

QD 5013: Privacy Policy

Endeavour Foundation respects the privacy of all Endeavour Foundation people including members, employees, volunteers, clients/beneficiaries/people who access services, customers, donors, business partners and online users, and is committed to safeguarding personal information that is collected, stored and administered.

1.0 PURPOSE

The purpose of this policy is to:

- a) Clearly communicate how Endeavour Foundation collects, uses, discloses and stores personal information, and how individuals may access and correct personal information held about them.
- b) Enhance the transparency of Endeavour Foundation operations, and
- c) Give individuals a better and more complete understanding of the personal information that Endeavour Foundation holds, and the way we manage that information.

2.0 SCOPE

This policy applies to the management and use of information relating to all Endeavour Foundation members, employees, volunteers, clients/beneficiaries, customers, donors, business partners and online users.

The Privacy Act 1988 and this policy do not apply to acts or practices which directly relate to the employee records of Endeavour Foundation.

3.0 POLICY

3.1 Definitions

- **Endeavour Foundation people** refers to members, volunteers, employees, volunteers, clients/beneficiaries/people who access services,, customers, donors, business partners and online users (including delegates)
- **Endeavour Foundation services** refers to the services described in 3.2 of this Policy.
- **Donors** refers to a person or business who makes a one-off or occasional financial and/or in kind contribution to Endeavour Foundation.
- **Business partners** refers to a business that provides support to Endeavour Foundation via the provision of funds, time or services, including suppliers.

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- **Clients/beneficiaries**/people who access services, refers to an organisation or individual which receives support, goods or services from Endeavour Foundation either regularly or on a short term basis
- **Customers** refers to anyone that purchases goods or services from Endeavour Foundation
- **Online users** refers to anyone that accesses the Endeavour Foundation websites at: www.endeavour.com.au, www.endeavourlotteries.com.au and all related sites and micro-sites.
- **Personal information** as defined by the Privacy Act 1988 is information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether true or not, and whether recorded in a material form or not.
- **Sensitive information** as defined by the Privacy Act 1988 is information or opinion about an individual's racial or ethnic origin; political opinions; membership of a political association; religious beliefs or affiliations; philosophical beliefs; membership of a professional or trade association; membership of a trade union; sexual preferences or practices; criminal record or health information about an individual; that is also personal information.
- **Authorised personnel** refers to anyone who occupies an Endeavour Foundation position with an inherent requirement to access personal information. This usually includes people in financial and human resources positions.
- **The Endeavour Foundation website** refers to the Endeavour Foundation website at: www.endeavour.com.au and all related sites and micro-sites.

3.2 Overview of Endeavour Foundation Programs and Services

- Endeavour Foundation is one of Australia's largest non-government disability service providers dedicated to supporting people with a disability to have the opportunities and choices of an ordinary life. Endeavour Foundation provides services for people with a disability in over 230 locations throughout Australia. Endeavour Foundation also provides community aged care services.
- In carrying out this goal Endeavour Foundation engages volunteers and employees, and receives donations, funding and support from members of the community, corporations, groups and governments.
- In addition to the services which we provide from funds donated by the public, Endeavour Foundation also holds contracts to deliver State and Commonwealth government programs. In providing such services, we

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comply with the relevant state or national privacy principles and any additional obligations under the contract.

- Endeavour Foundation operates commercial enterprises to generate funds including retail shops and a range of other work sites.
- Endeavour Foundation delivers programs and services throughout Australia. These programs include:
 - Disability Services
 - Children & Youth Services
 - Aged Care Services
 - Supported Employment Services
 - Business Solutions

3.3 Our obligations under the Privacy Act

- This privacy policy sets out how we comply with our obligations under the Privacy Act 1988 (Privacy Act). We are bound by the Australian Privacy Principles (APPs) in the Privacy Act which regulate how organisations may collect, use, disclose and store personal information, and how individuals may access and correct personal information held about them.

3.4 Collection of Personal and Sensitive Information

- If you would like to access any Endeavour Foundation Services on an anonymous basis or using a pseudonym, please tell us. If this is possible and lawful, we will take all responsible steps to comply with your request. However, we may not be able to provide the supports or services in question if we are not provided with the personal information requested.
- The nature and extent of personal and sensitive information collected by Endeavour Foundation varies depending on your particular interactions with Endeavour Foundation.
- Endeavour Foundation collects personal and sensitive information from clients/beneficiaries, donors, business partners, members, online users, Endeavour Foundation people (volunteers, employees, delegates and candidates for volunteer work and prospective employees) in order to deliver the services it provides.
- This can include:
 - Contact details

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- personal details
- date of birth
- bank details
- health information
- information on personal issues and experience
- purchase/donation history
- Australian Business Number (ABN)/Tax file numbers
- Transaction details associated with Endeavour Foundations Tickets, donations, products and services
- Payment details such as credit card number and expiry date
- And any other information considered reasonable for the conducting of Endeavour Foundation Business
- Server address, browser type, date and time of visit
- Endeavour Foundation does not match the personal information collected with the non-personal information

Endeavour Foundation People (volunteers, employees, delegates) and candidates for volunteer work and prospective employees

Additional to the above, for Endeavour Foundation people, the following information may be collected

- emergency contact person(s)
- country of birth, citizenship, residency and/or visa details
- details of current/previous employment or volunteer involvement
- skills and experience
- languages spoken and written
- qualifications, drivers licence details
- information and opinions from referees for prospective employees and candidates for volunteer work
- pre-employment health information

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- a Criminal History Check may be required for some roles in Endeavour Foundation (particularly those involving children, young people and other vulnerable groups). Individuals will be required to provide certain information for a Criminal History Check. There are different arrangements for Criminal History Checks in each state and territory of Australia. In some cases the Criminal History Check will be received directly by Endeavour Foundation and then stored securely or destroyed.
- a psychological profile report may be requested for some roles in Endeavour Foundation that will be received directly by Endeavour Foundation and then stored securely or destroyed.
- in some situations it is necessary for Endeavour Foundation to collect or receive information about an individual's health. In this circumstance, Endeavour Foundation will advise why the information is being collected and whether and to whom it will be released.

3.5 How We Collect Information

- Where possible, we collect your personal and sensitive information directly from you. We collect information through various means, including telephone and in-person interviews, appointments, forms and questionnaires. If you feel that the information that we are requesting, either on our forms or in our discussions with you, is not information that you wish to provide, please feel free to raise this with us.
- From time to time, promotional offers and special events will be communicated through direct marketing and other channels. Individuals will be provided a simple means to Opt-out of these communications.
- In some situations we may also obtain personal information about you from a third party source. If we collect information about you in this way, we will take reasonable steps to contact you and ensure that you are aware of the purposes for which we are collecting your personal information and the organisations to which we may disclose your information, subject to any exceptions under the Act. For example, we may collect information about you from a health care professional, such as your doctor.

3.6 Health Information

- As part of providing Endeavour Foundation services, Endeavour Foundation may collect health information. For example, Endeavour Foundation collects health information (such as medical history) from some clients/beneficiaries participating in Endeavour Foundation programs. When collecting health information from you, Endeavour Foundation will obtain your consent to such collection and explain how the information will be used and disclosed.

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- If health information is collected from a third party (such as your doctor), Endeavour Foundation will inform you that this information has been collected and will explain how this information will be used and disclosed.
- Endeavour Foundation will not use health information beyond the consent provided by you, unless your further consent is obtained or in accordance with one of the exceptions under the Privacy Act or in compliance with another law. If Endeavour Foundation uses your health information for research or statistical purposes, it will be de-identified.

3.7 Use of Personal Information

Purpose for which Endeavour Foundation uses the information:

- to process an application to become a member, volunteer or employee to our organisation
- to facilitate an employment placement in an appropriate service or position
- to assist with services whilst individual is employed or engaged as a volunteer with Endeavour Foundation
- to assess, plan and provide Endeavour Foundation services
- To enable communication with emergency contacts, advocates, employers (if required), treating professionals, government departments
- to provide clients/beneficiaries with the most appropriate services to meet their needs
- to meet any requirements of government funding programs
- to monitor and evaluate existing services and plan for future services
- to provide annual reports and for research purposes which may involve contracted organisations
- to comply with legal obligations
- to process donations, purchases and provide accurate receipts
- to provide transparency about the management and administration of donated funds, particularly for appeals for public donations
- to facilitate ongoing fund raising, grant submission and marketing activities
- to provide transparency about the management and administration of sales
- to establish and manage partnerships

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- to receive services from you or the organisation which employs you
- to provide information about Endeavour Foundation services
- to manage Endeavour Foundation's relationships with the business partner
- to update the company on Endeavour Foundation appeals for public donations, programs and services
- to provide information about Endeavour Foundation
- to receive invitations to upcoming events and activities
- to recognise your support of Endeavour Foundation
- to analyse website usage and make improvements to the website to process pay, superannuation, direct debits and salary sacrifice for employees
- to provide feedback on performance as a volunteer or employee
- to meet legislative responsibilities to all volunteers and employees
- to obtain feedback from individuals about their experiences
- to assist Endeavour Foundation to review and improve its programs and services
- to keep the individual informed about Endeavour Foundation news, developments and opportunities
- to provide information about Endeavour Foundation services
- to facilitate further involvements with Endeavour Foundation (eg. disability supports, business solutions, membership, donor)
- to support the review of complaints and investigation processes by Board appointed external committees

Additional Information for unsuccessful applicants

- Information relating to unsuccessful candidates for employment or volunteer work will be stored securely for reference as required to provide feedback to the applicant or, with the applicant's consent, for consideration of other opportunities with Endeavour Foundation. Otherwise this information will be destroyed after 12 months.

3.8 Disclosure of Personal Information

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- We will use personal information for the purposes for which it was collected, or for purposes which are related to one of our functions or activities.
- For the purposes referred to in this Privacy Policy, we may also disclose your personal information to other external organisations including:
 - Government departments/agencies who provide funding for Endeavour Foundation services;
 - Contractors who manage some of the services we offer to you. Steps are taken to ensure they comply with the Australian Privacy Principles (APPs) when they handle personal information and are authorised only to use personal information in order to provide the services or to perform the functions required by Endeavour Foundation;
 - Doctors and health care professionals, who assist to deliver our services;
 - Other regulatory bodies, such as WorkSafe;
 - Referees and former employers of Endeavour Foundation employees and volunteers, and candidates for Endeavour Foundation employee and volunteer positions;
 - Endeavour Foundation may disclose, from time to time when necessary, credit related information to a credit reporting body, where the Act and Code permits us to do so, to assess an application for credit. The credit reporting bodies may include, but not be restricted to, Dun and Bradstreet (Australia) Pty. Ltd., Veda Advantage Information Services and Solutions Ltd or Experian Australia Credit Services Pty Ltd. You can download a copy of their respective privacy policies at their websites
- Except as set out above, Endeavour Foundation will not disclose an individual's personal information to a third party unless one of the following applies:
 - the individual has consented to the release;
 - the release is required or authorised by law;
 - the individual would reasonably expect us to use or give that information for another purpose related to the purpose for which it was collected (or in the case of sensitive information – directly related to the purpose for which it was collected);
 - it will prevent or lessen a serious threat to an individual's life, health or safety or the public's health or safety;

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- it is reasonably necessary for us to take appropriate action in relation to suspected unlawful activity, or misconduct of a serious nature that related to our functions or activities; or
- it is reasonably necessary for law enforcement purposes.
- We will not sell your personal information to any third party.
- We do not usually send personal information out of Australia without your consent. If we do, or if you need us to send information to another country, we will do so with your consent and for what purpose. If we are otherwise required to send information overseas we will take measures to protect your personal information. We will protect your personal information either by ensuring that the country of destination has similar protections in relation to privacy or that we enter into contractual arrangements with the recipient of your personal information that safeguards your privacy.

3.9 Security of Personal and Sensitive Information

- Endeavour Foundation takes reasonable steps to protect the personal and sensitive information we hold against misuse, inference, loss, unauthorised access, modifications and disclosure. These steps include:
 - password protection for accessing our electronic IT systems;
 - securing paper files in locked cabinets;
 - only permitting authorised personnel to access your personal and sensitive information; and
 - ensuring personal and sensitive information is destroyed in a secure manner, or deleted according to our Archiving, Retention and Disposal Policy.

3.10 Access to and Correction of Personal Information

- If an individual requests access to the personal information we hold about them, or requested that we change that personal information, we will allow access or make the changes unless we consider that there is sound reason under the Privacy Act or other relevant law to withhold the information, or not make the changes.
- Requests for access and/or correction should be made to the Privacy Officer (details of which are set out below). For security reasons, you will be required to put your request in writing and provide proof of your identity. This is necessary to ensure that personal information is provided only to the correct individuals and that the privacy of others is not undermined.

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- In the first instance, Endeavour Foundation will generally provide a summary of the information held about the individual. It will be assumed (unless told otherwise) that the request relates to *current* records. These current records will include personal information which is included in Endeavour Foundation databases and in paper files, and which may be used on a day to day basis.
- We will provide access by allowing you to inspect, take notes or print outs of personal information that we hold about you. If personal information (for example, your name and address details) is duplicated across different databases, Endeavour Foundation will generally provide one printout of this information, rather than multiple printouts.
- We will take all reasonable steps to provide access or the information requested within 14 days of your request. In situations where the request is complicated or requires access to a large volume of information, we will take all reasonable steps to provide access or the information requested within 30 days.
- Endeavour Foundation may charge you reasonable fees to reimburse us for the cost we incur relating to your request for access to information, including in relation to photocopying and delivery cost of information stored off site. For current fees, please contact the Privacy Officer.
- If an individual is able to establish that personal information Endeavour Foundation holds about her/him is not accurate, complete or up to date, Endeavour Foundation will take reasonable steps to correct its records.
- Access will be denied if:
 - the request does not relate to the personal information of the person making the request except where that person is the legal guardian, or substitute decision maker of the person whose information is being requested;
 - providing access would pose a serious threat to the life, health or safety of a person or to the public health or public safety;
 - providing access would create an unreasonable impact on the privacy of others
 - the request is frivolous and vexatious;
 - the request related to existing or anticipated legal proceedings;
 - providing access would prejudice negotiations with the individual making the request;
 - access would be unlawful;

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- denial of access is authorised or required by law;
 - access would prejudice law enforcement activities;
 - access would prejudice an action in relation to suspected unlawful activity, or misconduct of a serious nature relating to the functions or activities of Endeavour Foundation
 - access would prejudice law enforcement activities;
 - access discloses a 'commercially sensitive' decision making process or information; or
 - any other reason that is provided for in the APP's or in the Privacy Act.
- If we deny access to information we will set out our reasons for denying access. Where there is a dispute about your right of access to information or forms of access, this will be dealt with in accordance with the complaints procedure set out below.

3.11 Privacy Complaints Procedure

- If you have provided us with personal and/or sensitive information, or we have collected and hold your personal and/or sensitive information, you have a right to make a complaint and have it investigated and dealt with.
- A privacy complaint relates to any concern that you may have regarding Endeavour Foundation privacy practices or our handling of your personal and sensitive information. This could include matters such as how your information is collected or stored, how your information is used or disclosed or how access is provided to your personal and sensitive information.
- The goal of this policy is to achieve an effective resolution of your complaint within a reasonable timeframe, usually 30 days or as soon as practicable. However, in some cases, particularly if the matter is complex, the resolution may take longer. Where appropriate discussion may occur with the complainant if Endeavour Foundation believes the matter will take over 30 days to manage.

3.12 Changes to this Privacy Policy

- Endeavour Foundation reserves the right to review, amend and/or update this policy from time to time.
- We aim to comply with the APPs and other privacy requirements required to be observed under State or Commonwealth Government contracts.

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- If further privacy legislation and/or self-regulatory codes are introduced or our Privacy Policy is updated, we will summarise any substantial modifications or enhancements in this section of our Privacy Policy.

3.13 Further Information

- Further information about National Privacy Law is available from the Office of the Australian Information Commissioner www.oaic.gov.au.
- Further information about this policy can be obtained from the Endeavour Foundation Privacy Officer, Mr Richard Cleal at privacy@endeavour.com.au or 0408 081 500.

4.0 DOCUMENTATION

Policies

- Supported Employee Induction Handbook (QD 2102)
- Code of Conduct (QD 5001)
- Director Code of Conduct (QD 5012)
- Personal History Files (QD 5019)
- Complaints Policy (QD 5402)
- Archiving, Retention and Disposal Policy (QD 5601)
- Retention Disposal Record (QD 5602)
- Information Services – Password Policy (QD 6100)
- Information Services – Email Policy (QD 6101)
- Information Services – Employee Internet Usage Policy (QD 6102)
- Information Services – Acceptable User Policy (QD 6103)
- Information Services – Clear Desk Policy (QD 6112)
- Social Media Policy (QD 7501)
- Access to and Control of Business Information (QD 8300)

Procedure

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- Use of Mobile Devices (QP 1323)
- Client Records Management - D&CS (QP 1325)
- Privacy and Confidentiality in Residential Out of Home Care / Alternative Care (QP 1607)
- Complaints Management Procedure (QP 5402)
- Information Services – Password Procedure (QP 6100)
- Information Services – Information Security (Secure Applications Procedure) (QP 6107)
- Information Services – Information Security (Operations Security Management Procedure) (QP 6111)
- Credit Management Procedure – Trade Accounts (QP 6225)
- Privacy and List Management Procedure (QP 7118)
- Social Media Procedure (QP 7501)
- Procedure for Accessing Business Information (QP 8300)

Forms

- Rights and Responsibilities Brochure (QF 1015.01)
- Rights & Responsibilities for Children / Young People – Disability and Community Services (QF 1603.06)
- Statement of Compliance with Key Legislative Requirements (QF 5003.01)
- Application for Credit Account (QF 6225.01)