



## Metro Assist Privacy Policy

### Policy Purpose

Metro Assist is committed to safeguarding personal privacy. It recognises that individuals have a right to control how their personal information is collected and used.

This policy sets out how Metro Assist complies with its obligations under the Privacy Act 1988 (Cth) (**Act**) and the Australian Privacy Principles (**APPs**) contained in the Act regarding the collection, use, disclosure, storage, security and access of the personal and sensitive information relating to an individual.

Information on Australian Privacy Principles can be found on the Office of Australian Information Commissioner's website at [www.oaic.gov.au](http://www.oaic.gov.au).

### Definitions

**Anonymity** is where an individual is not required and does not identify themselves when engaging with Metro Assist.

**Commonwealth contract** is any funding agreement between a Commonwealth agency and Metro Assist that requires Metro Assist to disclose personal and/or sensitive information about individuals to that agency.

**Health records and information** includes information or an opinion about a person's health, both physical and mental, and/or disability.

**Personal information** means information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether or not that information or opinion is true and whether or not that information is recorded in a material form. Personal information Metro Assist collects includes name, mailing or street address, contact details, date of birth, personal status and background, occupation, service history and personal financial information. This can also include health information and sensitive information.

**Primary purpose** – Metro Assist undertakes a number of activities as a community service organisation that form the primary purposes for which Metro Assist collects information.

Some examples are:

- Providing services to individuals, families and communities
- Referring individuals and families to other services
- Providing disability support services
- Connecting with our organisation and other members and supporters
- Assessing, placing and engaging volunteers

- Conducting assessments and reference checks such as police checks
- Research and surveys

**Pseudonym** is a replacement name or nickname used by an individual in engaging with Metro Assist.

**Sensitive information** is information relating to a person's racial ethnic origin, religion, trade union or other professional or trade association membership, or criminal record, that is also personal information; and health information about an individual.

**Solicited information** is part of personal information that Metro Assist takes active steps to collect.

**Eligible data breach** occurs where there is an unauthorised access to, or unauthorised disclosure of, personal information and a reasonable person would conclude that the access or disclosure would be likely to result in serious harm to any of the individuals to whom the information relates"

## Policy

Metro Assist provides a broad range of community services to individuals, families and communities. The organisation collects and administers personal and sensitive information from individuals and families for the primary purpose of delivering these services.

### 1. Collecting personal information

#### 1.1 Solicited information

Metro Assist will collect and hold personal information from individuals by phone, emails, forms, face to face meetings, web interaction etc. Providing personal information is an act of trust and Metro Assist treats the personal information seriously. Unless given consent to do otherwise, Metro Assist will:

- Collect personal information by lawful and fair means and in a manner that is not unreasonably intrusive or invasive;
- When reasonable and practicable to do so, collect information about the individual only from that individual or a legal guardian of the individual;
- Not collect or monitor any personal information about an individual without the consent of related individual;
- Take reasonable steps, if collecting personal information from another source or third party such as government department, referral agency etc to advise the individual or family of the matters except in the circumstance where making the individual or family aware would pose a serious threat to the life or health of any individual.
- Ensure that stakeholders are informed as to why we collect the information, how we administer the information gathered and if there are any implications for the individual or family if all or part of the information is not provided;

- Seek the written consent of the Client or guardian before obtaining/releasing information from/to any other source using the **Consent to Obtain and Release Information Form**;

The information that we collect may be stored by a third party data storage provider, and may be combined with or linked to other information held about an individual.

We have processes in place to ensure that our records remain accurate, complete and up to date by verifying the information with the individual each time they use our services or from other sources.

These records are retained for up to seven (7) years. If the information is no longer required by us for any purpose for which it was collected and is no longer required by law to be retained by us, we will destroy or de-identify the information.

## **1.2 Unsolicited information**

If Metro Assist receives unsolicited personal information, Metro Assist will as soon as practicable, but only if lawful and reasonable to do so, destroy the information or ensure that the information is de-identified, unless under a Commonwealth contract, the information must be dealt with under another law.

## **2. Anonymity and pseudonymity**

Individuals have the right to seek to deal with Metro Assist anonymously or using a pseudonym. Metro Assist will give an option to individuals to de-identify themselves or use a pseudonym unless it is unlawful or impracticable in dealing with the individuals, or in providing services.

If an individual chooses to remain anonymous, this may affect their ability to access or use certain functions of our website or services.

If an individual wishes to remain anonymous when dealing with us via a telephone call, they should advise the call operator assisting them. Providing their personal details enables us to provide the individual with a contact record reference number which allows them, and other authorised persons, to retrieve information about that call at a later date.

## **3. Open and transparent management of information**

Metro Assist will make its privacy notice available on its website at [www.metroassist.org.au](http://www.metroassist.org.au) and a person may request a copy of the policy by contacting:

Corporate Service Manager  
Metro Assist  
Level 2, 59-63 Evaline Street Campsie NSW 2194  
Tel: 02 9789 3744  
Email: [metroassist@metroassist.org.au](mailto:metroassist@metroassist.org.au)

## **4. Use or disclosure of personal information**

### **4.1 Use of information**

Metro Assist may collect, hold, use and disclose personal information for the following purposes:

- to provide our services;
- to comply with our legal obligations
- to comply with our contractual and reporting obligations to funding bodies
- to publish information, with the prior consent of the relevant individuals, in relation to the experience of recipients of our services
- to deal with enquiries regarding prospective employment with us;
- to send service, support and administrative messages, reminders, technical notices, updates, and information;
- to send marketing and promotional messages and other information that has been requested or which may be of interest; and
- to enable individuals to access and use our website and services;
- to operate, improve and optimise our website and services and our users' experience;

#### **4.4 Disclosure**

For the purpose described above, information may be shared with the third parties such as government departments, funding bodies, partner organisations, service providers, and any other relevant agencies the individuals authorize Metro Assist to disclose information to.

Except as provided above, Metro Assist will not disclose any personal information to a third party without the individual's consent with the exception of the following:

- that the disclosure is required or authorised by or under the law such as court order;
- in circumstances where Metro Assist reasonably believes the use or disclosure is necessary to lessen or prevent a serious threat to the life, health or safety of an individual or to public health or safety; or
- where Metro Assist has reason to suspect an individual may have done something unlawful or engaged in serious misconduct that relates to Metro Assist functions or activities, and Metro Assist needs to disclose the information so that it can take appropriate action.

When we disclose personal information to third parties, we make all reasonable efforts to ensure that we disclose only relevant information and that it is accurate, complete and up to date and that the third party will comply with the Privacy Act in relation to that information. Whether or not an individual has consented to the use or disclosure, in the case of any obligation Metro Assist has under a Commonwealth contract, Metro Assist is entitled to comply with the requirement under that Commonwealth contract to disclose personal or sensitive information to the Commonwealth agency funding the activity.

#### **5. Contact by Metro Assist for primary or direct marketing purpose**

Metro Assist may contact individuals using the personal information, which was provided by them to:

- Provide information that the organisation is legally required to send it to the individuals relating to the services it delivers;

- Send promotional information about new services, events and other matters that may be of interest; and
- Send newsletters

Metro Assist may contact individuals by post, telephone, email or any other form of electronic communication by using personal contact information provided.

Individuals can, at any time, opt out of receiving promotional information and newsletters by contacting Metro Assist or unsubscribing to the newsletter.

## **6. Use of tracking technologies**

Metro Assist may use tracking technologies such as analytics cookies to gather statistics about our website. These tracking technologies do not themselves personally identify users, although they do identify a user's browser. The insights gather from analytics will be used to enhance user interface of the site.

A person may refuse the use of cookies by selecting the appropriate settings on their web browser, however this may prevent them using the full functionality of the website. Metro Assist will deal with any personal information collected by cookies in the same way we handle other personal information under this Privacy Policy.

## **7. Links to other web sites**

The Metro Assist website contains links to other websites and promotes social media sites or posts of relevant organisations. Metro Assist is not responsible for the privacy policies or practices of any third party social media posts or sites linked to Metro Assist website. Metro Assist recommends that users review the privacy policies of those external websites before using them.

## **8. Cross-border disclosure of personal information**

Metro Assist may use overseas cloud services to store personal information. Before Metro Assist discloses any personal information to an overseas recipient of information including a provider of IT or cloud services, we will take reasonable steps to establish that they are compliant with Australian Privacy Law and have arrangements in place to ensure their compliance with the Australian Privacy Principles.

Metro Assist may need to transfer personal and sensitive information to Australian Government agencies based overseas, such as Australian High Commissions or Australian Embassies in connection with the provision of pro-bono migration services.

## **9. Government related identifiers**

Metro Assist will not adopt a government related identifier of an individual as its own identifier of the individual unless the adoption of the government identifier is required or authorised by law.

Metro Assist will not use or disclose any government related identifiers of clients or participants unless the use or disclosure of the identifier is reasonably necessary for our functions or is required or authorised by or under an Australian law or a court order.

## 10. Data security and handling of information

Metro Assist will take reasonable technical and organisational precautions to prevent loss, misuse, unauthorized access, unauthorized disclosures, interference or alteration of personal information it collects in the following ways:

- Metro Assist will store personal information it collects on secure servers at its premise or on a cloud-based server. Metro Assist will take reasonable steps to ensure the sufficient security of the servers.
- Before Metro Assist engages external IT services such as a help desk service provider, cloud services or database developers, it takes reasonable steps to establish that the service providers are compliant with Australian Privacy law including the APPs.
- Metro Assist will take reasonable steps to destroy or permanently de-identify personal information once it is no longer required to be kept, including from decommissioned laptops and mobile phones.
- Client records containing any personal, sensitive and health information are stored on secured client management systems, databases or paper based files. Access to records will only be granted to Metro Assist staff where there is a demonstrated need for this access in accordance with that staff member's duties or responsibilities. Metro Assist is, however, required to provide access to information to a law enforcement agency or other government agency if such access is legally warranted in the course of an official investigation.
- The security of the Metro Assist website, email and electronic systems is maintained at all times. However, security risks do change from time to time and data transmission over the internet is not always risk-free. Metro Assist cannot accept responsibility for the security of information sent or received over the internet.
- Metro Assist will take reasonable steps in implementing available online safety and security measures during its interaction with clients over online platforms (ie: Facebook, Zoom etc.) that are used as a means of client engagement in delivering information of a general nature relating to community capacity building and education programs.
- Metro Assist seeks to protect personal information from any unauthorised loss, disclosure or access. However, if a eligible data breach occurs, Metro Assist must notify affected individuals as required under the *Privacy Act 1988* (Cth) (as amended by the *Privacy Amendment (Notifiable Data Breaches) Act 2017* (Cth)) regarding the circumstances of the breach, and must also advise the Office of the Australian Information Commissioner accordingly.

## 11. Data Quality

Metro Assist will take reasonable steps to ensure the personal information it collects is accurate, complete, up to date, and relevant to the functions we perform.

## 12. Individual's right to access and correct personal information

Individuals have the right to review their personal information that may be recorded on Metro Assist's electronic client management system or paper-based files.

Information may be reviewed by contacting Metro Assist on 02 9789 3744.

Metro Assist will respond to the request within a reasonable period of time and will take reasonable steps to correct the information if it is inaccurate, incomplete, misleading or not up to date.

If Metro Assist decides not to correct the personal information when requested to do so by an individual, Metro Assist will give the individual a written notice complying with the Law and including information about how the individual can complain about the refusal.

Metro Assist will provide access to information within a reasonable period of time, if it is reasonable and practicable to do so unless the following exceptions apply.

- Metro Assist reasonably believes that giving access would pose a serious threat to the life, health or safety of any individual, or to public health or public safety; or
- the information relates to existing or anticipated legal proceedings between Metro Assist and the individual, and the information would be provided by the process of discovery in those proceedings; or
- providing access would be unlawful; or
- denying access is required or authorised by or under an Australian law or a court/tribunal order;

## 13. Complaints or queries

Metro Assist will promptly investigate, remedy and document any Clients grievance regarding privacy, in accordance with **Metro Assist Policy on Complaints and Disputes**.

Queries relating to the Privacy Policy can be directed to the Corporate Service Manager by contacting 02 9789 3744.

Complaints about privacy can also be made to the Office of the Australian Information Commissioner. See [www.oaic.gov.au](http://www.oaic.gov.au) for how to make a complaint.

### Contact us \_\_\_\_\_

**Email:** [metroassist@metroassist.org.au](mailto:metroassist@metroassist.org.au)

**Phone:** 02 9789 3744

**Postal address:** PO Box 503 Campsie NSW 2194

Privacy Officer

Metro Assist

Metro Assist Privacy Policy  
Version & Date: V3 20/07/2020  
Document Owner: CSM

Approver: Board  
Adopted: 02/5/2018  
Next Review Date: 20/07/2021

Level 2, 59-63 Evaline Street  
Campsie NSW 2194

#### 14. Review and approval

This policy will be reviewed and approved by the board of directors in any of these conditions:

- Prior to initial release for circulation
- Upon any revision on Metro Assist internal policies or procedures that may affect the integrity of this document
- At any time the legislative, policy or funding environment is so altered that the policy is no longer appropriate in its current form
- Every two years, where there are changes to this document or not.

The CEO is responsible for the implementation of this policy. The Corporate Service Manager is responsible for monitoring changes in Privacy legislation and for advising on the need to revise this policy as and when the need arises.

#### Change History

Issue No.	Date	Author	Approval Authority	Change Details
V1	21/02/2018	Nina Shahi	Board of Directors	New Policy
V2	02/05/2018	Nina Shahi	Board of Directors	Included definition of eligible data breach
V3	20/07/2020	CEO	Board of Directors	10. Data security and handling of information (p6) - Included online platform security measures (para 8)

#### Relevant Legislation

- Privacy Act 1988 (Cth) (Law)
- Australian Privacy Principles
- Privacy Amendment (Notifiable Data Breaches) Act 2017 (Cth))

#### Related Internal policy and document

- NSP Privacy Notice and Consent Form
- Records Management Policy
- Confidentiality Policy