

# OPS-PO-01 Privacy Policy

Version No 2.4



## 1 PURPOSE

This Privacy Policy sets out in accordance with the Privacy Act 1988 (Cth) the way in which Multiple Sclerosis Society of South Australia and Northern Territory Inc and its associated entities (together Society, we, us, or our) may collect, store, use, disclose, manage and protect your Personal Information. Our *OPS-PO-02 Data Breach Policy* forms part of this Privacy Policy and sets out our approach to any data breach.

## 2 SCOPE OF THE POLICY

This Privacy Policy applies to our websites, services, promotions and products that collect data.

All Board members, employees and volunteers of the Society have an obligation to abide by this Privacy policy. Individuals found breaching privacy or confidentiality may face disciplinary action and/or possible termination.

## 3 POLICY STATEMENT

The Society committed to protecting the privacy of personal information which the Society collects, holds and administers. The Society will only collect information that is required for it to fulfil its ethical and legal responsibilities and provide appropriate and timely services.

## 4 POLICY PRINCIPLES

### 4.1 What is Personal Information and Sensitive Information?

We follow the definition of Personal Information and Sensitive Information given in the Privacy Act:

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 means Personal Information about an individual/s:

- (a) racial or ethnic origin;
- (b) political opinions and affiliations;
- (c) religious or philosophical beliefs or affiliations;
- (d) membership of professional bodies or trade unions;

- (e) sexual orientation or practices;
- (f) criminal record; or
- (g) health, genetic or biometric information.

#### **4.2 What kinds of Personal Information might we collect and hold?**

The Personal Information we may collect, hold and process falls into four categories, depending upon how you interact with us:

##### **1.1.1. Client data**

This is Personal Information we collect about you in relation to:

- (a) providing you with services or support in relation to an illness or disability; or
- (b) providing you with employment services through our Multiple Solutions service.

This category of Personal Information may include:

- (c) names, addresses, phone numbers, email addresses and other contact information;
- (d) your image;
- (e) your age, gender and other demographic information;
- (f) financial information, including wages and bank account details;
- (g) information about Government issued identifiers such as Driver's licence numbers (however we will not use these as our own identifier of an individual);
- (h) Centrelink and social security information;
- (i) information about your work history and employment goals;
- (j) information about how you use our services;
- (k) information about other services you access;
- (l) information about your family and next of kin;
- (m) information about how you interact with us and the services we provide;
- (n) transcripts of conversations you have with us;
- (o) your IP address and/or other device identifying data; and
- (p) other information required to provide a service or information you have requested from us.

We may also collect the following Sensitive Information about you:

- (q) health and medical records;

- (r) reports and correspondence from your treating clinicians;
- (s) information about your illness or disability;
- (t) information about your membership of professional associations or trade unions; and
- (u) information about your religion or ethnicity.

#### 1.1.2. Donor data

This is Personal Information we collect about you when you make a donation to the Society, or when we receive information on potential donors from third parties.

This category of Personal Information may include:

- (a) names, addresses, phone numbers, email addresses and other contact information;
- (b) your age, gender and demographic information;
- (c) credit card numbers, bank account details and other financial information;
- (d) the history and frequency of your donations to the Society or other charities;
- (e) information about the way in which you interact with us, including your use of our website and social media pages;
- (f) transcripts of conversations you have with us;
- (g) communications between you and us; and
- (h) other information required to process your donation and further our fundraising efforts.

#### 1.1.3. Promotions data

This is Personal Information we collect when you take part in one of our promotions or lotteries.

This category of Personal Information may include:

- (a) names, addresses, phone numbers, email addresses and other contact information;
- (b) your age, gender and demographic information;
- (c) your image;
- (d) credit card numbers, bank account details and other financial information;
- (e) the history and frequency of your participation in lotteries and promotions;
- (f) information about the way in which you interact with us, including your use of our website and social media pages;
- (g) transcripts of conversations you have with us;

- (h) Details of prizes that you may have won in our lottery draws;
- (i) communications between you and us; and
- (j) other information required to process your entry into a promotion and further our fundraising efforts.

#### 1.1.4. Bequest Data

This is Personal Information we collect when you or a member of your family leaves money to the Society as part of a bequest.

This category of Personal Information may include:

- (a) names, addresses, phone numbers, email addresses and other contact information;
- (b) details of wills, letters of administration or probate;
- (c) financial information;
- (d) legal documents;
- (e) transcripts of conversations you have with us;
- (f) communications between you and us; and
- (g) other information required to process your entry into a promotion and further our fundraising efforts.

### **4.3 How do we collect Personal Information**

We collect Personal Information:

- (a) directly from you (when you provide that information to us, we contact you, when you contact us, when you use our Services, when you engage with us or when we engage with you);
- (b) when conducting or delivering our Services;
- (c) when you participate in our marketing activities;
- (d) from third parties who you have authorised to provide us with information;
- (e) from government departments, Courts and other service providers; and
- (f) from publicly available sources such as the internet and social media.

### **4.4 How do we hold and secure your Personal Information?**

We store your Personal Information both in hard copy format and digitally, at our headquarters in Hillcrest South Australia, on servers held by the Multiple Sclerosis Society of Western Australia Inc, or with Australian based cloud storage providers. All digital material is secured using standard SSL protocol with secure authentication keys for each method. All confidential documents are securely shredded by a third party provider after storage is no longer necessary.

We conduct regular audits of our compliance with this Policy and the Act to ensure that our privacy framework is in line with industry best-practice.

#### **4.5 Why do we collect, hold, use and disclose Personal Information?**

The Society may collect Personal Information for a number of reasons, including:

- (a) verifying your identity;
- (b) providing you or a third party with services;
- (c) providing you with information about our services and products;
- (d) sending communications you request or contacting you and responding to your enquiries;
- (e) providing third parties with information about you and your activities for the purposes of providing you services;
- (f) ensuring consistency of service across our business and other internal business purposes;
- (g) developing or refining our services;
- (h) internal business purposes;
- (i) providing you with marketing material;
- (j) fundraising;
- (k) contacting you in relation to our business activities;
- (l) tailoring our services;
- (m) running promotions and lotteries; and
- (n) corporate governance, auditing and record keeping.

Our use of Personal Information may extend beyond these uses, but will be restricted to purposes that we consider to be related to our functions and activities.

#### **4.6 What do we do with your Personal Information?**

If we collect Personal Information, we may:

- (a) use that information for the purposes stated in this Policy;
- (b) store that information in accordance with this Policy;
- (c) pass that information amongst entities we work with for purposes stated in this policy;
- (d) pass that information to third parties who provide products or services to us (including the Multiple Sclerosis Society of Western Australia Inc, our accountants, auditors, lawyers, IT contractors, and other service providers);

- (e) provide that information to relevant Government departments for purposes of providing services as required or permitted under the law;
- (f) provide that information to third parties as required or allowed by law.

#### **4.7 Do you use my information for Direct Marketing?**

We may use your Personal Information to communicate directly with you to promote our services and promotions. We use direct marketing to provide you with information about our services and promotions that we believe you may be interested in. If you receive direct marketing material from us, and do not wish to continue receiving it, please contact us by any of the methods stated in this Policy, asking to be removed from all future direct marketing programs. Once we have received your opt-out request, we will remove you from our direct marketing programs as soon as reasonably practicable.

#### **4.8 What about Cookies, pixels and analytics?**

When you access our website, we may receive information about you via a 'cookie', a 'pixel' or from analytics software.

These are tools that our web server may direct your traffic to, send to your computer, or embed on a website, when you visit our website. These tools help us to recognise when you re-visit the website, serve you customised content and to optimize your experience. We generally don't collect Personal Information through the use of these tools, though we may be able to access your IP address and information about what your computer technology is when using analytical software.

You may be able to change the settings of your browser so that Cookies are not accepted generally or that you are provided with options to accept or reject them as they are sent to your browser.

#### **4.9 Do we ever send your information overseas?**

We are an Australian based organisation. We store information only on Australian based servers.

We may upload images and/or footage to our social media accounts from time to time. The social media accounts may be hosted on an overseas server. Where applicable, in the event that your information is sent overseas, we will use our best endeavours to ensure that any overseas supplier will keep all Personal Information secure. We will not send personal information overseas where doing so is prohibited by our contractual or legal obligations.

#### **4.10 Can you access your Personal Information or request it be corrected?**

- (a) You may request access to the Personal Information that we hold about you by contacting us.
- (b) Upon receiving an access request we may request further details from you to verify your identity. We reserve the right not to provide you with access to Personal Information if we cannot verify your identity to our reasonable satisfaction.
- (c) An administrative fee may be charged to cover our costs in providing you with access to your Personal Information. This fee will be explained to you before it has been incurred.
- (d) We will respond to your access request within a reasonable period of time by:
  - (i) providing you with access to your Personal Information (including in a structured electronic format if you are a resident of the European Union);

- (ii) rejecting your access request, and providing you reasons for this rejection.
- (e) Access requests may be denied where:
  - (i) we believe your request is frivolous or vexatious;
  - (ii) we are entitled to reject a request by law;
  - (iii) we are unable to verify your identity; or
  - (iv) you have not paid the administrative fee (if any).
- (f) If you believe that the Personal Information that we hold is inaccurate or otherwise requires correction, you may send us a correction request by contacting us. We will review your Personal Information and respond to the request within a reasonable period of time.

#### **4.11 What are your rights regarding Sensitive Information**

We only hold Sensitive Information with your ongoing consent, unless there is a legal reason we have to hold it, or it is necessary to prevent an emergency. If you want us to delete your Sensitive Information from our records, please make your request to us in writing. If you do ask us to delete your Sensitive Information, it may mean we are not able to provide services to you in the future.

#### **4.12 What happens if you want to deal with us anonymously or using a pseudonym?**

When contacting us, you can do so either anonymously or by using a pseudonym. If you do so, we may not be able to provide you with accurate or useful information, and you may not be able to access a full range of our operations and services. Further, we may not be able to investigate incidents or complaints you have made.

#### **4.13 Does this policy ever change?**

From time to time we may make changes to this Policy. When we do, we will highlight those changes in yellow highlight for a period of 14 days. Please make sure you review the Privacy Policy each time you visit our website to keep up to date on any changes.

#### **4.14 What about the General Data Protection Regulation (GDPR)?**

The GDPR is the European Union (EU) data protection law. Australian-based organisations that offer goods or services to persons in the EU or target or monitor the behaviour of persons in the EU may be required to comply with the GDPR regulatory regime.

We are an Australian based organisation providing products and services within Australia. From time to time, we may capture or collect Personal Information that passes through the EU. This might occur, for example, if a person in the EU accesses our website and we collect analytical data about them, if a person in the EU signs up for a newsletter, enquiries about our services from the EU, or if one of our customers gives us information about a person in the EU. If this occurs, we will treat the Personal Information received in accordance with this Policy.

Where data is processed or monitored in the EU, you may have additional rights, such as:

- (a) The right to request that we delete your Personal Information (unless we require that information to comply with a legal obligation, or need it to bring or defend a legal claim); and
- (b) The right to restrict our processing of your Personal Information (where it is inaccurate, would be unlawful to process, or where it has not been deleted due to us needing it to meet a legal obligation).

If your data is processed or monitored in the EU, and you wish to exercise one of these rights, please contact us on the details below.

#### 4.15 What happens if you have a question or complaint about how we have handled your Personal Information?

If you have a question or complaint, you can raise it with us by:

Emailing: [info@ms.asn.au](mailto:info@ms.asn.au)

Calling us on (08) 7002 6500 or a free call MS Assist on 1800 812 311; or

Sending a letter to: PO Box 377, Salisbury South DC, SA 5106

We take all complaints seriously and will respond to you within a reasonable period of time, unless we consider your complaint to be frivolous or vexatious or if we are unable to verify your identity. If you aren't satisfied with the way we have handled your complaint, you can make a complaint to the Office of the Australian Information Commissioner at <http://oaic.gov.au>.

## 5 APPROVAL AND REVIEW DETAILS

Approval and Review	Details
Version number	2.4
Process group	OPS (Operations)
Process owner	Manager- Client Services, Manager- Employment Services and Manager- Fundraising and Marketing
Approved by CEO	
Endorsed by Chair on behalf of the Board	
Related documents and policies	<i>OPS-PO-02 Data Breach Policy</i> <i>OPS-PR-01 Data Breach Response Plan</i> <i>OPS-HO-01 Privacy Notification</i> <i>Code of Conduct</i> <i>OPS-FO-01 Privacy and Confidentiality Agreement for Employees</i>
Related legislation	Privacy Act 1988 (Cth) Australian Privacy Principles <i>Privacy Amendment (Notifiable Data Breaches) Act 2017</i>
Effective Date	25/02/2019
Next Review Date	24/03/2022