

KOOYOORA

PRIVACY STATEMENT

Kooyoora Ltd is committed to providing best practice services to you. This privacy statement outlines our ongoing obligations to you in respect of how we manage your Personal Information and Health Information.

Kooyoora Ltd is required to comply with a number of privacy laws operating throughout Australia, including the *Privacy Act 1988* (Cth) (“Privacy Act”), and the *Health Records Act 2001* (Vic) (“Health Records Act”) and the *Privacy & Data Protection Act 2014* (Vic). The Privacy Laws regulate how personal information is handled throughout its life cycle, from collection to use and disclosure, storage, accessibility and disposal. It applies to any Personal, Sensitive or Health Information that a person provides to Kooyoora Ltd.

Why does Kooyoora collect information?

Kooyoora collects personal, sensitive and health information when providing the following services:

- Complaint Management and Investigations
- Person of Concern Management
- Administration and Management of Redress Schemes
- Clearance or employment screening processes
- Training

More information about our work is available at www.kooyoora.org.au

What is Personal Information and why do we collect it?

Personal Information is information or an opinion that identifies an individual. Examples of Personal Information we collect include: names, DOBs, addresses, email addresses and phone numbers.

This Personal Information is obtained in many ways including through interviews and discussion, correspondence, redress applications, complaint forms and clearance applications; this by telephone, by email, by post, via our website www.kooyoora.com.au, from your website, from media and publications, from other publicly available sources, from cookies and from third parties. We do not guarantee website links or policy of authorised third parties.

We collect your Personal Information for the primary purpose of providing our services to you, in providing disclosable and generalised information to our clients as required under the Professional Standards Uniform Act, other service agreements

and marketing (only with specific consent to mailing lists). We may also use your Personal Information for secondary purposes closely related to the primary purpose, in circumstances where you would reasonably expect such use or disclosure. You may unsubscribe from our mailing/marketing lists at any time by contacting us in writing.

When we collect Personal Information we will, where suitable and where possible, explain to you why we are collecting the information, and how we plan to use it.

What is Sensitive Information and why do we collect it?

Sensitive Information is defined in the Privacy Act to include information or opinion about such things as an individual's racial or ethnic origin, political opinions, membership of a political association, religious or philosophical beliefs, membership of a trade union or other professional body, criminal record or health information.

Types of sensitive information we collect include, but not limited to:

- Your personal history, health and the nature and impact of abuse you have experienced so we can target appropriate supports to your recovery needs; and
- Your background, history of complaints against you, or other relevant information gathered in the course of an investigation or screening process

Sensitive information will be used by us only:

- For the primary purpose for which it was obtained
- For a secondary purpose that is directly related to the primary purpose (an example will be primary purpose for screening however disclosable outcomes may be used within a professional standards complaint process)
- With your consent; or where required or authorised by law

What is Health Information and why do we collect it?

Health Information is defined in the Health Records Act to include information or opinion about such things as:

- the physical, mental or psychological health (at any time) of an individual
- a disability (at any time) of an individual
- an individual's expressed wishes about the future provision of health services to themselves
- a health service provided or to be provided to an individual

Health information can be used to assist with decision making in relation to fitness, recovery needs and support, and for redress purposes.

Third Parties

Where reasonable and practicable to do so, we will collect your Personal Information only from you. However, in some circumstances we may be provided with information by third parties. In such a case we will take reasonable steps, if appropriate, to ensure that you are made aware of the information provided to us by the third party. Examples of third party information is evidence obtained within an investigation and information from other dioceses for the purposes of screening.

Unsolicited Personal Information

If we receive personal information about you that we have not requested (unsolicited personal information) we will assess whether it is information that is reasonably necessary for the proper administration of Kooyoora and our services, which we could have collected if we had solicited it from you. If we could not, we will delete or destroy the information as soon as practical after receiving it, unless we are required to retain it by law.

Consequences of not consenting to the collection of your personal information

In certain circumstances we may be required by law to collect certain personal information about you. For example, we may need to collect your name, residential address, date of birth, and other types of personal information to comply with child safety obligations.

If you do not provide us with your personal information in these situations, you may be ineligible to hold specific roles, positions or office with our client organisations, and we may not be able to provide services to you.

Anonymity and the use of pseudonyms

You have the option of not identifying yourself, or using a pseudonym, when dealing with us. In some circumstances it will be impractical for us to work with you anonymously or through the use of pseudonyms and we may decline to provide services. An example may be a complaint that needs a statement; this evidence to be tested within a Professional Standards Board hearing.

Disclosure of Personal Information

Your Personal Information may be disclosed in a number of circumstances including the following:

- Third parties where you consent to the use or disclosure; and
- Where required or authorised by law

Storage and Security of Personal Information

Your Personal Information is stored in a manner that reasonably protects it from misuse and loss and from unauthorised access, modification or disclosure.

Kooyoora prioritise the security of information and undertake regular cyber security risk assessments that include planned system “attacks”, use of two factor authentication (clearance material), encryption software and our records system (complaints, investigation, persons of concern, wellbeing support, redress) has iRAP approval <https://www.cyber.gov.au/acsc/view-all-content/news/information-security-registered-assessor-program-irap>

Kooyoora hard copy storage is alarmed with restricted access, dual access codes and for some information, stored off site in a secure, unidentified or signed location.

When your Personal Information is no longer needed for the purpose for which it was obtained, we will take reasonable steps to destroy or permanently de-identify your Personal Information. However, most of the Personal Information is or will be stored in client files which will be kept by us for a minimum of 7 years and in most instances indefinitely (as recommended by the Royal Commission into Institutional Responses to Sexual Abuse).

All information is stored within Australian and we comply with Australian legislation in relation to information management, security and breaches.

Access to your Personal Information

You may access the Personal Information that we hold about you; this is also to update and/or correct it, subject to certain exceptions. If you wish to access your Personal Information, please contact us in writing.

Access to personal information is subject to certain legal restrictions and exemptions. If we decline to provide access on the basis of such a restriction or exemption we will provide you with a written notice that sets out the reasons and any other relevant information. Examples include, but not limited to:

- It poses a serious threat to your life or health
- It would have an unreasonable impact on the privacy of another person

- The request seems frivolous or vexatious
- It relates to existing or anticipated legal action (and the information would not otherwise be discoverable)
- Giving access would likely prejudice the taking of appropriate action in relation to suspected unlawful activity, serious misconduct or the enforcement related activity conducted by an enforcement body
- Information obtained from another source is not regarding as your personal information.

Kooyoora Ltd will not charge any fee for your access request, but may charge an administrative fee for providing a copy of your Personal Information.

In order to protect your Personal Information, we will require identification from you before releasing the requested information.

Maintaining the Quality of your Personal Information

It is important to Kooyoora that your Personal Information is up to date. We will take reasonable steps to make sure that your Personal Information is accurate, complete and up to date. If you find that the information we have is not up to date or is inaccurate, please advise us as soon as practicable so that we can update our records and so ensure that we can continue to provide quality services to you. In some instances we may not be able to make the changes in the manner requested by you, and in such cases we will provide you with a written notice that explains why the request cannot be granted.

Statement Updates

This Statement may change from time to time and is available on our website.

Privacy Statement Complaints and Enquiries

If you have any queries or complaints about our Privacy Policy please contact us at:

The Privacy Officer

Kooyoora Ltd

PO Box 329, Canterbury Vic 3126

E. enquires@kooyoora.org.au

P. 1800 135 246

More information on privacy is available on the Office of the Australian Information Commissioners website at www.oaic.gov.au

Specific to clearances:

Why we are collecting your personal information for clearance/ employee screening?

Kooyoora collects your personal information in a clearance process for the purpose of ensuring suitability for the particular role you intend to occupy. The focus of this is in ensuring that people with the Anglican Diocese of Melbourne and Bendigo are deemed safe to occupy roles, and therefore is part of a wider commitment to safety within the Anglican Church of Australia. The Professional Standards Uniform Act is the legislative framework for the Anglican Diocese of Melbourne and Bendigo, as is the Safe Ministry Canon from General Synod.

There is also a range of state and commonwealth requirements that must be met when recruiting people into organisational roles. In addition, the Royal Commission into Institutional Responses to Sexual Abuse made specific recommendations in this area and the Commission for Children and Young People require organisations such as the Anglican Church to comply with the Victorian Child Safe Standards.

How do we plan to use it?

The suitability assessment applies to background checking for any criminal offences, assessment of offences identified against specific roles, any child safety or general safety concerns and risk mitigation. The Diocese or Parish will inform you of a successful clearance process. Kooyoora provides the Parish with a clearance certificate for Clearance for Service. Clearance for Ministry certificates are sent to and kept by the Diocese.

If any concerns are raised with the suitability assessment you will be contacted by Kooyoora to discuss this. It may result that the clearance needs to be assessed by the Professional Standards Committee and in some cases the Professional Standards Board.

Your personal details are not shared with external organisations, including the Anglican Diocese of Melbourne or Bendigo, other than:

1. If the information received requires mandatory reporting obligations
2. If the information received requires attention under the Professional Standards Uniform Act
3. We do provide the Diocese with the following information for their records for Clearance for Ministry:
 - Name
 - WWCC number
 - Police Check number

- Date of receipt of Safe Ministry Check
- National Register Check
- Any relevant referee responses

4. We do not provide any information to the Diocese regarding Clearance for Service. Individual parishes are notified if clearance has been approved or declined.

We may need to speak to your Vicar to assess any negative notice against the role and understand any the associated risks. You will be informed of this and contacted by the Vicar in these circumstances.