

PURPOSE

This policy outlines how Evolve Housing Vic Limited (EHVL) collects, uses, stores and discloses Personal Information in accordance with the *Australian Privacy Principles 2014 (APPs)* under the *Privacy Act 1988 (Cth)* (Act).

POLICY REFERENCE	VGRC002.1
POLICY OWNER	General Manager, Governance and Legal
APPROVED BY	Evolve Housing Ltd Board of Directors
APPROVAL DATE	1 Feb 2021
REVIEW DATE	1 Feb 2024

PRIVACY POLICY**1. SCOPE**

This policy applies to all individuals which EHVL will be collecting Personal Information from. Individuals include, but are not limited to, EHVL Clients, Directors, Employees and Employment Candidates.

2. POLICY STATEMENT

EHVL is committed to respecting and protecting the privacy and rights of individuals.

2.1 Personal Information

When used in this Privacy Policy, the term “Personal Information” has the meaning given to it in the Act. Basically, Personal Information is any information held by an entity that can be used on its own or in combination with other information held by the same entity, to personally identify an individual. This can include an individual’s:

- Name
- Address
- Email address
- Contact number
- Age or date of birth
- Gender
- Ethnicity
- Country of origin
- Religious belief
- Employment history
- Income details
- Proof of identity
- Photographs
- Profession, occupation or job title
- Work experience
- Educational qualifications
- Centrelink information
- Credit information and other financial records
- Next of kin
- Public trustee details
- Bank statements
- Criminal history
- Tax File Number / Returns
- Tenant ledgers

Personal Information includes Sensitive Information (see section 4.7 of this Policy).

EHVL may also collect information that is not Personal Information because it does not identify a particular individual. For example, EHVL may collect anonymous answers / feedback to surveys or aggregated

information about how users use the EHVL website.

2.2 Collecting Personal Information

EHVL collects Personal Information directly from the individual unless it is unreasonable or impracticable to do so, as well as through third parties. EHVL can collect Personal Information in the following ways:

- Written forms
- Face-to-face
- Over the phone or other messaging technology
- Via the internet, including email or EHVL's website
- Hardcopy documents provided by individuals
- Via a third party, e.g. government entities, law enforcement agencies, social workers, medical practitioners, previous landlords, personal referees, tenancy databases, recruitment agencies, etc.

2.3 Purpose of Collecting Personal Information

EHVL collects Personal Information to perform business activities and deliver services. EHVL will not collect information unless it is for a proper and lawful purpose.

In most situations, individuals will be advised as to why EHVL is collecting Personal Information and who else might receive this information. EHVL may decide not to provide this advice to individuals if EHVL is not legally required to provide the advice.

The purposes for collecting Personal Information from each category of individuals may include:

Individuals	Purposes
All EHVL Clients	<ul style="list-style-type: none"> to provide suitable housing arrangements through assessing applications and allocating appropriate properties etc. to provide tenancy related services including repairs and maintenance to properties to provide other related services through assessing applications, case planning and management etc. for communication purposes to facilitate community engagement to engage in direct marketing to seek feedback and improve on services to comply with reporting requirements to government agencies, regulators etc. to provide information to support partners and health providers who participate in information sharing
Employment Candidates, Volunteers and Students	<ul style="list-style-type: none"> to assess suitability for employment or to undertake other roles within or for EHVL
Employees, Contractors and Directors	<ul style="list-style-type: none"> for identification for human resource purposes including payroll for conflict of interest purposes for regulatory, governance and related purposes

If an individual does not provide EHVL with Personal Information when prompted, EHVL may be unable to contact the individual or provide any services to the individual. In the case of employment candidates, EHVL will not be able to consider applications for employment.

2.4 Unsolicited Personal Information

In the event EHVL receives unsolicited Personal Information, Evolve will determine whether it could have been lawful for the Personal Information to be collected if it had been solicited. If it isn't, EHVL will destroy the information or ensure that the information is de-identified as soon as practicable and only if it is lawful and reasonable to do so.

2.5 Disclosure of Personal Information

EHVL may disclose Personal Information for a purpose for which it was collected (as listed in 4.3) eg to arrange maintenance contractors for your residence.

EHVL will only disclose Personal Information for another purpose:

- If the disclosure is directly related to the purpose for which the information was collected and there is no reason to believe that the person concerned would object

- If the person to whom the information relates was informed when the information was collected that it might be disclosed in this way;
- If it is reasonably believed that the disclosure is necessary to prevent or lessen a serious and imminent threat to any person's health, safety or life
- Where the person to whom the information relates to has provided informed consent
- If a permitted general situation exists in relation to the use or disclosure of the information
- If lawfully authorised or required to do so under the Privacy Act by legislation, or a Privacy Code of Practice, or EHVL's Privacy Policy, and if available, supported by a Service Agreement or similar document.

2.5.1 Record of Understanding

EHVL and the NSW Police may also exchange information through a Record of Understanding to:

- Maintain law and order in and around EHVL properties
- Develop and implement crime prevention and community safety strategies.

A deed of confidentiality is signed by the officers accessing the information and the signed deed placed on the tenant file.

EHVL will also provide information to police when subpoenaed, unless the information is not in the public interest - in these cases, EHVL may lodge an appeal not to provide the information.

2.5.2 Providing information to a third party

Where information is being disclosed to a third party, EHVL ensures that the third party is also bound by the Privacy Act and has an obligation to keep Personal Information confidential and to take reasonable steps to keep the Personal Information secure from misuse, interference, loss, unauthorised access, modification or disclosure.

2.6 Storage of Personal Information

EHVL is committed to protecting Personal Information and takes reasonable steps to ensure Personal Information is protected from misuse, interference, loss, and unauthorised access, modification or disclosure. Some of the security measures include:

- Physical, electronic, and procedural safeguards in line with industry standards (such as passwords and physical locks on cabinets)
- Secure server and closed network environments
- Limited access to Personal Information (e.g. only relevant employees who require an individual's Personal Information to carry out his / her normal line of duties are allowed access)
- Management of access privileges, and regular review of the privileges
- Destroying or de-identifying Personal Information pursuant to the law and record retention policies

2.7 Sensitive Information

'Sensitive information' is a subset of Personal Information. In short, it is Information about an individual's:

- racial or ethnic origin
- political opinions or membership of a political association
- religious beliefs or affiliations, or philosophical beliefs
- membership of a professional or trade association or trade union
- sexual orientation or practices, or
- criminal record

It also includes an individual's health information, genetic information, and biometric information.

EHVL recognises that Sensitive Information is generally afforded a higher level of privacy protection under the APPs than other Personal Information. Evolve recognises that inappropriate handling of sensitive information can have adverse consequences for an individual or those associated with the individual, including discrimination, mistreatment, humiliation, embarrassment or the undermining of an individual's dignity.

EHVL may collect Sensitive Information about an individual, but only where the individual has provided consent and where the information is relevant to the services provided by EHVL.

2.8 Access and Correction of Information

Individuals have the right to request access to the Personal Information EHVL holds about them, and request correction of any inaccurate, out-of-date, incomplete, irrelevant or misleading Personal Information. It is the individual's responsibility to inform EHVL of any corrections or changes to Personal Information. Individuals who would like to request access to, or correction of, their Personal Information held by EHVL, must contact EHVL using the details provided in Section 3.10 below.

There may be instances where a request to access could be refused if it falls under a category outlined in APP12, however on these occasions EHVL will inform the individual in writing of the reason for the refusal and any avenues to make a complaint about that decision.

2.9 Complaints

If an individual is concerned that EHVL has not complied with applicable privacy laws, the individual may raise a complaint through EHVL's complaints process. The process is as follows:

Step 1: Let EHVL know

The individual should contact our Privacy Officer using the details provided in Section 4.10 below. We will acknowledge the complaint within 2 working days.

Step 2: Investigation of Complaint

The complaint will be investigated by our Privacy Officer. A response to the complaint will be provided in writing within 20 working days.

Step 3: It is expected that Evolve's procedures will deal fairly and promptly with a complaint. However, if the individual remains dissatisfied, they can also contact the Office of the Australian Information Commissioner as follows:

Office of the Australian Information Commissioner
(OAIC) GPO Box 5218
Sydney NSW 2001
www.oaic.gov.au

Note: Complaints must be made in writing

2.10 Contacting EHVL about Privacy

Individuals may contact EHVL with regards to the following matters:

Matter	Contact Details and Options
<ul style="list-style-type: none"> To access, update or correct Personal Information To opt out of receiving newsletters or EHVL related direct marketing material 	<p>Telephone: 1800 MY EVOLVE (1800 693 865)</p> <p>Email: myevolve@evolvehousing.com.au</p> <p>Address: Henry Dodd House, 9-13 Argyle Street Parramatta NSW 2150</p>
<ul style="list-style-type: none"> To seek more information about anything contained in this policy To make a privacy related complaint or feedback 	<p>Telephone: 1800 MY EVOLVE (1800 693 865)</p> <p>Email: privacy@evolvehousing.com.au</p> <p>Address: Privacy Officer, Henry Dodd House, 9-13 Argyle Street Parramatta NSW 2150</p>

3. DEFINITIONS

- **Director** – a person who is a Director of EHVL
- **Employee** – any person employed by, or engaged to represent EHVL including contractors, volunteers and students
- **Employment Candidate** – a person who makes an application for employment with EHVL
- **EHVL Client** – for the purpose of this Policy, a person who uses or applies to use goods or services provided by EHVL
- **Personal Information** – “information or an opinion about an identified individual, or an individual who is reasonably identifiable:
 - ☐ whether the information or opinion is true or not; and
 - ☐ whether the information or opinion is recorded in a material form or not”
- **Record of Understanding (ROU)** - is an agreement between NSW Police and registered community housing providers that facilitates the exchange of information in relation to crime and anti-social behaviour
- **Sensitive Information** –
 - information or an opinion about an individual’s:
 - racial or ethnic origin; or
 - political opinions; or
 - membership of a political association; or
 - religious beliefs or affiliations; or
 - philosophical beliefs; or
 - membership of a professional or trade association; or
 - membership of a trade union; or
 - sexual orientation or practices; or
 - criminal record;
 - that is also personal information; or
 - health information about an individual; or

- (d) genetic information about an individual that is not otherwise health information; or
- (e) biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or
- (f) biometric templates

4. RELATED RESOURCES

- Australian Privacy Principles 2014
- *Privacy Act 1988 (Cth)*
- *Privacy Amendment (Enhancing Privacy Protection) Act 2012*
- Office of the Australian Information Commissioner – www.oaic.gov.au

5. VERSION CONTROL

VERSION	Date Approved	Author	Key Changes
1.0	1/02/2021	GAL	Policy adopted