



# Privacy Policy

## **Purpose**

This policy has been developed to establish a framework for PBP Art (WA) Ltd. ("PBP") to protect and manage private information.

## **Scope**

The policies and procedures in this document apply to the Board, employees, volunteers, contractors, partners, affiliates, program participants, their parents, community members and anyone else who engages with PBP Art (WA) Ltd ("PBP").

## **Policy Statement**

PBP collects and uses a range of Personal Information to govern the organisation and manage its operations.

PBP commits to protecting the privacy of Personal Information which the organisation collects, holds and administers.

PBP recognises the essential right of individuals to have their Personal Information administered in ways which they would reasonably expect – protected on one hand, and made accessible to them on the other. These privacy values are reflected in our Privacy Policy, which is compliant with the Privacy Act 1988 (Cth) and the Australian Privacy Principles.

## **Definitions**

*Child* means a person below the age of 18 years unless, under the law applicable to the child, majority is attained earlier.

*Personal information* means any information that can lead to a person being identified, such as name, date of birth, age, address, sexuality, marital status, partner information. It also includes photographic material that can be used to identify them.

*Privacy* means activities that protect people from unfair or unauthorised use of Sensitive Information or Personal Information.



*Sensitive Information* means any information about a person's religious, philosophical or political beliefs, race or ethnicity, health information, criminal record, personnel records or details of a complaint.

## **Roles and Responsibilities**

### **Board members**

- Review and approval of this policy.
- Establishing a system for managing Personal or Sensitive Information.
- Monitoring compliance with this policy.
- Reviewing this policy annually to ensure it is operating effectively and updating it when necessary.

### **Board Secretary**

- Establishing and implementing records management procedures for Personal or Sensitive Information related to Board members.
- Keeping Personal or Sensitive Information collected for Board operations private.

### **Chief Executive Officer (CEO)**

- Implementation of this policy as it relates to Personal or Sensitive Information required for staff operations.
- Establishing records management procedures for Personal or Sensitive Information related to employees.
- Training employees, volunteers and contractors in the collection and management of Personal or Sensitive Information.
- Keeping Personal or Sensitive Information about employees private.

### **Program Coordinators**

- Implementation of this policy as it relates to Personal or Sensitive Information required for program operations.
- Establishing records management procedures for Personal or Sensitive Information related to volunteers and program participants.
- Training volunteers in the collection and management of Personal or Sensitive Information.
- Keeping Personal or Sensitive Information collected for program operations private.

### **Employees, Volunteers, Contractors, Partners, Affiliates, Visitors, Community Members**



- Following the requirements of this policy.
- Keeping Personal or Sensitive Information collected for program operations private.

## PROCEDURES

### **General Principles**

PBP will:

- Permit only the Board Secretary and Board Chairperson to collect, store and use Personal or Sensitive Information required for Board operations.
- Permit only the CEO to collect, store and use Personal or Sensitive Information required for staff operations.
- Permit the CEO, Program Coordinators to collect, store and use Personal or Sensitive Information required for program operations.

### **Collection of Information**

PBP will:

- Collect only information which the organisation requires for its operations.
- Notify the person concerned about why PBP is collecting their information and how we will use the information gathered.
- Collect information directly from the person wherever possible.
- If collecting information from someone other than the person themselves, advise the person whom the information concerns where and how their information is being collected.

### **Children**

In addition to the General Principles stated above, information about a Child may be collected either directly from them, through their parents or guardians, or from their school staff.

If a child is over the age of 16 years, information may be collected 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 of their information.

For children under the age of 16 years, or where capacity to provide consent is at issue, a parent or guardian will be notified and their written consent sought.

### **Collection Methods**



Information may be collected by the following methods, but is not limited to:

- Face to face interactions, including interviews, meetings or mentoring sessions.
- Forms and other documents completed by the person or their authorised delegate.
- Communication by telephone, SMS, mail or email.

### **Types of Information**

Personal or Sensitive Information required for Board operations may include:

- Contact and identification details.
- Emergency contact details.
- Critical health information.
- Information collected during recruitment of Board members.

Personal or Sensitive Information required for staff operations, may include but is not limited to:

- Contact and identification details.
- Emergency contact details.
- Critical health information of staff.
- Information collected during recruitment of staff.
- Information necessary for reporting requirements, such as incident reports.
- Information collected for quality improvement, such as feedback and complaints.

Personal or Sensitive Information required for program operations, may include but is not limited to:

- Contact and identification details.
- Emergency contact details.
- Critical health information of volunteers and program participants.
- Information collected during recruitment of volunteers.
- Information necessary for reporting requirements, such as incident reports.
- Information collected for quality improvement, such as feedback and complaints.
- Information collected for marketing purposes, such as newsletters or email updates to subscribers.
- Information collected for fundraising activities, such as volunteer or donor details.

### **Protection of Information**

PBP will take reasonable steps to store and protect Personal or Sensitive Information in a manner which limits:

- Misuse
- Interference



- Unauthorised access
- Modification
- Disclosure
- Loss

PBP will store Personal or Sensitive Information securely in accordance with the Records Management Policy.

### **Use or Disclosure of Information**

PBP will:

- Use Personal or Sensitive Information only for its intended purpose.
- Disclose Personal or Sensitive Information only for operational reasons, or a directly related purpose.
- Not disclose Personal or Sensitive Information to overseas recipients.

If Personal or Sensitive Information is to be used or disclosed for an unintended purpose, then the person's written consent will be required.

Personal or Sensitive Information will only be released without a person's written consent if required by law.

### **Accessing & Correcting own Information**

PBP will provide a person with access to their own Personal or Sensitive Information and the right to request any corrections.

The request must be made in writing and addressed to the relevant person, i.e., the Board Secretary (for Board operations), the CEO (for staff and program operations).

All requests for access to Personal or Sensitive Information will be processed in conjunction with privacy legislation and in accordance with PBP's Records Management Policy, as soon as practicable, and generally within 30 days.

All requests to correct information that is inaccurate, incomplete or out of date, should be addressed to the relevant person and all reasonable steps to correct the information will be taken.

### **Destruction of Information**

PBP will take reasonable steps to securely destroy or de-identify any Personal or Sensitive Information that is no longer required for the purpose for which it was collected



in accordance with legal requirements for retention and disposal of information.

### **Privacy Complaints**

A person may lodge a complaint about a privacy issue using the Feedback and Complaints Form in accordance with the Feedback Policy (including Complaints).

### **RELATED POLICIES**

Board, Staff and Volunteer Induction Policies

Confidentiality Policy

Feedback Policy (including Complaints)

Risk Management Policy

### **RELEVANT LEGISLATION**

*Australian Privacy Principles*

*Children and Community Services Act 2004 (WA)*

*Privacy Act 1988*