



YOUTH LIVE4LIFE LTD

# PRIVACY POLICY

<b>Classification</b>	Internal Policy and Procedure
<b>Policy owner</b>	Board of Management
<b>Related documents</b>	<ul style="list-style-type: none"><li>● Code of Conduct</li><li>● Confidentiality Policy</li><li>● Employment References Policy</li><li>● Complaints Policy</li></ul>
<b>Review and approval body</b>	Board of Management

**Note:** This is a controlled document and will not be changed without the consent of Live4Life. The master copy of this document is held electronically. Printed documents are uncontrolled copies and may be obsolete.

---

## TABLE OF CONTENTS

<b>SECTION 1:</b>	<b>INTRODUCTION</b> .....	<b>3</b>
1.1	PURPOSE OF THIS DOCUMENT .....	3
1.2	ROLES AND RESPONSIBILITIES .....	3
1.3	BREACHES .....	3
1.4	DEFINITIONS .....	3
<b>SECTION 2:</b>	<b>RISK MANAGEMENT POLICY</b> .....	<b>3</b>
2.1	DATA COLLECTION .....	3
	Personal Information .....	4
2.2	USE AND DISCLOSURE .....	5
2.3	DATA SECURITY .....	6
2.4	CROSS BORDER DISCLOSURE OF INFORMATION .....	6
2.5	MARKETING.....	6
2.6	OPENNESS .....	6
2.7	ACCESS AND CORRECTION OF PERSONAL INFORMATION .....	6
2.8	IDENTIFIERS .....	7
2.9	ANONYMITY .....	7
<b>SECTION 3:</b>	<b>DOCUMENT REVIEW</b> .....	<b>7</b>
<b>SECTION 4:</b>	<b>PROCEDURES</b> .....	<b>7</b>
4.1	COLLECTING INFORMATION.....	7
	Primary collection.....	7
	Secondary collection.....	8
	Using Information for Marketing Purposes.....	8
	Opting out of marketing .....	8
4.2	PERSONAL AND CONFIDENTIAL INFORMATION .....	8
	Overview .....	8
	Personal vs confidential .....	8
4.3	SPECIAL TYPES OF PERSONAL INFORMATION.....	8
	Types of sensitive information .....	9
	Procedures for handling requests for personal information.....	9
	Denying access .....	10
4.4	COMPLAINTS.....	10
4.5	RECORD RETENTION AND SECURITY OF PERSONAL INFORMATION .....	10
	Overview .....	10
	Records Management.....	10

---

## **SECTION 1: INTRODUCTION**

### **1.1 PURPOSE OF THIS DOCUMENT**

The purpose of the Privacy is to define in detail the policies and specific procedures to be followed in collecting, holding and using personal and credit-related personal information within YL4L, including information held on clients, employees, board members, stakeholders and the Organisation (“relevant stakeholders”).

The Privacy Policy is based on privacy legislation including until 12 March 2014, the National Privacy Principles for the Fair Handling of Personal Information (NPPs) and after 12 March 2014 the Australian Privacy Principles (APPs). As a community sector organisation, YL4L is required to follow these principles with regards to collecting, storing, using, disclosing, protecting and transferring YL4L clients’ and other relevant stakeholders’ personal information.

### **1.2 ROLES AND RESPONSIBILITIES**

It is the responsibility of all employees to be familiar with the content of this Policy and report any privacy concerns or breaches as appropriate. The YL4L Privacy Officer is the Chief Executive Officer (CEO).

YL4L’s Board is responsible for developing, adopting and reviewing this policy.

YL4L’s CEO is responsible for the implementation of this policy, for monitoring changes in Privacy legislation, and for advising on the need to review or revise this policy as and when the need arises.

### **1.3 BREACHES**

Breaches of this Policy and Procedure must be escalated to the Risk Management Officer within 24 hours of becoming aware of the breach.

### **1.4 DEFINITIONS**

The terms used within this Privacy Policy are compliant with the terms used in the Privacy Act 1988 (Cth) and the Privacy and Data Collection Act 2014.

## **SECTION 2: RISK MANAGEMENT POLICY**

### **2.1 DATA COLLECTION**

YL4L can only collect the personal information that it needs for a legitimate function or activity to provide products and services or related purposes.

YL4L collects and administers a range of personal information for the purposes of;

- Conducting its business
- Creating and maintaining an ‘opt in’ database of current and potential members of ‘Friends4life’ and Youth Live4Life Inc. Board
- Marketing and promotion to its database of events and information relating to Youth Live4Life and its communities
- Compliance with Child Safe Standards.

---

## Personal Information

Personal information is information or an opinion, whether true or not, and whether recorded in material form or not, about an identified individual or an individual who is reasonably identifiable from the information or opinion.

The types of personal information that YL4L collect may include (but not limited to) the following:

- full name, date of birth, gender;
- Tax File Number and residence status;
- drivers licence number;
- contact details including residential and postal address, telephone numbers (home, work and mobile), email address;
- bank account details;
- financial information;
- name of superannuation fund; and
- information provided in employment applications

YL4L may collect personal or sensitive information when an individual visits YL4L's website:

- apply for YL4L products and services;
- request information about YL4L, YL4L products or services;
- provide feedback about YL4L products or services;
- respond to surveys or enter YL4L competitions;
- apply for a position with YL4L; or
- contact YL4L by telephone, fax, email, post or in person.

The organisation is committed to protecting the privacy of personal information it collects, holds and administers.

YL4L recognises the essential right of individuals to have their information administered in ways which they would reasonably expect – protected on one hand, and made accessible to them on the other. These privacy values are reflected in and supported by our core values and philosophies and also reflected in our Privacy Policy.

YL4L is bound by laws which impose specific obligations when it comes to handling information. The organisation has adopted the following principles contained as minimum standards in relation to handling personal information.

YL4L will:

- only collect information by lawful and fair means and not in an unreasonable or intrusive way
- Collect only information which the organisation requires for its primary function;
- Ensure that stakeholders are informed as to why we collect the information and how we administer and use the information gathered; including:
  - whether YL4L intends to disclose the information to any outside party and if so, the classes of persons or organisations to which it would be disclosed
  - if there is any relevant law that either requires or allows the collection of that particular information; and
  - the main consequences for the individual if the information is not supplied;
- where it is reasonable and practicable to do so, collect personal information directly from an individual, but, if YL4L has to collect information from someone else, YL4L will, wherever possible, obtain the individual's consent where the information is not already in the public domain;

- 
- only request or collect a tax file number for the purpose of carrying out responsibilities under taxation law and when conducting verification of identity for anti-money laundering / counter terrorism finance; and not collect sensitive information unless:
    - consent is provided;
    - it is required or authorised by or under law; or
    - it is necessary for the establishment, exercise or defence of a legal or equitable claim.

## 2.2 USE AND DISCLOSURE

YL4L may use and disclose personal information only for our primary functions or a directly related purpose, or for another purpose with the person's consent including:

- consideration of any other application made to YL4L for products or services;
- client relations including management of the YL4L relationship with clients or potential clients and market or client satisfaction research and product development
- compliance with legislative and regulatory requirements (including without limitation and where applicable, the Income Tax Assessment Act 1936;
- YL4L internal operations including record keeping, risk management, auditing purposes, training and analysis;
- information technology systems development and testing;
- arrangements with other organisations to provide services in relation to YL4L products and services (for example, YL4L may arrange for mailing houses to distribute statements and information to clients);
- to investigate, resolve and prevent complaints;
- conducting fraud assessments;
- reporting and data analytics, including for regulatory, management, statistical or research purposes;
- to process any job application submitted by individuals and to establish a contract of employment; and
- marketing, which may include pre-screening assessments by a third party service provider for marketing purposes.

YL4L may, where permitted by the Privacy Act, disclose personal information and credit-related personal information (including repayment history information) to the following organisations:

- YL4L related entities, YL4L outsourced service providers and alliance partners;
- YL4L agents, contractors and external advisers (for example, YL4L lawyers and auditors);
- Referees of individuals, including current or last employer (to confirm details about an individual);
- any person acting on an individual's behalf, including legal and financial advisers;
- a broker (if applicable);
- government and other regulatory bodies, law enforcement bodies and courts;
- external complaint resolution bodies;
- financial institutions; and
- employee referees, for the purpose of assessing a job application made to YL4L.

---

### **2.3 DATA SECURITY**

YL4L must take reasonable steps to keep your personal information and credit-related personal information secure. This includes any information that is collected by the YL4L website or which is held in either hard copy or electronically on YL4L IT systems, either on YL4L premises or offsite with YL4L's trusted third party service providers.

YL4L must:

- take all reasonable security measures to protect the personal information YL4L holds from misuse and loss and from unauthorised access, interference, modification or disclosure;
- where the Privacy Act specifically requires information to be handled in a particular manner, comply with the requirements of the Act. Where YL4L no longer requires your personal information, YL4L will take reasonable steps to destroy or permanently de-identify that information and to ensure that YL4L are not able to use or disclose digital records of the information.
- YL4L has stringent procedures which require YL4L staff and third party service providers to ensure the safe handling and storage of all private and confidential information including procedures for safe custody and transit of information both inside and outside YL4L, including the security of electronic submission and storage of credit-related personal information.

### **2.4 CROSS BORDER DISCLOSURE OF INFORMATION**

YL4L will not send personal information of individuals outside Australia.

### **2.5 MARKETING**

YL4L may use an individual's personal information to keep them up to date with YL4L products and services. If an individual does not want YL4L to do this, they should contact YL4L. If YL4L previously obtained consent, YL4L may disclose their personal information to an alliance partner with which YL4L has arrangements. YL4L may do this so that YL4L alliance partners may contact individuals about other products or services that individuals may be interested in.

### **2.6 OPENNESS**

YL4L is required to publish a publicly available document which clearly sets out its personal information management practices. YL4L does this by publishing the YL4L Privacy Policy.

In addition, whenever an individual requests it, YL4L must let them know:

- what sort of personal information YL4L holds about them;
- what YL4L uses the personal information for; and
- how YL4L collects, holds, uses and discloses personal information.

### **2.7 ACCESS AND CORRECTION OF PERSONAL INFORMATION**

Any individual is entitled to access the personal information and credit-related personal information that YL4L holds about them. YL4L is committed to keeping up-to-date records of personal information. An individual may request at any time that YL4L grants access to or corrects personal information by contacting the YL4L Privacy Officer.

YL4L must:

- take reasonable steps to ensure that the information YL4L holds about an individual is accurate, complete, relevant, up-to-date and not misleading when YL4L collects, uses or discloses it;
- deal promptly with requests for access to or correction of personal information and provide access to the information within a reasonable period after the request is made;

- 
- ensure that access by an individual's agent (if any) is limited to information allowed to be disclosed by an individual's agreement;
  - where YL4L holds personal information about an individual that can readily be retrieved and they ask YL4L to show it to them, provide them with access to the information, unless denial of such access is specifically authorised or required by the Privacy Act.
  - if appropriate, levy a reasonable charge for providing access to personal information (such a charge will not be excessive); and
  - when YL4L refuses to allow access to personal information or credit-related personal information, or to correct information which an individual believes is incorrect, tell them why in writing, such as where agreeing to the request would reveal commercially sensitive information about YL4L, or the law requires YL4L to decline.

YL4L must:

- take reasonable steps to correct that information, if YL4L holds any personal information about an individual and YL4L are satisfied that the information is inaccurate, irrelevant, incomplete, out-of-date or misleading.
- respond to an individual's request to correct their personal information within a reasonable period after the request is made;
- if YL4L corrects any personal information which YL4L have previously disclosed to a third party, YL4L will take reasonable steps to notify that party of the correction if requested to, unless YL4L considers it impracticable to do so; and
- not charge an individual for making a request to correct, or for correcting their personal information or credit-related personal information.

## **2.8 IDENTIFIERS**

YL4L must not use an identifier assigned by a Government organisation or agency (such as a Tax File Number or Social Security Number) to identify clients. A Business Registration Number is an exception.

## **2.9 ANONYMITY**

YL4L must give individuals the option of not identifying themselves when dealing with YL4L but only where this is legal and practicable.

## **SECTION 3: DOCUMENT REVIEW**

The Privacy Policy will be thoroughly reviewed biennially by the Risk Management Officer (RMO). At this review any changes will be made that will improve the process including corrective action identified by audit.

## **SECTION 4: PROCEDURES**

### **4.1 COLLECTING INFORMATION**

#### **Primary collection**

When an individual provides information, they must always provide it for a particular purpose.

---

## Secondary collection

A directly related secondary purpose is a purpose that is both necessary for the services to be provided to the client and which the client would expect.

## Using Information for Marketing Purposes

YL4L deals with its clients on the basis that YL4L may:

- use personal information it has collected from or about them to identify a product or service that may benefit them; and
- contact clients from time to time to let them know about new or existing products or services.

Sensitive information must never be used for marketing purposes.

## Opting out of marketing

A client can contact YL4L at any time if they do not want to receive marketing information from YL4L; and YL4L must process those instructions as soon as practicable. It is the responsibility of the employee who receives these instructions from the client to ensure that the marketing status is updated so no more marketing will be sent to the client.

Employees must always check that a client has not withdrawn consent before marketing to them. Marketing includes proactively mailing information to the client, or contacting them by email, phone or SMS.

## 4.2 PERSONAL AND CONFIDENTIAL INFORMATION

### Overview

To ensure there are no misunderstandings about the differences between personal and confidential information.

### Personal vs confidential

Personal information is any information or opinion about a person who can be identified from it. It does not matter whether it is true or not, or whether it is held in hardcopy or electronic form. Examples include names, addresses or account information.

Personal information does not include information about an organisation, but it does include information about individuals associated with organisations, such as directors, employees or other representatives with whom YL4L may deal.

Confidential information is any information related to either individuals or organisations that is not generally in the public domain and may include account balances, business plans and financial arrangements. Confidential information can include personal information. All information that YL4L holds about clients is confidential.

**Note:** The Privacy legislation does not cover information that is publicly available, or information about an organisation, unless specific individuals (such as directors or business owners) are referred to. YL4L owes a general obligation of confidentiality to all relevant stakeholders. Adhering to privacy laws and maintaining confidentiality are conditions of employment with YL4L.

## 4.3 SPECIAL TYPES OF PERSONAL INFORMATION



---

The collection, use and disclosure of special types of personal information are regulated under the privacy laws, and Tax File Number guidelines. Special types of personal client information refers to:

- Sensitive information; and
- Tax File Numbers (TFN)

### **Types of sensitive information**

Sensitive information includes personal information about an individual's:

- Age
- Racial or ethnic origin
- Religion
- Philosophical beliefs
- Health
- Trade Union Membership
- Political opinions or affiliations
- Sexual preferences or practices
- Criminal records

Sensitive information can only be collected if certain conditions are met:

- The person has given consent
- The collection is permitted by law
- The collection is needed to establish, exercise or defend a claim
- The collection is necessary to prevent a threat to life or health, and the person is unable to give consent

Sensitive information must only be used for the purpose for which it was collected.

### **Procedures for handling requests for personal information**

Information which does not fall within the categories of information which are exempt from disclosure and there is no controversy about the information sought; and there is no perceivable disadvantage or prejudice to YL4L or its operations from the release of the information, may be released.

Otherwise, the request should be referred to and managed by YL4L's Privacy Officer.

Requests which cannot be dealt with by discussion should proceed as follows:

- The request is to be made in writing and forwarded to the Privacy Officer for processing, who will acknowledge receipt of the request and enter it into an administration file for reporting purposes.
- There will be no fee payable for making the request. There may be a fee incurred for YL4L researching, processing and responding to the request and YL4L will advise the applicant of this possibility when acknowledging receipt of the request.
- As far as possible, requests are to be dealt with within 14 days of receipt and acknowledgement and the applicant will be advised of this turnaround time
- If the decision is to refuse the request YL4L must consider whether access can be allowed by use of a "mutually agreed intermediary".
- If the applicant can establish that information held is not correct, YL4L should correct the information or include a statement by the applicant of the position where there is a disagreement.
- Reasons must be given for refusal of a request or refusal to accept a statement by the applicant.

---

All information provided to the client should be in the original form provided by the client such as a copy of the application form or the financial statements. If any comments have been written on these original documents they are not to be provided to the client.

### **Denying access**

While clients have a general right to access their personal information, this does not necessarily include access to documents compiled for YL4L's benefit, such as diary notes.

There are also some specific exceptions to accessing personal information. If access to personal information is denied, YL4L must tell the client the reasons why. Staff should always obtain legal advice before refusing a request for a request for access.

YL4L may deny a client access to the personal information YL4L holds about them in certain circumstances, such as where:

- Giving access may unreasonably impact upon the privacy of others
- Giving access would prejudice a legal investigation
- Giving access would be against the law
- The information relates to legal proceedings between YL4L and the individual, and the court would not require YL4L to disclose the information to the individual as part of that litigation
- It reveals YL4L's intentions relating to negotiations with the individual in a way that would prejudice the negotiations
- Providing access would be likely to prejudice the investigations of a possible crime
- Giving access would reveal information about YL4L's commercially sensitive decision making processes.

## **4.4 COMPLAINTS**

The Privacy Policy and attendant Privacy Statement are part of YL4L's commitment to be transparent and open about the types of information it collects and records. Both documents are displayed and available in YL4L's website.

The procedures for complaints are detailed within the Complaint procedures. If clients have a complaint they should contact the Privacy Officer to discuss. The contact information for the Privacy Officer is displayed on the Privacy Policy.

During the consideration of a complaint, if it cannot be resolved internally, the complainant will be directed to the Privacy Commissioner by the Privacy Officer.

## **4.5 RECORD RETENTION AND SECURITY OF PERSONAL INFORMATION**

### **Overview**

Record retention and security of personal information is regulated under the Privacy laws, the Privacy principles, other regulatory codes of conduct that YL4L must comply with. YL4L has a common law duty to keep accurate records.

### **Records Management**

- YL4L must maintain an accurate record of all dealings with clients
- Information that relates to interactions with clients must be kept for seven years from the date the client's account is closed. Where the information does not relate to an account or product, it must be kept for seven years from the date the document is created. This includes keeping information about client complaints and the action taken to resolve them.

- 
- YL4L must ensure that records, including client's personal information, are stored safely and securely, and are not susceptible to unauthorised access, changes or use. Personal information that is stored by YL4L must be able to be retrieved.
  - When YL4L destroys or permanently de-identifies personal information about customers, it must ensure secure destruction so that the information cannot be used by anyone else. Recycling of intact documents is not seen as a secure means of destruction.