

## CLAN Privacy and Disclosure Policy

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### 7. Introduction

CLAN understands the importance of protecting personal information that may be provided in the course of our activities. It is recognised that any personal information that is collected will only be used for the stated purposes, or used as allowed under the law. It is important that CLAN staff, volunteers or others that CLAN is involved with, are confident that any personal information that is held will be treated confidentially to ensure protection of the information.

CLAN's commitment to confidentiality of personal information is aligned to the Australian Privacy Principles for the protection of personal information, as set out in the Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth), (the Act), and any other relevant legislation.

### 2. Purpose

This document sets out our privacy policy commitment in respect of personal information that is held and the use of that information.

Privacy of information includes: the collection, use and disclosure of personal information; governance and accountability, integrity and correction of personal information, and the rights of individuals to access their personal information.

### 3. Scope

This policy applies to all committee members, staff, supporters, volunteers, and partner organizations and children and communities of CLAN in whilst in the delivery of CLAN programs.

### 4. Definitions

Privacy	Personal information from which your identity is reasonably apparent
Informed consent	When a contributor grants permission to publish their story with full knowledge of the possible consequences, including possible risks and benefits. Informed consent must be granted without duress.
Privacy principles	There are 13 Australian Privacy Principles and they govern standards, rights and obligations around: <ul style="list-style-type: none"><li>• the collection, use and disclosure of personal information</li><li>• an organisation or agency's governance and accountability</li><li>• integrity and correction of personal information</li></ul> the rights of individuals to access their personal information.

### 5. Policy

CLAN, in the course of our activities, will at times collect personal information. This may be for employment or volunteer screening, for research purposes or for other related purposes. Where reasonable and practical, personal information will be collected directly from the person concerned

with their informed consent. However, personal information may also be collected from third parties such as a partner or spouse who contacts CLAN on their behalf, or from publicly maintained records, or from other individuals such as accountants and lawyers, or from companies authorised by the person.

Where personal information is provided to CLAN by a third party, steps will be taken to ensure that there is an entitlement that CLAN may collect, use and disclose such information for the purposes described in this Privacy Policy.

Where CLAN has collected personal information, the person concerned has the right to request access to that information and make a request for anonymity, to add, delete or correct that information if needed. CLAN may refuse access to such personal information if the information is subject to legal enquiry or proceedings. Similarly, requests for access may be refused if the request is vexatious.

## **6. Collecting personal information**

Personal information may be collected by us in a number of circumstances, including when an individual:

- 1) Makes an enquiry with us via email, telephone, or visits our offices
- 2) Lodges an enquiry online through our website
- 3) Interacts with us via social media including Facebook, Google+ and Twitter
- 4) Downloads free offerings from our website
- 5) Applies to be a borrower or guarantor
- 6) Attends an event hosted by us
- 7) Registers to use a related product service offering
- 8) Applies for employment with us
- 9) Makes a donation to CLAN.

The collection of personal information may also be required from potential partners and identified recipients involved in the delivery of a CLAN program in order to plan and deliver relevant programs to achieve desired outcomes. Unsolicited personal information may be considered if it is information that CLAN could have obtained or required for the planned activities.

When CLAN collects personal information about an individual, CLAN, where reasonable, will notify the individual or ensure that the individual is aware of the collection, disclosure and use of personal information.

CLAN may use cloud storage to store the personal information that is held. The cloud storage and the IT servers may be located outside Australia.

## **7. Use of personal information**

CLAN may use personal information for the purpose for which it has been provided, for reasonably related secondary purposes, or for any other purpose consented to and any other purpose permitted under the Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth)

This may include using personal information for the following purposes:

- 1) Provide products or services requested
- 2) Verify identity and associated details
- 3) Assess, process and manage applications for grants or to be a borrower or guarantor

- 4) Assess, process and manage applications for employment.

When assessing an application for grants or to be a borrower or guarantor, credit-related personal information may be used for purposes of assessing the application.

## **8. Disclosure of personal information**

We may disclose your personal information to:

- 1) Prospective funders or other intermediaries in relation to finance requirements, for example grant applications to other organisations that are involved in managing or administering finance such as third party suppliers, lenders (funders), printing and postal services, storage facilities, lenders, insurers, title insurers and credit reporting bodies
- 2) Associated businesses that may want to market products
- 3) Companies that provide information and infrastructure systems to CLAN
- 4) Authorise representatives, such as lawyers and accountants
- 5) Anyone, where consent has been provided
- 6) Investors, agents or advisers, or any entity that has an interest in our business, or
- 7) Employers, referees or identity verification services
- 8) Where CLAN is required to do so by law, such as under the Anti-Money Laundering and Counter Terrorism Financing Act 2006 (Cth)
- 9) Participants to be involved in CLAN programs, where relevant.

Prior to disclosing any personal information to another person or organisation, CLAN will take all reasonable steps to satisfy ourselves that:

- 1) The person or organisation has a commitment to protecting all personal information at least equal to our commitment, or
- 2) Consent has been given by the relevant person to making the disclosure.

Where CLAN discloses any personal information to an overseas recipient, CLAN will take steps as are reasonable to ensure that the overseas recipient does not breach the Australian Privacy Principles, apart from Privacy Principle 1.

## **9. Direct marketing**

From time to time we may use personal information to provide current information that may be of interest, changes to CLAN, or new products or services being offered by CLAN or any company we are associated with. By providing personal information it is taken as consent for CLAN to use personal information to contact people for this purpose.

Marketing information can be stopped by contacting CLAN through any of the mechanisms on our website. All reasonable steps will be taken to meet this request at the earliest possible opportunity.

## **10. Updating personal information**

It is important that personal information held by CLAN is accurate and up to date. CLAN may ask for personal information to be checked and updated at various times. CLAN also relies on information owners to advise of any change.

CLAN may refuse access to such personal information if the information is subject to legal enquiry or proceedings. Similarly, requests for access may be refused if the request is vexatious. If CLAN refuses to correct personal information reasons for doing so will be provided.

#### **11. Using government identifiers**

If CLAN collects government identifiers, such as a personal tax file number, CLAN will not use this government identifier in order to identify a person.

#### **12. Business without identification**

In most circumstances it will be necessary for CLAN to identify a person in order to successfully do business. However, where it is lawful and practicable to do so, CLAN will offer the opportunity of doing business without the need to provide personal information, for example, if general inquiries are made about CLAN's activities. Enquirers can specifically ask for their personal information not to be collected at the time of contact.

#### **13. Sensitive information**

CLAN will only collect sensitive information with consent. Sensitive information is personal information that includes information relating to racial or ethnic origin, political persuasion, memberships in trade or professional association or trade unions, sexual preferences, criminal record, or health.

#### **14. Personal information safety and security**

CLAN will take reasonable steps to protect personal information by storing it in a secure environment. Personal information may be stored on paper and electronic form. CLAN will also take reasonable steps to protect any personal information from misuse, loss and unauthorised access, modification or disclosure.

#### **15. Complaints**

If there is a dissatisfaction about the manner in which CLAN has managed personal information or concerns with respect to compliance with the Act a complaint can be made by using any of the contact mechanisms on the CLAN website. Complaints will be managed in accordance with the CLAN Complaint Management Policy.

#### **16. Policy review**

This policy will be reviewed bi-annually.

#### **17. Associated CLAN documents**

- Complaint Management Policy
- Human Resources Policy

#### **18. Legislation**

- Privacy Act 1988
- Privacy Amendment (Enhancing Privacy Protection) Act 2017 (Cth)

- Anti-Money Laundering and Counter Terrorism Financing Act 2018 (Cth)

## **19. Resources**

- The Australian Privacy Principles 2014

