

1.3 Privacy Policy

1. Purpose

The protection of personal information is important to Australian Kookaburra Kids Foundation Limited (AKKF). The Australian Privacy Principles set minimum standards covering the legitimate use of personal information. AKKF is committed to complying with those Principles and is committed to respecting the right to privacy and the protection of personal information.

A copy of the Australian Privacy Principles may be obtained from the website of The Office of the Australian Information Commissioner at <https://oaic.gov.au/>

This document sets out:

- What personal and sensitive information AKKF collects;
- How AKKF collects personal and sensitive information;
- How AKKF uses or discloses personal and sensitive information;
- How individuals can access or seek correction of information held by AKKF; and
- Who to contact regarding privacy issues and complaints

By providing personal information to AKKF, consent is given for its use, storage and disclosure in accordance with this Privacy Policy.

This Policy provides for the way in which AKKF may collect, use, store and disclose information. Third party commercial entities and subsidiaries, whether owned or acting on behalf of AKKF or not, may be subject to the same privacy laws and may be governed by their own privacy policies. AKKF will always do its utmost to ensure that personal information is respected and protected.

2. Scope

2.1 This policy applies to all employees of AKKF, AKKF volunteers, AKKF contractors and the AKKF Board and committee members.

2.2 This Policy should be read in conjunction with all other AKKF Policies.

2.3 This Policy should be read in conjunction with the [Privacy Act 1988](#).

2.4 Employees are required to comply with all AKKF policies and procedures in place from time to time. This Policy does not however form part of any employee's contract of employment and create obligations on the Employer.

3. Collection of personal and sensitive information

3.1 Personal Information

Generally, personal information is information or an opinion (including information or an opinion forming part of a database) from which it is possible to identify an individual. The information collected by AKKF about a particular person will vary depending on the circumstances of collection. It may include, but is not limited to, a person's contact details (name, email and/or postal address, phone number), date of birth, gender, credit card details, driver licence number, passport number, insurance details, employment history, qualifications, working with children check data or communication history with AKKF. AKKF aims to only collect the personal or sensitive information we require to deliver our services and functions and duties as required.

3.2 Sensitive Information

Sensitive information is defined in the Privacy Act to include a type of personal information that also includes information or an opinion about:

- a) racial or ethnic origin;
- b) political opinions;
- c) membership of a political association, professional or trade association or trade union;
- d) religious beliefs or affiliations; or
- e) philosophical beliefs; or
- f) sexual preferences or practices;
- g) criminal record; or
- h) health, genetic information or disability.

If it is reasonably necessary in the circumstances, AKKF may also collect sensitive information such as a person's medical history, nationality, or disabilities. AKKF is required by law to obtain consent when collecting sensitive information. Where sensitive information is provided to AKKF without an individual's express consent, AKKF will take all reasonable steps to ensure consent.

Sensitive information will be used by AKKF only:

- a) For the primary purpose for which it was obtained
- b) For a secondary purpose that is directly related to the primary purpose
- c) With your consent, or where required or authorised by law.

4. Sources used to collect personal and sensitive information

AKKF may collect information when:

- a) a child is referred to our program (including additional data gathered to determine the child's eligibility);
- b) when a child is registered to attend an AKKF camp or activity day;
- c) when an individual registers as a volunteer;
- d) someone subscribes to any publication of AKKF, including electronic publications and newsletters;
- e) details are provided to AKKF in an application form, consent form, survey, feedback form or incident report;
- f) personal information is entered into, or someone agrees to having personal information entered into, one of AKKF's online systems;
- g) accessing the AKKF website;
- h) contacting AKKF via email, telephone or mail or engage with AKKF via social media;
- i) purchasing tickets to an AKKF event;
- j) a candidate is elected or appointed to the board or a committee of AKKF;
- k) a candidate applies for employment with AKKF; or
- l) AKKF is required to do so by law (including but not limited to child protection, work health and safety laws, charitable collections, medical treatment or other legislation in Australia).

5. Providing information

Depending on the circumstances, some types of information will be required, and providing other types of information may be optional. Information that is requested but not provided may affect

AKKF's ability to communicate or provide the requested products or services. Not providing requested information may jeopardise a child's ability to participate in programs or an applicant to be assessed for employment or volunteer positions with AKKF. If it is impracticable for AKKF to deal with individuals as a result of information or consents not being provided, AKKF may refuse to do so. AKKF will, where practicable, keep parties informed where this is the case.

6. Collection from third parties

AKKF may collect personal information regarding a child from the parent, guardian, or other responsible person associated with that child. In some circumstances, AKKF collects information from third parties. Examples of such third parties could include, without limitation, government and law enforcement bodies.

7. Information storage and protection

AKKF stores information in different ways, including in paper and electronic form. Much of the information we collect from and about our families and volunteers is added to our databases which are hosted by third party data storage providers, all of whom are located in Australia. When information is entered into the database, the information may be combined or linked with other information held.

Security of personal information is of utmost importance to AKKF. AKKF has taken steps to protect the information we hold from misuse, loss, unauthorised access, modification or disclosure. Some of the security measures AKKF uses includes strict confidentiality requirements of our employees, volunteers, and service providers, as well as security measures for system access, and security measures for our website such as firewalls and system encryption.

AKKF is required to comply with the Federal Government Notifiable Data Breaches Scheme (NDBS). When AKKF has had a data breach that could result in serious harm, AKKF will notify the individual(s) that is/are affected. AKKF, when notifying the individual(s) and Australian Information Commissioner, will also outline what steps will be undertaken in response to the breach. A review of the breach will be undertaken, and action(s) implemented to prevent a future breach.

8. Disclose of personal and sensitive information?

8.1 Use

AKKF, and third parties to whom we may disclose personal information in accordance with this Privacy Policy, may use personal information to:

- a) verify an identity;
- b) complete background checks;
- c) determine program eligibility;
- d) evaluate the success of our programs;
- e) research, develop, run, administer and market programs, activities other events and fundraising campaigns;
- f) research, develop and market products, services, merchandise and special offers made available by us and third parties;
- g) respond to emergency situations involving or requiring medical treatment;
- h) administer, manage and provide individuals with access to AKKF online systems; and
- i) keep individuals informed of news and information relating to various AKKF events, activities and opportunities via various mediums.

AKKF may use health information to ensure that programs we operate are run safely and in accordance with any special health needs participants may require. Health information may also be kept for insurance purposes. In addition, we may use de-identified health information and other sensitive information to carry out research, to prepare submissions to government or other regulatory bodies, or to plan events and activities.

8.2 Disclosure

AKKF may disclose personal information to a range of organisations which include, but are not limited to:

- a) companies we engage to carry out functions and activities on AKKF's behalf, including direct marketing;
- b) our professional advisers, including our accountants, auditors and lawyers;
- c) our insurers;

- d) relevant government agencies including agencies responsible for undertaking criminal history and child protection checks
- e) Where required or authorised by law e.g. AKKF also has an obligation under the NDB scheme to notify individuals and the Commissioner about data breaches that are likely to result in serious harm.

In limited circumstances, personal information may also be disclosed outside of Australia. In such circumstances, AKKF will use its best endeavours to ensure such parties are subject to a law, binding scheme or contract which effectively upholds principles for fair handling of the information that are suitably similar to the Australian Privacy Principles. Any disclosure will be on such terms and conditions as AKKF determines taking into account the circumstances of the disclosure but always with the best interests of the parties whose personal information is being disclosed.

8.3 Direct marketing

AKKF will assume consent to use non-sensitive personal information to provide better services and marketing purposes (including disclosure of such information to service providers). Every person whose data is collected by AKKF has the option to refuse e-mail, SMS or posted offers. This can be done by opting out of the relevant communication (information relating to the option to unsubscribe from those communications may be retained). Should individuals not be satisfied at the communication that is received, please notify AKKF's Chief Executive Officer in writing via the contact details set out below.

8.4 Other disclosures

In addition, AKKF may also disclose personal information:

- a) with an individual's express or implied consent;
- b) when required or authorised by law, subpoena or court order;
- c) to an enforcement body when reasonably necessary; or
- d) to lessen or prevent an immediate threat to the safety of an individual or group of individuals.
- e) in extraordinary circumstances where the CEO and board are satisfied the greater good of disclosure outweighs any breach of right to privacy

8.5 AKKF website

When users visit the AKKF website, our systems may record certain information about their use of the site, including the web pages visited and the time and date of their visit. AKKF uses this information to help analyse and improve the performance of the website. In addition, we may use “cookies” on the AKKF website. Cookies are small text files that help a website to remember the preferences of users to improve the experience of using that website. In some cases, the cookies that we use may collect some personal information. AKKF will treat this information in the same way as other personal information we collect. Disabling cookies on the internet browser will prevent this information from being collected; however, this may affect the benefit of an enhanced website experience that the use of cookies may offer. Websites linked to the AKKF website are not subject to AKKF's privacy standards, policies or procedures. AKKF does not take any responsibility for the collection, use, disclosure or security of any personal information that users provide to a third-party website.

9. Security of Personal Information

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

When an individual's personal information is no longer needed for the purpose for which it was collected, or for other purposes permitted by the under the Privacy Act and Australian Privacy Principles, AKKF will take reasonable steps to destroy or permanently de-identify your Personal Information. This requirement does not apply where the personal information is contained in a 'Commonwealth record' or where the entity is required by law or a court/tribunal order to retain the personal information. However, most of the Personal Information is or will be stored in client files which will be kept by AKKF for a minimum of 7 years.

10. Accessing and seeking correction of information held by AKKF

AKKF will take all reasonable steps to ensure that the personal information it collects, uses or discloses is accurate, complete and up to date. However, we rely on the accuracy of personal information as provided to us both directly and indirectly. AKKF also relies on its employees and volunteers to enter data and make their best endeavours to ensure data is accurately recorded. Individuals may request access to their personal information held by us by making a request in writing via the contact details set out below. We will respond to requests for access within 14 days and endeavour to provide the requested information within 30 days. In order to protect your

Personal Information, we may require identification from you before releasing the requested information.

Should the personal information we hold about you be inaccurate, incomplete or out-of-date, please contact us immediately and we will see that it is corrected.

10. Resolving Privacy Issues and Complaints

Any issues or complaints in relation to the collection, use, disclosure, quality, security of and access to all personal information may be made to the AKKF Chief Executive Officer at this address:

Chief Executive Officer

Australian Kookaburra Kids Foundation

Email: info@kookaburrakids.org.au

Ph: 02 9525 7474

PO Box 69

Miranda NSW 2228

AKKF will respond to complaints within 30 days and try to resolve it within 90 days. If AKKF is unable to resolve any complaints within this time, or an individual is unhappy with the outcome, they may contact the Office of Australian Information Commissioner via its enquiries line 1300 363 992 or website <http://www.oaic.gov.au/> to lodge a complaint.

Questions

If an employee or volunteer is unsure about any matter covered by this Policy, they should seek the assistance of the CEO.

Variations

AKKF reserves the right to vary, replace or terminate this Policy from time to time.

11. Template privacy declaration for third party systems and publications

The new privacy laws require organisations to notify individuals at the time that the information is collected. Below is the declaration that should be used by AKKF at the point of data collection in order to comply with the new requirements:

“Privacy: I understand that the information I have provided in this form is necessary for the proper management of this activity and for the administration of Kookaburra Kids related activities in Australia.

The information is collected in accordance with the AKKF Privacy Policy (available at www.kookaburrakids.org.au).

AKKF may share my information with AKKF affiliates and third parties in accordance with the Privacy Policy and it may also be used to notify me of other events, news, and to offer the provision of services, including by third-party providers, to me.

I understand that the AKKF Privacy Policy contains information about how I may access, and request correction of my personal information held by AKKF or make a complaint about the handling of my personal information and provides information about how a complaint will be dealt with by AKKF. If the information is not provided, my application may be rejected, or services may be unable to be provided to me.

I acknowledge that if I do not wish to receive promotional material from AKKF sponsors and third parties I may advise in writing or via the opt-out process provided in the relevant communication.

Privacy complaints should be directed to AKKF by emailing info@kookaburrakids.org.au”

Policy Document Control

Policy Authority	Board
Sub-Committee Responsibility	Clinical Gov & Operations Committee
SLT Responsibility	CEO

Documents related to this policy
Information Management Policy
Code of Conduct
Internet & Email Policy
Cyber Incident Response Plan

Policy review and version tracking		
Date Approved	Version Number	Approved by
November 2019	1.3 v1	Board
10 April 2024	1.3 v2	Board