There is a reasonable expectation that their personal information will be used for this purpose and conditions relating to opt-out mechanisms are met.
- Specific requests by individuals not to receive direct marketing communications from the organisation have not been made.

APP 8: Cross border disclosure of personal information

Ability Works Australia will only transfer personal information about an individual to a third party outside Australia in specific circumstances. This would include;

- Where the individual consents to the transfer; or
- Where Ability Works Australia has taken reasonable steps to ensure that the information to be transferred will not be held, used or disclosed by the recipient of the information inconsistently with the Australian Privacy Principles.

APP 9: Adoption, use or disclosure of government related identifiers

Ability Works Australia will make use of government identifiers (e.g. Centrelink or Medicare numbers) only for the purposes of meeting its agreed functions and where the use or disclosure of government related identifiers are necessary to fulfil the organisation's obligations.

Similarly, these identifiers will not be disclosed unless, it is necessary for AWA to fulfil its obligations or where disclosure is required by law.

APP 10: Quality of personal information

Ability Works Australia will take reasonable steps to make sure that the personal information we collect, use or disclose is accurate, complete and current. Our records are updated as necessary.

APP 11: Security of personal information

Ability Works Australia will take reasonable steps to protect the personal information it holds from misuse, loss and unauthorised access, modification or disclosure.

Ability Works Australia will take reasonable steps to destroy or permanently de-identify personal information if it is no longer required.

In addition, our employees and the contractors who provide services related to our business are obliged to respect the confidentiality of any personal information held by Ability Works Australia.

APP 12: Access to personal information

All information concerning those that we share a professional relationship with is to be considered confidential. Ability Works Australia will not convey any information contained in our records to any unauthorised person.

As a general rule, Ability Works Australia will, upon written request by an individual, provide them with access to their personal information. Ability Works Australia may however choose not to provide individuals with access to such information in cases where;

- Providing access would pose a threat to life, health or well-being.
- Providing access would have an unreasonable impact upon the privacy of others.
- The request for access is frivolous or vexatious.
- The information relates to anticipated or legal proceedings.
- Law allows denial of access.
- Providing access would be likely to prejudice investigation of possible unlawful activity.
- Providing access would be unlawful.

Ability Works Australia may decide to impose a charge upon the individual to cover the cost of verifying a request for information and locating, retrieving, reviewing and copying any material requested. In this circumstance the cost will be fair and reasonable.

Ability Works Australia will convey in writing to the individual our reasons for any denial of access to personal information. Where an individual is dissatisfied that Ability Works Australia has declined to provide information they can use internal or external dispute resolution processes.

APP 13: Correction of personal information

Ability Works Australia will take reasonable steps to ensure that the information it holds is accurate, complete and current. Where there is a disagreement between Ability Works Australia and the individual concerning the information held and the individual asks Ability Works Australia to associate with the information a statement claiming that the information is not accurate, complete or current, Ability Works Australia will take reasonable steps to do so.

Ability Works Australia will convey in writing to the individual our reasons for refusal to alter personal information. Where an individual is dissatisfied that Ability Works Australia has declined to alter information they can use internal or external dispute resolution processes.

Complaint Resolution

Individuals may lodge a complaint with Ability Works Australia Ltd, which will be dealt with in line with Ability Works Australia's current complaint handling practices.

All privacy related complaints would be dealt with in a confidential manner. A complaint by an individual regarding an alleged breach of privacy by Ability Works Australia should be forwarded in writing and marked 'Private & Confidential' to the following address:

Privacy Officer, Ability Works Australia Ltd, P O Box 665, Kew Vic 3101

All written complaints will be acknowledged within five working days upon receipt and will be answered within 30 days of receipt. Should the individual not be satisfied with the response from Ability Works Australia, the complaint may be referred to the Office of the Australian Information Commissioner:

Telephone: 1300 363 992

Email: enquiries@oaic.gov.au

Write: GPO Box 5218, Sydney NSW 2001

or visit our website at www.oaic.gov.au

Fax: +61 2 9284 9666

Post: GPO Box 5218

Sydney NSW 2001

Street address:

Office of the Australian Information Commissioner

Level 3, 175 Pitt Street

Sydney NSW 2000

Assisted contact

If you are deaf, or have a hearing or speech impairment, contact Office of the Australian Information Commissioner through the National Relay Service:

Teletypewriter (TTY) users phone 133 677 then ask for 1300 363 992.

Speak and Listen users phone 1300 555 727 then ask for 1300 363 992.

Internet relay users connect to the National Relay Service then ask for 1300 363 992.

If you do not speak English, or English is your second language, and you need assistance to communicate with us, call the Translating and Interpreting Service on 131 450 then ask for 1300 363 992.

Note: These calls can be made for a local call cost from fixed residential landlines anywhere in Australia, but calls from mobile and pay phones may incur higher charges.

Training

Ability Works Australia will ensure that all staff receive appropriate training in the application and observance of the stated principles and complaints handling procedure.

All new members of staff will be introduced to our privacy policy and complaints handling procedure.



Bert Ferro

Chief Executive

Ability Works Australia Ltd.

19 May 2016