



Metro Assist Privacy Policy

Policy Purpose

Metro Assist is committed to safeguarding personal privacy. It recognises that individuals have a right to control how their personal information is collected and used.

This policy explains how Metro Assist collects, holds, uses and discloses individuals' personal and sensitive information in line with its obligations under the Privacy Act 1988 (Cth) (**Act**) and the Australian Privacy Principles (**APPs**).

Information about the Australian Privacy Principles can be found on the Office of Australian Information Commissioner's website at www.oaic.gov.au.

Policy

Metro Assist provides a broad range of community services to individuals, families and communities. The organisation collects and administers personal and sensitive information from individuals and families for the primary purpose of delivering these services.

1. Collecting personal information

1.1 Solicited information

Metro Assist will collect and hold personal information from individuals by phone, emails, forms, face-to-face meetings, web interaction etc. Providing personal information is an act of trust and Metro Assist treats the management of personal information seriously. Unless given consent to do otherwise, Metro Assist will:

- Collect personal information by lawful and fair means and in a manner that is not unreasonably intrusive or invasive.
- When reasonable and practicable to do so, collect information about the individual only from that individual or a legal guardian of the individual.
- Not collect or monitor any personal information about an individual without the consent of that individual or their guardian
- If collecting personal information from another source or third party such as a government department, referral agency etc., take reasonable steps to advise the individual or family of the matters except in the circumstance where making the individual or family aware would pose a serious threat to the life or health of any individual.

- Ensure stakeholders are informed as to why we collect the information, how we administer the information gathered and if there are any implications for the individual or family if all or part of the information is not provided.
- Seek the written consent of the individual or their guardian before obtaining or releasing information from or to any other source using the **Consent Form**.

The information we collect may be stored by a third-party data storage provider and may be combined with or linked to other information held about an individual.

We have processes in place to ensure our records remain accurate, complete and up to date by verifying the information with the individual each time they use our services or from other sources.

These records are retained for up to seven (7) years, or longer if required by law, and are managed in accordance with the Metro Assist Information Security Policy

1.2 Unsolicited information

If Metro Assist receives unsolicited personal information, Metro Assist will as soon as practicable, but only if lawful and reasonable to do so, destroy the information or ensure that the information is de-identified, unless under a Commonwealth or State contract, the information must be dealt with under another law.

2. Anonymity and pseudonymity

Individuals have the right to seek to deal with Metro Assist anonymously or using a pseudonym. Individuals dealing with Metro Assist will have the option to not identify themselves or use a pseudonym unless it is unlawful or impracticable.

If an individual chooses to remain anonymous, this may affect their ability to access or use our services. This might include what advice or support can be provided, certain functions of our website, and the ability for an individual to access information held about them in future.

If an individual wishes to remain anonymous when dealing with us via a telephone call, they should advise the call operator assisting them. Providing their personal details enables us to provide the individual with a contact record reference number which allows them, and other authorised persons, to retrieve information about that call at a later date.

3. Open and transparent management of information

Metro Assist will make its privacy policy available on its website at www.metroassist.org.au. A person may request a hard copy of the policy by contacting:

Operations, Risk and Quality Manager
Metro Assist
Level 2, 59-63 Evaline Street Campsie NSW 2194
Tel: 02 9789 3744
Email: metroassist@metroassist.org.au

4. Use or disclosure of personal information

4.1 Use of information

Metro Assist may collect, hold, use and disclose personal information for the following purposes:

- to provide our services.
- to comply with our legal obligations
- to comply with our contractual and reporting obligations to funding bodies
- to publish information, with the prior consent of the relevant individuals, in relation to the experience of recipients of our services
- to deal with enquiries regarding prospective employment with us.
- to send service, support and administrative messages, reminders, technical notices, updates, and information.
- to send marketing and promotional messages and other information which may be of interest if the individual has opted in to receive such information
- to enable individuals to access and use our website and services.
- to operate, review and improve rev our services
- to optimise our websites and improve our users' experience.
- to satisfy the requirements of an audit
- to allow for the investigation, remediation and resolution of a data breach.

4.2 Disclosure

For the purpose described above, personal information may be shared with the third parties such as government departments, funding bodies, referred service providers, auditors, data breach investigators, and any other relevant agencies the individuals authorise Metro Assist to disclose information to.

Except as provided above, Metro Assist will not disclose any personal information to a third party without the individual's consent with the exception of the following:

- that the disclosure is required or authorised by or under the law such as court order, mandatory report, police search warrant.
- in circumstances where Metro Assist reasonably believes the use or disclosure is necessary to lessen or prevent a serious risk of harm, threat to the life, health or safety of an individual or to public health or safety; or
- where Metro Assist has reason to suspect an individual may have done something unlawful or engaged in serious misconduct that relates to Metro Assist functions or activities, and Metro Assist needs to disclose the information so that it can take appropriate action.

When we disclose personal information to third parties, we make all reasonable efforts to ensure that we disclose only relevant information and that it is accurate, complete and up to date and that the third party will comply with the Privacy Act in relation to that information. Whether or not an individual has consented to the use or disclosure, in the case of any obligation Metro Assist has under a Commonwealth or State contract, Metro Assist is entitled

to comply with the requirement under that Commonwealth or State contract to disclose personal or sensitive information to the Commonwealth or State agency funding the activity.

Contact by Metro Assist for primary or direct marketing purpose

Metro Assist may contact individuals using the personal information provided by them to:

- Communicate information the organisation is legally required to provide to individuals relating to the services it delivers.
- Send promotional information about new services, events and other matters that may be of interest, provided the individual has opted in to receive such information; and
- Send newsletters, provided the individual has opted in to receive such information.

Metro Assist may contact individuals by post, telephone, email or any other form of electronic communication by using the personal contact information provided.

Individuals can opt out of receiving promotional information and newsletters at any time by contacting Metro Assist or unsubscribing to the newsletter.

5. Use of tracking technologies

Metro Assist may use tracking technologies such as analytics cookies to gather statistics about our website. These tracking technologies do not themselves personally identify users, although they do identify a user's browser. The insights gathered from analytics will be used to enhance user experience of the site.

A person may refuse the use of cookies by selecting the appropriate settings on their web browser; however, this may prevent them using the full functionality of the website. Metro Assist will deal with any personal information collected by cookies in the same way we handle other personal information under this Privacy Policy.

6. Links to other web sites

The Metro Assist website contains links to other websites and promotes social media sites or posts of relevant organisations. Metro Assist is not responsible for the privacy policies or practices of any third-party social media posts or sites linked to Metro Assist website. Metro Assist recommends that users review the privacy policies of those external websites before using them.

7. Cross-border disclosure of personal information

Metro Assist may use overseas cloud services to store personal information. Before Metro Assist discloses any personal information to an overseas recipient of information including a provider of IT or cloud services, we will take reasonable steps to establish that they are compliant with Australian Privacy Law and have arrangements in place to ensure their compliance with the Australian Privacy Principles.

Metro Assist may need to transfer personal and sensitive information to Australian Government agencies based overseas, such as Australian High Commissions or Australian Embassies in connection with the provision of pro-bono migration services.

8. Government related identifiers

Metro Assist will not adopt a government-related identifier of an individual as its own identifier of the individual unless the adoption of the government identifier is required or authorised by law.

Metro Assist will not use or disclose an individual's government related identifier unless the use or disclosure of the identifier is reasonably necessary for our functions or is required or authorised by or under an Australian law or a court order.

9. Data security and handling of information

Metro Assist will take reasonable technical and organisational precautions to prevent loss, misuse, unauthorised access, unauthorised disclosures, interference or alteration of personal information it collects in the following ways:

- Metro Assist will store personal information it collects on secure servers at its premises or on a cloud-based server. Metro Assist will take reasonable steps to ensure sufficient security of the servers.
- Before Metro Assist engages external IT services such as a help desk service provider, cloud services or database developers, it takes reasonable steps to establish that the service providers are compliant with Australian Privacy law including the APPs.
- Metro Assist will take reasonable steps to destroy or permanently de-identify personal information once it is no longer required to be kept, including from decommissioned laptops and mobile phones.
- Records containing any personal, sensitive and health information are stored on secured client management systems, databases or paper-based files. Access to records will only be granted to Metro Assist staff where there is a demonstrated need for this access in accordance with that staff member's duties or responsibilities. Metro Assist is, however, required to provide access to information to a law enforcement agency or other government agency if such access is legally warranted during an official investigation.
- The security of the Metro Assist website, email and electronic systems is maintained at all times. However, security risks do change from time to time and data transmission over the internet is not always risk-free. Metro Assist cannot accept responsibility for the security of information sent or received over the internet.
- Metro Assist will take reasonable steps in implementing available online safety and security measures during its interaction with individuals and groups over online platforms (i.e.: Facebook Live, Microsoft Teams, Zoom etc.) used in delivering

information of a general nature relating to community capacity building and education programs.

- Metro Assist seeks to protect personal information from any unauthorised loss, disclosure or access. However, if an eligible data breach occurs, Metro Assist must notify affected individuals as required under the *Privacy Act 1988* (Cth) (as amended by the *Privacy Amendment (Notifiable Data Breaches) Act 2017* (Cth)) regarding the circumstances of the breach and must also advise the Office of the Australian Information Commissioner accordingly.

10. Data Quality

Metro Assist will take reasonable steps to ensure the personal information it collects is accurate, complete, up to date, and relevant to the functions we perform.

11. Individual's right to access and correct personal information

Individuals have the right to review their personal information that may be recorded on Metro Assist's electronic client management system or paper-based files.

Information may be reviewed by contacting Metro Assist on 02 9789 3744.

Metro Assist will respond to the request within a reasonable period of time and will take reasonable steps to correct the information if it is inaccurate, incomplete, misleading or not up to date.

If Metro Assist decides not to correct the personal information when requested to do so by an individual, Metro Assist will give the individual a written notice complying with the Law and including information about how the individual can complain about the refusal.

Metro Assist will provide access to information within a reasonable period of time, if it is reasonable and practicable to do so unless the following exceptions apply.

- Metro Assist reasonably believes that giving access would pose a serious threat to the life, health or safety of any individual, or to public health or public safety; or
- the information relates to existing or anticipated legal proceedings between Metro Assist and the individual, and the information would be provided by the process of discovery in those proceedings; or
- providing access would be unlawful; or
- denying access is required or authorised by, or under, an Australian law or a court/tribunal order.

12. Complaints or queries

Metro Assist will promptly investigate, remedy and document complaints regarding privacy, in accordance with the **Metro Assist Complaints Handling Policy**.

Queries relating to the **Privacy Policy** can be directed to the Operations, Risk and Quality Manager.

Contact us

Email: metroassist@metroassist.org.au

Phone: 02 9789 3744

Postal address: PO Box 503 Campsie NSW 2194

Metro Assist

Level 2, 59-63 Evaline Street

Campsie NSW 2194

Complaints about privacy can also be made to the Office of the Australian Information Commissioner. See www.oaic.gov.au for how to make a complaint.

13. Definitions

Anonymity is where an individual is not required and does not identify themselves when engaging with Metro Assist.

Commonwealth or State contract is any funding agreement between a Commonwealth or State agency and Metro Assist that requires Metro Assist to disclose personal and/or sensitive information about individuals to that agency.

Health records and information includes information or an opinion about a person's health, both physical and mental, and/or disability.

Personal information means information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether or not that information or opinion is true and whether or not that information is recorded in a material form. Personal information Metro Assist collects includes name, mailing or street address, contact details, date of birth, personal status and background, occupation, service history and personal financial information. This can also include health information and sensitive information.

Primary purpose – Metro Assist undertakes activities as a community service organisation that form the primary purposes for which Metro Assist collects information.

Some examples are:

- Providing services to individuals, families and communities
- Referring individuals and families to other services
- Providing disability support services
- Connecting with our organisation and other members and supporters
- Assessing, placing and engaging volunteers
- Conducting assessments and reference checks such as police checks
- Research and surveys

Pseudonym is a replacement name or nickname used by an individual in engaging with Metro Assist.

Sensitive information is information relating to a person’s racial ethnic origin, religion, trade union or other professional or trade association membership, or criminal record, that is also personal information, and health information about an individual.

Solicited information is part of personal information that Metro Assist takes active steps to collect.

Eligible data breach occurs where there is an unauthorised access to, or unauthorised disclosure of, personal information and a reasonable person would conclude that the access or disclosure would be likely to result in serious harm to any of the individuals to whom the information relates"

14. Review and approval

This policy will be reviewed and approved by the board of directors in any of these conditions:

- Prior to initial release for circulation
- Upon any revision on Metro Assist internal policies or procedures that may affect the integrity of this document
- At any time the legislative, policy or funding environment is so altered that the policy is no longer appropriate in its current form
- Every two years, whether there are changes to this document or not.

The CEO is responsible for the implementation of this policy. The Operations, Risk and Quality Manager is responsible for monitoring changes in Privacy legislation and for advising on the need to revise this policy as and when the need arises.

Change History

Issue No.	Date	Author	Approval Authority	Change Details
V1	21/02/2018	Nina Shahi	Board of Directors	New Policy
V2	02/05/2018	Nina Shahi	Board of Directors	Included definition of eligible data breach
V3	20/07/2020	CEO	Board of Directors	10. Data security and handling of information (p6) - Included online platform security measures (para 8)
V4	20/08/2024	Matt Stanley		4.1 Use of Information – included the Opt-In requirement for marketing material

				<p>4.4 Disclosure – included auditors and data breach investigators in the list of third parties personal information may be shared with</p> <p>4.4 Disclosure – included State Agencies in the disclosure exception</p> <p>5. Contact by Metro Assist for primary or direct marketing purpose – included the Opt-in requirement</p> <p>14. Definitions – updated to included State Contracts</p>
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Relevant Legislation

- Privacy Act 1988 (Cth) (Law)
- Australian Privacy Principles
- Privacy Amendment (Notifiable Data Breaches) Act 2017 (Cth))

Related Internal policy and documents

- Information Security Policy
- Confidentiality Policy
- Complaints Handling Policy