

1 Purpose and Scope

1.1 Purpose

- To provide guidance to inform the Board and staff of Linkwest for the collection, use of, access to, security, and disposal of personal information and data held by us.
- To ensure Linkwest complies with current Privacy legislation and privacy principles so that individuals have their privacy rights respected.

1.2 Scope

All Board, staff, clients, members and volunteers of Linkwest

2 Related Documents

The following Linkwest documents either contain references to this policy or are referred to in it:

- 2-015 Confidentiality Policy
- 2-031 Records Management Policy
- 2-032 Records Management Procedures
- 8-001 Complaints Policy
- 8-002 Complaints Procedures

3 Relevant Legislation

- Privacy Act (1988) Commonwealth
- Privacy Amendment Act (2012)
- Privacy Amendment Act (2017)
- Australian Privacy Principles

4 Definitions

Privacy	The condition of being left alone, out of public view and in control of collecting, using, storing and respecting the personal information and data that is known about you and how it is used and disclosed.
Personal Information	Information or an opinion about an identified individual, or an individual who is reasonably identifiable: whether the information or opinion is true or not; and whether the information or opinion is recorded in a material form or not.
Privacy Act	The Privacy Act 1988 (Privacy Act) is the principal piece of Australian legislation protecting the handling of personal information about individuals. This includes the collection, use, storage and disclosure of personal information in the federal public sector and in the private sector.
Privacy Principles	The thirteen (13) Information Privacy Principles (IPPs) place strict obligations on an agency when it collects, stores, uses and discloses personal information.

5 Background

Linkwest is committed to protecting the privacy of personal information which the organisation collects, holds and administers.

Personal information is information which directly or indirectly identifies a person. Maintaining privacy of this information includes:

- Collection of personal information;
- Use of personal information;
- Disclosure of personal information;
- Rights and control of employees, clients, customers or stakeholders' personal information;
- Storage and security of personal information; and
- Website cookies and third party sites consent clauses e.g. on social media platforms such as Facebook

6 Policy

6.1 Collection of Information

Linkwest will collect personal information by lawful and fair means and not in an unreasonably intrusive way.

Linkwest collects and administers a range of personal information for the purposes of:

- Providing Linkwest products or services, and
- Carrying out our internal administrative operations

Linkwest may collect personal information when an individual interacts with the organisation in any of the following ways:

- Fills in a membership application form
- Deals with Linkwest in person or over the telephone
- Purchases a product or service from the Linkwest website. This may include, but is not limited to, resources, training or events.
- E-mails Linkwest
- Subscribes to our electronic news
- Joins a Linkwest online forum
- Attends a Linkwest event or training
- Participates in a Linkwest promotional activity, for example, competition entry.
- Visits the Linkwest web site.
- Contacts Linkwest after visiting the website or social media post.

6.2 Use of Information

Personal information provided will only be used:

- For purposes consistent with the reason it was provided, or for a directly related purpose.
- Where it is required or permitted by law.
- Where an individual has provided us with express or implied consent.

- To comply with legislation. If this is the case, Linkwest will communicate to the stakeholder that this has occurred.

Information from log files:

- Linkwest may use information from log files.
- Primarily such data will only be used in the aggregate to help us determine how much our audience use parts of a website or to investigate technical issues. Aggregate data contains no identifying information.
- In circumstances where illegal activity is suspected, Linkwest may make log files or personal information available to law enforcement authorities.
- Additional purposes may be required.

6.3 Consent to use Information

- A 'Talent Release Agreement' may be required for consent to use someone's image, voice, likeness for publishing and or distribution requirements.
- We will obtain written consent from individuals for us to use or disclose their personal information or likeness if they are to be used or disclosed for any purpose other than the one we originally advised them of.
- We will check information for accuracy before we use it.
- Unless blocked through individual browser options, the Linkwest website may use cookies to customise user experience.

6.4 Security of Information

- Linkwest requires employees and contractors to perform their duties in a manner that is consistent with the organisation's legal responsibilities in relation to privacy.
- Linkwest will take all reasonable steps to ensure that paper and electronic records containing Personal Information are stored in facilities that are only accessible by people within Linkwest who have a genuine "need to know" as well as "right to know".
- Linkwest will review, on a regular and ongoing basis, its information security practices to ascertain how ongoing responsibilities can be achieved and maintained.
- There may be occasions where Linkwest is required by law to disclose personal information to third parties.

6.5 Quality of Information

- Linkwest will review, on a regular and ongoing basis, its collection and storage practices to ascertain how improvements to accuracy can be achieved.
- Linkwest will take steps to destroy or de-identify Personal Information after as short a time as possible and after a maximum of seven years, unless the law requires otherwise.

6.6 Cross Border Disclosure

Linkwest generally does not send information overseas.

- If Personal Information must be sent by Linkwest overseas for sound business reasons, Linkwest will require the overseas organisation receiving the information to provide a binding undertaking that it will handle that information in accordance with the Australian Privacy Principles (APP8).

- A binding contract agreement between the entity and provider for limited purposes of performing a service would first be required and must ensure a data breach response plan.
- Security measures will be used for the storage and management of the personal information and whether the personal information can be retrieved or permanently deleted by the entity when no longer required or at the end of the contract. (APP11)

6.7 Data Breaches

- Linkwest will take all reasonable action to protect personal information from unauthorised access where a third party intentionally exploits the entity's security measures and gains unauthorised access to the personal information e.g. theft or cyber attack.
- **Where there are reasonable grounds to suspect a data breach, Linkwest will outline appropriate remedial action (based on the type of personal information to be handled).**

6.8 Access and Correction

Stakeholders will have access to their own information, and the right to seek its correction.

- Linkwest will undertake to provide stakeholders with convenient access to their information, without reasonable delay and without cost.
- If correction is required or a stakeholder believes the information we hold is not accurate, the stakeholder must contact Linkwest in writing, outlining where the incorrect information is located and how it should be changed.
- Linkwest will take reasonable steps to correct the information so that it is accurate, complete and up to date.
- Correction to any document containing personal information will be undertaken as soon as practicably possible.

6.9 Complaints

- Enquiries relating to privacy issues can be made in the first instance via phone, email or web enquiry.
- Any formal privacy related complaints should be directed in writing to the CEO, Linkwest.
- Linkwest will acknowledge and manage any privacy related complaint in line with Linkwest's Complaints Policies and Procedures.
- While Linkwest accepts no liability for links posted to the website or social media platforms, we will investigate all complaints within a reasonable timeframe.

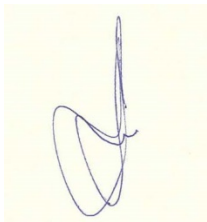
6.10 Openness

- A Privacy Statement disclosing Linkwest's information gathering and dissemination practices will be maintained and made available in the public area of the Linkwest website.
- All Linkwest online and printable forms will contain a Privacy Statement.
- If any part of the online privacy policy is changed, Linkwest will post the changes directly onto the website.

7 Document History

Document name:			
Version number	Version date	Approved by	Description of changes
3.0	17 June 2021	Board	1. Added privacy principles to scope 2. Added document numbers, confidentiality policy 4. Added definitions 5. Added areas of concern in relation to maintenance of privacy 6.2 Added compliance with legislation and log file information 6.3 Added Talent release form and website cookies 6.4 Added legal requirement to disclose information 6.6. Added binding contract requirement and security measures for storage and management 6.7 Added new section: data breaches. All subsequent sections renumbered. included website and social media use, 6.8 Expanded upon access and correction of info 6.9 Added no liability for links on website or social media. 6.10 Added posting changes to policy on website.
2.0	27 Feb 2018	Board	Formatting changes Addition of 6.3 Consent to use Information
1.0	2 Apr 2014	Board	Adopted

8 Approval

Name	James Jarvis
Position	Chairperson
Signature	
Date	17 June 2021