

Information Privacy Policy

City of Logan Charitable Trust Limited

Policy Details	
Date adopted	20 October 2023
Date for review	2 years from the date of adoption
Related documents	City of Logan Charitable Trust Limited Complaints Policy
Policy owner	City of Logan Charitable Trust Limited Board of Directors

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1. Policy Purpose

City of Logan Charitable Trust (the Trust) acknowledges and respects every individual's legal right to privacy. The Trust acknowledges that information held regarding an individual is very sensitive and it aims to ensure that any information held is secure and kept confidential. This policy contains the steps taken by the Trust relating to the collection, holding, use and disclosure of personal and sensitive information relating to an individual and/or their parent or guardian as is required by the Privacy Act 1988 (Cth). The Trust is bound by the Australian Privacy Principles of the Privacy Act 1988 (Cth). Its obligations are set out in full in the Privacy Act 1988 (Cth) which can be accessed via the Privacy Commissioner's website at www.oaic.gov.au.

2. Policy Scope

This policy applies to all employees, volunteers, contractors and members who are engaged in any activity in connection with the Trust. It is the responsibility of every person to ensure that they comply with this policy. If anyone is unsure of their obligations under this policy, they are requested to contact the Secretary at enquiries@cityoflogancharitabletrust.org.au.

3. Policy Statement

1. Collection of Personal Information

- a) The Trust operates a diverse range of activities and because of this it collects personal and sensitive information from individuals for many different purposes.
- b) Personal information is only collected when the information is reasonably necessary or is seen to be directly related to one or more of the charities, functions or the activities it engages in. Further, the Trust will only collect personal information by lawful and fair means.
- c) At the time of, or as soon as is practicable after, collection the Trust will notify or make sure the individual is aware of the Trust's identity, contact details, the purpose for which the information was collected, any consequences of not providing the information, how the information may be accessed and corrected and organisations that the Trust usually discloses information with.
- d) If the Trust collects information about an individual from a third party, it will take reasonable steps to ensure that the individual is or has been made aware of this and will comply with the requirements mentioned in paragraph 3.3.
- e) If the Trust receives personal information, it will decide, within a reasonable period of time, whether the information could have been lawfully collected by the Trust itself, if so, the Trust will ensure that it complies with the requirements in paragraph 3.3. If the Trust concludes that this information could not have been obtained by the Trust lawfully, the Trust, providing it is lawful and reasonable to do so, will destroy the information provided that the information is not required to be kept by law.
- f) The Trust will not collect sensitive information about an individual unless the individual has consented to the collection of such information and the information is required by the Trust to conduct one or more of its functions or activities or if the collection is authorised under law.

2. Use

- a) The Trust may use personal information collected from an individual for a primary purpose notified to that individual.
- b) If the information is of a sensitive nature, then the Trust will only use the information for a primary purpose or a directly related purpose that an individual has consented to.
- c) The Trust may sometimes use or disclose personal information about an individual for a secondary purpose. Personal information may only be disclosed for a secondary purpose in very limited circumstances. The Trust, when reasonable, will seek consent from the relevant individual before using their personal information for a secondary purpose.
- d) Information for a secondary purpose may be used by the Trust in circumstances where an individual has consented to the use or disclosure or where an individual would reasonably expect that the information would be used for the secondary purpose.

3. Marketing

- a) The Trust may only use personal information of an individual for direct marketing where an exception applies under law. Where the Trust is permitted to use or disclose personal information for direct marketing it will allow the individual to “opt out” and will respect the individual's request to do so.
- b) Personal information, other than sensitive information, regarding an individual, obtained directly or indirectly, may be used for direct marketing if it was collected by the Trust and the individual would reasonably expect that the information will be used or disclosed for direct marketing. The Trust will provide an option allowing the individual to not receive direct marketing communications from the Trust. Where an individual opts not to receive direct marketing communications from the Trust, the Trust will do all that is reasonable to accommodate the request.
- c) In circumstances where personal information is used or disclosed for direct marketing purposes, an individual may ask the Trust to stop sending marketing communications to them. The Trust will attempt to accommodate the request, to the best of its ability, within 7 business days of receiving such a request. The same will apply in circumstances where personal information is used to facilitate direct marketing by other organisations on behalf of the Trust.
- d) An individual may request details of where their personal information was obtained from and the Trust will endeavour to accommodate such a request within 7 business days of receipt unless it is impracticable or unreasonable to do so.

4. Information Quality

The Trust will take all reasonable steps to ensure that the personal information being held or collected is accurate, relevant, complete, and up to date, having regard to the purposes of the use or disclosure of the personal information that is collected.

5. Security and Handling

- a) The Trust will take all reasonable steps to protect the personal information it holds from misuse, interference, loss, unauthorised access, modification, or disclosure.
- b) Data handling practices are reviewed regularly.

- c) All sensitive information, as well as client management records are stored separately and shared among employees on a need-to-know basis.
- d) Training is constantly reviewed to ensure strict compliance with this policy.
- e) The Trust will take all reasonable steps to destroy or permanently de-identify personal information regarding an individual when it concludes that the information is no longer required for any purpose for which it is able to be used or disclosed and where there is no law which requires the Trust to keep the information.

6. Access

- a) If the Trust receives a request to access personal information by the individual whose information is being held, the Trust will provide access to the information unless the following exceptions apply:
 - that access would pose a serious security threat to an individual or a group of individuals;
 - where access would impact on the privacy of others;
 - where the request is frivolous or vexatious;
 - where the information relates to anticipated or existing proceedings between the Trust and the individual and the information would not be provided during the process of discovery to them;
 - where providing access would jeopardise the Trust's intention to negotiate with the individual;
 - where providing access would be unlawful, or is denied by a court/ tribunal order;
 - where providing access would divulge commercially sensitive information; or
 - where providing access would prejudice the Trust from enforcing action against an individual who is engaging in an unlawful activity or any type of misconduct.
- b) The Trust will respond to a request for access of personal information within a reasonable period after receipt of the request and will attempt to provide the information in the manner that has been requested, unless it is unreasonable or impracticable to do so.
- c) The Trust may charge the individual an appropriate fee for giving access to personal information.
- d) Where the Trust refuses to give information due to the reasons referred to in paragraph 8.1 or where the information cannot be provided in the manner requested, the Trust will give the individual written notice regarding the refusal. The Trust will ensure that the notice complies with all legal requirements and includes information about how a individual can complain about the refusal.

7. Updating Information

- a) An individual can request the Trust to update personal information being held. The Trust will attempt to update its records within a reasonable period and will attempt to ensure that the information being held is accurate, complete, and relevant. The same will be done where the Trust finds that information it is holding on an individual is inaccurate, incomplete, or irrelevant.
- b) If the Trust refuses to correct personal information when it is requested to do so, it will provide the individual who made the request with a written notice about the refusal which complies with all legal requirements and includes information about how the individual can complain about the refusal.

- c) Where the Trust has disclosed personal information under a law, an individual may request the Trust to notify the entity who received the personal information of the corrections being made to their personal information. The Trust will take all reasonable steps to update entities who receive personal information from the Trust unless it is impracticable or unlawful to do so.
- d) An individual may request that a statement is provided by the Trust highlighting that certain information is inaccurate, irrelevant, or incomplete. The Trust will answer the request within a reasonable amount of time and will take reasonable steps to ensure that the statement is able to be seen by the individual making the request.

8. Complaints

- a) The Trust will consider all complaints made regarding a decision by the Trust to refuse access to personal information requested by an individual or a decision not to correct an individual's personal information.
- b) The Trust will respond in a reasonable amount of time after receipt of the complaint in accordance with the Trust's Complaints Handling Policy
- c) An individual may make a complaint about how the Trust handles their personal information to the Office of the Australian Information Commissioner and may access further information regarding this on the following website: <http://www.oaic.gov.au/privacy/privacy-complaints>.

9. Transparent Management of Information

- a) This policy will be publicly available on the Trust website and reasonable steps will be taken to provide a copy of this policy upon request.
- b) Any request, enquiry, or complaint regarding this policy, or in connection to obtaining personal information should be directed to the Trust as follows:

Name: City of Logan Charitable Trust
Address: 150 Wembley Road, Logan Central QLD 4114, AUSTRALIA
Email: enquiries@cityoflogancharitabletrust.org.au

- c) When requested, the Trust will take reasonable steps to inform the individual about the type of personal information that is being held, the purposes for which this information is held and how the information is held, used, or disclosed.
- d) The Trust has procedures in place to ensure that it complies with its obligations under the Privacy Act 1988 (Cth). An individual may contact the Trust with questions or complaints regarding the Trust's compliance with the Privacy Act 1988 (Cth).

4. Definitions

The following definitions apply to this Policy and its supporting processes.

Term	Definitions
Consent	Consent is a voluntary and informed agreement by an individual to something being done by the Trust. Where the Trust considers that an individual is unable to provide consent, the Trust will ask the individual's parent or guardian to provide the consent.
Direct Marketing	Direct Marketing is the promotion of the Trust's fundraising efforts, training and other related activities.
Individual	Individual refers to any natural person whose information has been obtained by the Trust and may include an individual's parent or guardian.
Personal Information	Personal information is information or an opinion about an identified individual or an individual who is reasonably identifiable, regardless of whether the information or opinion is true or not or recorded in material form or not. Personal information collected by the Trust includes contract details, qualifications, personal history, financial information, or information regarding complaints made by an individual and may include sensitive information.
Primary Purpose	<p>Primary Purpose refers to activities that the Trust takes part in for which the Trust collects information, examples of which include:</p> <ul style="list-style-type: none"> • providing services for the community, • interviewing, examining, positioning and engaging with the Trust volunteers; • examining, explaining and distributing information regarding any new legislation relevant to its activities; • providing or updating information on its website; • connecting and engaging with members and supporters; • conducting assessments and reference checks of any person connected to or receiving assistance from the Trust; • obtaining donations; • collecting personal information or images from the Trust's archives and/or publications; and • sharing information with any other charity to further the work of the Trust and assist those most vulnerable.
Secondary Purpose	Secondary Purpose is a purpose related to the primary purpose when concerning personal information. Regarding sensitive information, a secondary purpose is a purpose which is directly related to the primary purpose.

Sensitive Information	Sensitive Information is information the Trust may collect such as information on racial or ethnic origin, religious beliefs, membership of any associations, criminal history or health and may include personal information.
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5. Document Control

The creation and amendment history of this policy is as follows:

Version Number	Description of Change	Author	Date
1.0	Creation	Dominic Taylor	12 October 2023
1.1	Update name of entity	Sohana Maharaj	16 March 2024