

PRIVACY POLICY

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| Policy number | COR002 | Version | V2.0 |
| Drafted by | Manager- Administration & Compliance + Legal Counsel | Approved by MD on | 20/1/2020 |
| Responsible person | Managing Director | Scheduled review date | 5 years |

1. PURPOSE

This policy sets out how Common Equity Housing Limited (CEHL) will:

- a. Collect, retain, use and disclose personal information collected; and
- b. Manage CCTV in compliance with the Surveillance Devices Act 1999 (Vic).

2. POLICY CONTEXT

CEHL respects your privacy by treating all your personal and sensitive information in accordance with our legal obligations.

We must comply with the *Privacy Act 1998* (Cth), which contains the Australian Privacy Principles (APPs).

We must also comply with Victorian state laws, standards and plans (including the *Health Records Act 2001* (Vic)), due to our activities and, as applicable, under our Social Housing Growth Fund State Contribution Agreement.

3. POLICY

3.1 What kinds of personal information do we collect?

The type of information that we collect and hold will depend on the nature of your involvement with us.

Depending on the reason for collecting the personal information, the personal information that we collect may include (but is not limited to) name, age, residential address, suburb, postcode, date of birth, phone number, email address, bank account details, next of kin details, income information, cultural information and images.

We may also collect sensitive information from a person including a working with children check, health information, government identifiers or a police check.

If you choose not to provide information when requested, we may not be able to service your needs. For example, if you want to remain anonymous or use a pseudonym.

We sometimes receive unsolicited personal information. When we do receive unsolicited personal information we will usually destroy the information as soon as practicable if it is lawful and reasonable to do so unless the unsolicited personal information is reasonably necessary for, or directly related to, our functions or activities.

3.2 How do we collect personal information?

Personal information is collected:

- (a) by our teams when a person walks in to one of our offices with an enquiry;
- (b) online (via the portal on our website <https://www.cehl.com.au/>);
- (c) by email, post and phone;
- (d) from our member co-operatives;
- (e) through referrals.

We will attempt wherever practicable to collect personal information directly from you. Information is collected in a number of ways including from when you fill in a form, make an enquiry online, attend a face-to-face meeting, provide email correspondence, phone us, or make a payment.

We may collect personal information from individuals such as visitors, contractors, and suppliers.

We will generally get consent from the owner of personal information to collect their personal information. Consent will usually be given in writing however sometimes it may be given orally or may be implied through a person's conduct.

We will endeavour to only ask for your personal information if it is reasonably necessary for the activities that you are looking to be involved in.

In relation to the collection and disclosure of sensitive information, we are bound by the Australian Privacy Principles (APP's), which provide for the circumstances in which disclosure is allowed, or required by law.

3.3 For what purpose do we collect personal information?

Our primary purpose of collecting personal information is to provide long-term tenancies along with co-operative management of housing by supporting our members and member co-operatives. We focus on working in partnership with member co-operatives to deliver an effective, sustainable housing program that empowers people and builds strong communities.

We may collect, hold, use or disclose your personal information for the following general purposes:

- (a) to identify you;
- (b) for the purpose for which the personal information was originally collected;
- (c) for a purpose for which you have consented;

- (d) for applicants or people wishing to transfer to be added to the Victorian Housing Register;
- (e) for information for direct marketing, and you will be given an opt-out in such communications;
- (f) for any other purpose authorised or required by an Australian law (some of which are detailed below); and
- (g) for any other purpose authorised or required by a court or tribunal.

Please note: landlord functions are delegated by CEHL to the majority of housing co-operatives in the Program. They are required to collect personal information as outlined in CEHL's **Program Policy: Privacy Requirements for Co-Ops with Landlord Responsibilities**, as well as their respective obligations under privacy law.

In relation to the personal information of potential staff, board and board committee members and contractors, we collect the personal information for purposes including to:

- (a) enable us to carry out our recruitment functions;
- (b) correspond with you, provide training and professional development;
- (c) fulfil the terms of any contractual relationship; and
- (d) ensure that you can perform your duties.

If you have any concerns about your personal information being used by us in any of these ways, please notify us.

3.4 How will we use and disclose your personal information?

We will use and disclose your personal information for the purpose for which it was collected or a secondary purpose as permitted.

Employees of CEHL shall, as part of its formal process to better safeguard personal and sensitive information, use identifiers before discussing matters with individuals.

We may, from time to time, disclose personal information to your co-operative. This information will only be shared between CEHL and your co-operative to provide or improve our services or for another primary purpose.

CEHL is classified as an Information Sharing Entity and a Risk Assessment Entity under the Family Violence Information Sharing Scheme and Child Information Sharing Scheme (together, **the Schemes**). Information may be collected, held, used or disclosed in accordance with our obligations under the Schemes. This may include using or disclosing your personal information for a secondary purpose, when CEHL reasonably believes the use or disclosure is necessary to lessen or prevent a serious threat to the life, health or safety of an individual. More information about our involvement with the Schemes can be found on our website at <https://www.cehl.com.au/>

CEHL is a participant in the Victorian Housing Register, and personal information from applicants and people wishing to transfer that is collected by us may be disclosed to the

Victorian Housing Register, consistent with our legislative obligations and our obligations under our Participant Agreement and any related standards and policies.

CEHL may be required to provide your personal information for some people in CEHL housing that is subsidised to the Director of Housing or its agent to the extent the CEHL is required to do so by any Social Housing Growth Fund State Contribution Agreement.

Since 2018, the Notifiable Data Breach Scheme administered by the Office of the Australian Information Commissioner requires the mandatory reporting of “eligible” privacy or data breaches. We take all reasonable and necessary steps to protect your personal information from misuse, interference and loss and from unauthorised access, modification or disclosure. If, despite these efforts, we consider an “eligible” data breach has occurred with respect to your personal information under our control, we will notify you and will be required to notify the Office of the Australian Information Commissioner.

3.5 Direct marketing

From time to time, and in support of our future development and growth, we will send direct marketing material if you have consented to receiving such information.

If you do not want to receive any such information, you can contact CEHL by email on info@cehl.com.au

Once we receive a request to “opt out” from receiving marketing information, we will stop sending such information within a reasonable period of time.

3.6 How do we store personal information?

We take reasonable steps to protect personal information under our control from misuse, interference and loss and from unauthorised access, modification or disclosure.

We protect personal information in a number of ways including securely storing paper records, using professional software systems, and password restricted access.

We also have policies in place in relation to archiving, destruction and storage of personal information. We do not send personal information overseas.

3.7 How you can update your personal information?

We are always committed to holding accurate and up-to-date personal information. If you would like us to update the personal information that we hold about you, you can contact us via email on info@cehl.com.au or visit the portal on our website at <https://www.cehl.com.au/>

3.8 How can a person access their personal information?

Individuals have a general right to access personal information held by CEHL which is about them. This right of access only applies to an individual’s personal information; it does not give a right of access to any other information, including information about another individual.

If you wish to access personal information held about you so you can seek correction of such information you may do so by contacting us via email on info@cehl.com.au or visit the portal on our website at <https://www.cehl.com.au/>

We may refuse access to personal information in a number of circumstances. These might include where:

- (a) giving access to the information would pose a serious threat to the life, health or safety of a person;
- (b) giving access would have an unreasonable impact on the privacy of a person;
- (c) the information relates to existing or anticipated legal proceedings and would not be available under the discovery process; or
- (d) denying access is required or authorised by an Australian law (for example, the **Schemes**) or court order.

We will seek to handle all requests for access to personal information as quickly as possible.

4. COMPLAINTS

If you have any questions relating to this policy, or you would like to lodge a complaint you need to contact us:

- (a) in writing using the Complaints Form which can be downloaded from our website at <https://www.cehl.com.au/>
 - (i) send it via mail to CEHL Complaints, Level 1, 112 Balmain Street, Cremorne VIC 3121 or
 - (ii) via email to complaints@cehl.com.au
- (b) by phoning us on 1800 353 669

We will investigate any complaint and will notify the complainant of any decision in relation to the complaint as soon as practicable.

If you are not satisfied with the response you can refer the complaint to the Office of the Australian Information Commissioner.

5. CCTV (CLOSE CIRCUIT TELEVISION)

CEHL is committed to providing an environment where the interests and wellbeing of its employees and general public is protected through the appropriate application of CCTV surveillance systems.

The use of CCTV systems, footage and recordings will be undertaken in accordance with relevant laws, legislation and CEHL's policy principles, detailed in CEHL's CCTV Policy and Procedures.

6. SCOPE

This Policy applies to anyone who visits or uses CEHL's services, and all visitors are expected to understand and comply with the privacy policy, including employees, contractors, students on work placement, board members and volunteers.

7. LEGAL AND OTHER REQUIREMENTS

Privacy Act 1998 (Cth), which contains the Australian Privacy Principles (**APPs**).

Victorian state laws, standards and plans (including the *Health Records Act 2001* (Vic)), by virtue of our activities and, as applicable, under our Social Housing Growth Fund State Contribution Agreement.

8. DEFINITIONS

CCTV is defined as *Closed Circuit Television and its associated software and infrastructure to support CEHL's CCTV security such as cameras, storage disks, uninterruptable power supply and security software integration.*

Eligible data breach means a privacy or data breach which is reportable to the Office of the Australian Information Commissioner because it meets all three of the following criteria:

- (a) There is unauthorised access to, or unauthorised disclosure of, personal information, or a loss of personal information that is held by CEHL; AND
- (b) This unauthorised access or disclosure is likely to result in serious harm to one or more individuals, AND
- (c) CEHL has not been able to prevent the likely risk of serious harm with remedial action.

Personal information means information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- (a) whether the information or opinion is true or not; and
- (b) whether the information or opinion is recorded in a material form or not.

Sensitive information is a special category of personal information. Sensitive information means:

- (a) information or an opinion about an individual's (i) racial or ethnic origin, (ii) political opinions, (iii) membership of a political association, (iv) religious beliefs or affiliations, (v) philosophical beliefs, (vi) membership of a professional or trade association, (vii) membership of a trade union, (viii) sexual orientation or practices, (ix) criminal record, that is also personal information;
- (b) health information about an individual.

9. AUTHORISATION

Approved by Brad Hosking Date of approval 20/1/2020
Position Acting Managing Director