

OPEN AND TRANSPARENT MANAGEMENT OF PERSONAL INFORMATION (APP 1)

Are-able (Are-able) is committed to protecting privacy of your personal information. Are-able endorses fair information handling practices and uses of information in compliance with its obligations under the:

- Australian Privacy Principles (APP) contained in the Privacy Act 1988.
- Information Privacy Act 2000 (Vic)
- Disability Services Act (1986) and the associated National Standards for Disability Services.

This Privacy Policy sets out how Are-able complies with the Privacy Act in handling your personal information including the collection, use, disclosure and storage, as well as your right to access your information.

Are-able takes privacy seriously and will only collect, hold, use and disclose your personal information in accordance with the Privacy Act

WHO SHOULD READ THIS POLICY

- a job seeker utilising our employment services programs;
- a participant or client in a program or service delivered by us;
- an employer;
- a contractor, consultant, or supplier of goods or services to us;
- a person seeking employment or volunteering with us;
- a current or past employee or volunteer;
- any other individual whose personal information we may collect or hold

ANONYMITY AND PSEUDONYMITY (APP 2)

Individuals have the option of not identifying themselves, or of using a pseudonym, when dealing with Are-able in relation to a particular matter.

This does not apply if, in relation to that matter:

Are-able is required or authorised by or under an Australian law, or a court/tribunal order, to deal with individuals who have identified themselves; or

it is impracticable for Are-able to deal with individuals who have not identified themselves or who have used a pseudonym.

COLLECTION OF SOLICITED PERSONAL INFORMATION (APP-3)

Are-able will only collect information which is reasonably necessary for our functions and activities in providing employment and associated services.

Are-able collects your personal information directly from you when you register for one of our services or when you update your personal details. There may be circumstances where personal information comes from a third party, such as a government department, if you have agreed or would reasonably expect your personal information to be collected in this way.

There are many ways we seek information from you or validate the information we hold. It might be when you fill out a form for us, or during a phone-call, made an enquiry through our website or attended one of our offices.

KINDS OF PERSONAL AND SENSITIVE INFORMATION COLLECTED AND HELD:

Are-able may hold the following kinds of personal information (which will vary depending on the service information requirements).

- Name, address and contact details (eg. phone, email, fax)
- Information about your personal circumstances (eg. Marital status, age, gender, occupation, accommodation)
- Information about your identity (eg. Date of birth, country of birth, drivers licence, visa details, birth certificates)
- Information about your employment (eg. Work history, referee comments, remuneration)
- Information about your background (eg educational qualifications, the languages you speak and your English proficiency)
- Government identifiers (eg Centrelink Reference Number or Tax File number)
- Your racial or ethnic origin
- Your health (including information about your medical history and any disability or injury you may have)
- Any criminal record you may have

Are-able recognizes that the nature of our services means that much of the information we collect and handle is particularly sensitive.

Jobseekers, clients and participants will be asked to confirm that you have read this privacy statement prior to Are-able proceeding with your registration to our service. These are confirmed through Service Consent forms. This will enable Are-able to:

- Determine if you are eligible to take part in the service you wish to register for
- Give you employment opportunities
- Assist in resolving complaints made by you
- Include you in surveys conducted by Are-able
- Assist in administration of our programs.
- Help improve our service to job seekers

COLLECTING PERSONAL INFORMATION FROM CHILDREN AND YOUNG PEOPLE

In carrying out our functions and activities we may collect personal information about children and young people, either directly from them, through their parents or guardians, or from their education providers.

Where children and young people are over the age of 16, our general policy is to collect information directly from them as they are likely to have the capacity to understand any privacy notices provided to them and to give informed consent to collection.

For children under the age of 16, or where capacity to provide consent is an issue, our policy is that a parent or guardian will be notified and their consent sought.

COLLECTION OF UNSOLICITED INFORMATION (APP-4)

Sometimes personal information is not sought by us, but is delivered or sent to us by either the individual or a third party without prior request.

Where unsolicited information is received by us, we will, within a reasonable period, determine whether that information is directly related to one or more of our functions or activities. If this cannot be determined, we will, as soon as practicable, destroy or de-identify the information. If it is related, we will handle the information the same way we do with other information we seek from jobseekers, clients, customers or stakeholders.

NOTIFICATION OF THE COLLECTION OF PERSONAL INFORMATION

(APP-5)

When personal information is received from you, we shall take reasonable steps to ensure you understand how and why we have collected the information, and who we may disclose this to. We will also inform you of how you can access your information, seek correction of your information or how to make a complaint if you are unsatisfied with our service.

On various occasions, Are-able collects information from a third party, when this occurs Are-able will take all the reasonable steps to ensure you are notified or that consent has been given.

USE OR DISCLOSURE OF PERSONAL INFORMATION (APP-6)

Are-able collects personal information through a variety of different methods including:

- Paper-based forms
- Electronic forms (including on-line forms)
- Face to face meetings
- Telephone, fax and email communications
- Interaction through Are-able web site and Are-able Social media
- Government departments
- Educational institutions
- Medical practitioners
- Previous employers, as needed during recruitment

Are-able uses and discloses personal information only for the primary purpose, a directly relate purpose, or for another purpose with the person's consent (unless otherwise required or authorized by law)

Possible exemptions include but are not limited to:

- Consent has been given for a secondary use or disclosure
- Reasonably expect Are-able to disclose their personal information for the purpose of their primary collection, or in the case of sensitive information, will directly relate to their primary purpose.
- Disclosure is required or authorized by or under an Australian law or a court/tribunal order.
- Likely secondary purposes for which we may use or disclose your personal information including but are not limited to: quality assurance, auditing, reporting, research, evaluation and analysis, and promotional purposes

DIRECT MARKETING (APP-7)

Are-able will not use or disclose personal information for the purpose of direct marketing, unless.

- a) Are-able collected the information from the individual; and
- b) the individual would reasonably expect us to use or disclose the information for that purpose; and
- c) We provides a simple means by which the individual may easily request not to receive direct marketing communications from the organisation; and
- d) The individual has not made such a request to us.

CROSS-BORDER DISCLOSURE OF PERSONAL INFORMATION (APP-8)

Are-able will not disclose your personal information to an overseas recipient unless disclosure is reasonably necessary for an enforcement related activity conducted by, or on behalf of, an enforcement body.

Are-able will obtain consent for the publication on the internet of material which may contain personal information, such as Are-able reports and other documents; photographs, video recordings and audio recordings; and posts and comments on our social media platforms.

ADOPTION, USE OR DISCLOSURE OF GOVERNMENT RELATED IDENTIFIERS (APP-9)

Are-able will take all reasonable steps to ensure they will not adopt a government related identifier (eg Medicare or tax file number) of an individual as their own identifier, or use or disclose a government related identifier of an individual unless:

- a) the use or disclosure of the identifier is reasonably necessary for the organisation to verify the identity of the individual for the purposes of the organisation's activities or functions; or
- b) the use or disclosure of the identifier is reasonably necessary for the organisation to fulfil its obligations to an agency or a State or Territory authority; or

- c) the use or disclosure of the identifier is required or authorised by or under an Australian law or a court/tribunal order.

QUALITY OF PERSONAL INFORMATION (APP 10)

Are-able will ensure steps are taken, as are reasonable in the circumstances to ensure that the personal information it collects, uses or discloses is accurate, up-to-date, complete and relevant.

These steps include responding to requests to correct personal information when it is reasonable and appropriate to do so.

Audits and internal quality inspections are also conducted from time to time to ensure the accuracy and integrity of information, and any systemic data quality issues are identified and resolved promptly.

SECURITY OF PERSONAL INFORMATION (APP 11)

Are-able uses technology and security policies, rules and measures to protect the personal information that we have under our control. However, you should be aware that there are risks in transmitting information across the internet. So while we strive to protect such information, we cannot ensure or warrant the security of any information transmitted to us online and individuals do so at their own risk. Once any personal information comes into our possession we will take reasonable steps to protect that information from misuse and loss and from unauthorised access, modification and disclosure. Please refer to the ICT policies for further information on Security management system

Access to your personal information held by us is restricted to authorised persons who are Are-able employees or contractors.

We will remove personal information from our system where it is no longer required (except where archiving is required and in order to fulfil our obligations under the Public Records Act 1973 (Vic)).

ACCIDENTAL OR UNAUTHORISED DISCLOSURE OF PERSONAL INFORMATION

Are-able takes seriously and will deal promptly to any accidental or unauthorised disclosure of personal information. Are-able will follow the reference guidelines.

Reference: <https://www.oaic.gov.au/privacy/notifiable-data-breaches/>

ACCESS TO PERSONAL INFORMATION (APP 12)

You have a right under the Privacy Act to access personal information we hold about you. If you request access to, or correction of your personal information, we will respond within a reasonable period after the request has been made.

However, while the Privacy Act requires that we give you access to your personal information upon request, it does set out circumstances in which we may refuse to give you access or decline to correct your personal information.

(Reference to App12 sub clause 12.3 of the Australian Privacy Principles).

If we refuse to give you access or make corrections to your personal information, we will provide you with a written notice, including Are-able's Complaint Management procedures, which, among other things, gives our reasons for refusing your request.

For information requesting access to or correction of your personal information please complete our [Freedom of Information Form](#) and forward to Are-able.

CORRECTION OF PERSONAL INFORMATION (APP 13)

Are-able will take such steps (if any) as is reasonable in the circumstances to correct the information to ensure that, having regard to the purpose for which it is held, the information is accurate, up to date, complete, relevant and not misleading.

Any requests for correction will be responded to in a timely manner, with no charge to the individual. Should Are-able refuse to make the corrections to your personal information, we will provide you with a written notice, including Are-able's Complaint Management procedure which will give you the reasons for refusing your request.

COMPLAINTS

If you believe Are-able may have breached your privacy rights you may contact us using the contact details at Are-able's website www.Are-able.org.au. In order to ensure that we fully understand the nature of your complaint and the outcome that you are seeking, we prefer that you make your complaint in writing, and may use the External Complaint Form located on the Are-able website.

Are-able will respond to your complaint or request promptly if you provide your contact details. Are-able is committed to quick and fair resolution of any complaint and will ensure your complaint is taken seriously. You will not be victimised or suffer negative treatment if you make a complaint.

Please be aware that it may be difficult to properly investigate or respond to your complaint if you provide insufficient detail. You may submit an anonymous complaint, however if you do it may not be possible for us to provide a response to you.