

# Privacy Policy

## Policy statement

Westside Housing Company Ltd (Westside) is committed to delivering high quality housing service whilst respecting the privacy of our customers. Westside collects and handles a range of personal information for the purpose of providing housing services and will manage personal information in an open and transparent way. This policy will be made available in a variety of easily accessible formats.

## Purpose

This policy sets out how we use and protect any personal information collected. It is designed to give customers an understanding of the types of personal information we collect, and how it is used, stored, disclosed and able to be accessed.

## Scope

This policy extends to all Westside staff, tenants, contractors, students, volunteers and Board members. The policy provisions apply to all our customers, including applicants and tenants, and all those who provide us with their personal information including staff, suppliers and contractors.

This privacy policy has been developed in line with the 13 Australian Privacy Principles (APP) established under the Privacy Act 1988 (Commonwealth) and the Privacy Amendment (Enhancing Privacy Protection) Act 2012.

## Definitions

Personal information broadly means information or an opinion about an identified individual, or an individual who is reasonably identifiable.

## Policy

### Collection of personal information

Personal information collected will depend on the nature of the customer relationship or interaction with Westside and its staff. We will only collect personal information where it is reasonably necessary for, or directly related to, the functions or activities of our business.

Personal information collected can include names, dates of birth, gender details, current and previous addresses, telephone or mobile phone number, email address, bank account details, occupation, driver's licence number, nationality, family circumstances, next of kin, records of communication and website usage information. We also collect information about our customers' income, assets and pension status.

Additional personal information concerning staff which is collected can include job applications, work histories, resumes, educational qualifications, training records, competency assessments, details of salary and wages, training records, performance assessments, counselling details and personnel records. Sensitive information is sometimes collected when appropriate, such as criminal record check details and relevant medical histories for employment purposes.

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Medical information collected can include incident and accident reports, first aid records, workers compensation claims and documents, rehabilitation and attendance records, medical or other health service provider records, medical histories and other assessments for insurance or employment purposes.

At times we may collect information about our customers' health and care needs and their medical history as it relates to services we provide. We may also collect information about our clients' cultural, religious, linguistic and social needs, their interests, hobbies and community activities, and any potential workplace risks involved in providing services to the customer.

Westside collects personal information in a number of ways, including:

- by phone, in application forms or other agreements, or through our website;
- from a person authorised to act on behalf of another, e.g. power of attorney;
- from third parties such as referral services;
- when required for Government reporting, e.g. Centrelink;
- via on-line forms such as maintenance requests, complaints and feedback.

Westside collects personal information about our staff directly, through general background check processes, such as criminal history checks, and from other sources such as referees and employment agencies.

Personal and business details about suppliers, contractors and service providers and their staff are collected directly from our service providers.

## Use of personal information

Westside will generally collect and use personal information for the primary purpose of:

- providing housing services;
- complying with our legislative requirements including providing data to Government agencies;
- providing information to support agency partners to follow up ongoing services (only with express customer consent);
- to administer employment arrangements, personnel development and management responsibilities.

Westside will take reasonable steps to make customers aware of:

- how they may contact Westside;
- that they can access personal information collected;
- why the information is collected and its likely use;
- our disclosure practices;
- any law requiring collection of personal information;
- the main consequences of failure to provide required information.

## Consent to share personal information

The Privacy Act prevents Westside from providing personal information to another individual or organisation without written approval from customers, including personal information provided in a referral to a support agency.

In some circumstances, Westside is legally required to provide information about our customers, for example to assist with police or Centrelink investigations, Court orders or subpoenas and can do so without consent.

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## Accessing personal information

Customers have the right to access their personal information, subject to some exceptions allowed by law.

Requests made to access your personal information held by Westside will generally be granted, except in certain limited circumstances. Those circumstances may include where:

- it is reasonably determined that granting access would pose a serious threat to the life health, or safety of an individual or to public health or safety;
- granting access would have an unreasonable impact on the privacy of other individuals
- the request is frivolous or vexatious;
- the information relates to existing or anticipated legal proceedings between Westside and the individual.

We may also deny access in some circumstances where we are required to do so by law or where access would be unlawful, where commercial negotiations or decision making processes may be prejudiced, where unlawful activity or serious misconduct is suspected, or where enforcement related activities may be prejudiced.

We respond to requests for access to personal information within a reasonable period (usually 30 days), and will give access to the information in the manner requested where it is reasonable and practicable. If access is refused, Westside will give you a written notice which sets out the reasons for refusal and how you can complain about the refusal.

## Updating personal information

Westside takes all reasonable steps to ensure the personal information we collect, use and share is complete and correct. Customers are encouraged to let us know if the customer finds an error in personal information so that it may be updated.

Information may be held in physical or electronic form on our system. We protect personal information from misuse or loss by restricting access to the information in electronic format, and by appropriate physical and communications security. Internal access controls and protocols ensure that only authorised staff can access personal information in circumstances where they are required to do so in the performance of their duties.

## Collecting sensitive information

Westside may collect sensitive information such as medical information, racial origin, religious beliefs or criminal history that is reasonably necessary to deliver our housing services, or as required under our regulatory obligations. Situations where this may occur include:

- providing interpreter services;
- conducting tenant satisfaction surveys;
- providing housing services;
- ensuring our staff respect the religious or cultural customs when entering properties for inspection.

All sensitive information that is collected is used in accordance with this privacy policy.

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## **Adoption, use or disclosure of government related identifiers**

We will not adopt, use or disclose a government related identifier of an individual as our own identifier of the individual unless one of the following exceptions apply:

- where the adoption of the identifier is authorised by or under an Australian law or a court/tribunal order;
- where the use or disclosure of the identifier is reasonably necessary for Westside to verify the identity of the individual for the purposes of Westside's activities or functions;
- where the use or disclosure is reasonably necessary for an enforcement related activity being conducted by, or on behalf of an enforcement body.

## **Direct marketing**

We will not use or disclose personal information for the purpose of direct marketing.

## **Cross border disclosure**

Any personal information provided to us may be transferred to, stored by or disclosed to an overseas recipient in limited circumstances. For example, we may use a server hosted overseas to store data, which may include customer's personal information.

We will take reasonable steps, in the circumstances, before customer personal information is disclosed to an overseas recipient, to ensure that the overseas recipient does not breach privacy laws in relation to customer personal information.

## **Dealing with unsolicited information**

We will take all reasonable steps to ensure that a decision is made about all unsolicited information to determine whether it could have been collected under Privacy Principle 3. If it is determined it could not have collected the personal information, then all unsolicited information is destroyed or de-identified immediately. Unsolicited information that is received verbally will not be recorded. Unsolicited information that is received in a record or written format will be destroyed or de-identified. Unsolicited information is received by an agency or organisation that has taken no active steps to collect that information. Sometimes unsolicited personal information received by an agency is particularly sensitive—for instance, in the area of community services, an agency may receive information relating to domestic violence or abuse. It has been noted that where such information remains on file, 'there is a danger that it will indirectly influence an agency official in their decisions about, or interactions with, the individual'.

## **Anonymity**

Whenever it is lawful and practicable, you will have the option of not identifying customers by dealing with us anonymously or by using a pseudonym. Circumstances where this may apply are when reporting neighbour disputes, making a complaint or responding to a tenant survey.

## **Website and use of cookies**

Cookies are data that a website transfers to an individual's hard drive for record-keeping purposes. Most websites use cookies, which are an industry standard; they track usage patterns and allow you to use such features as online services. The Westside website uses cookies for online services only, and does not store personal information about our customers.

# Privacy Policy

The Westside website may contain links to or from other websites. Westside is not responsible for the privacy practices of other websites. The Privacy Policy applies only to the information we collect from our website. We encourage you to read the privacy policies of other websites you link to from our website.

**Note:** Most browsers have the option to allow you to deny or accept the cookie feature. Please see the help menu in your browser. Be mindful that if you disable the cookie feature you may not be able to use the online services.

You may contact the Privacy Commissioner if you are dissatisfied with our response at <https://www.oaic.gov.au/>.

## Australian Privacy Principles

- **APP 1:** Open and transparent management of personal information
- **APP 2:** Anonymity and pseudonymity. The option of not identifying yourself.
- **APP 3:** Collection of solicited personal information
- **APP 4:** Dealing with unsolicited personal information
- **APP 5:** Notification of the collection of personal information
- **APP 6:** Use or disclosure of personal information
- **APP 7:** Direct marketing
- **APP 8:** Cross-border disclosure of personal information
- **APP 9:** Adoption, use or disclosure of government related identifiers
- **APP 10:** Quality of personal information
- **APP 11:** Security of personal information
- **APP 12:** Access to personal information
- **APP 13:** Correction of personal information

<https://www.oaic.gov.au/privacy/australian-privacy-principles/>

## Westside's Privacy Officer

Chief Executive Officer.

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## Contact details

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 [/creatinghomesconnectingpeople](https://www.facebook.com/creatinghomesconnectingpeople)

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