



IndianCare Inc

Connecting & Culturally Responsive

Inc. No A0060284T | ABN 71 166 864 151

Ross House, 247 Flinders Ln, Melbourne 3000

Phone: 1300 00 50 40, Email: help@indiancare.org.au

Privacy Policy

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Drafted by	Kim Smythe	Approved by Board on	22 Aug 2024
Responsible person	Manager	Scheduled review date	Aug 2030

IndianCare Incorporated ABN 71 166 864 151 (“IndianCare”, “we”, “us”, “our”) IndianCare is Victoria's only ethno-specific community development organisation and registered charity set up in 2013 to address the wellbeing of Indian migrants in Victoria using a strengths-based approach. In 2020, some of our operations expanded to include migrants from South Asia: Sri Lanka, Pakistan, Nepal, Bangladesh, and Myanmar as well as the broader diaspora.

IndianCare is governed by a volunteer Board of Management and is registered with the Australian Charities and Not-for-Profits Commission (ACNC). IndianCare works with the Indian community and partner agencies to provide unique and critical services in Victoria's Indian community. We facilitate and foster connections, build capacity, engage with our community, and refer our clients to specialist service providers for support. We undertake activities to enable self-determination among the Indian and the wider South Asian communities. IndianCare runs a helpline that is a free and provides a confidential support service for people of South Asian origin across Melbourne. IndianCare provides support in the areas of aged care, family violence, food and material relief (when possible), support for students, advocacy, training, and more. We engage with our community and involve a range of volunteers in our organisation. We are supported by Victorian State government and local government.

To sustain our work, we actively seek and coordinate funding from philanthropic organisations and private donors.

IndianCare complies with the Australian Privacy Principles (“APPs”), which are part of the Privacy Act 1988 (Cth) (“Privacy Act”), and its obligations under other relevant legislation as applicable, including the *Privacy and Data Protection Act 2014* (Vic) and the *Health Records Act 2001* (Vic). IndianCare recognises that protecting individuals’ privacy is of fundamental importance and required by law. This Privacy Policy explains:

- what sorts of personal information IndianCare collects;
- how IndianCare may use that personal information and to whom it may be disclosed;
- how IndianCare protects the personal information we hold from unauthorised use or disclosure; and
- how you can access and correct the personal information we hold about you, and your options to complain if you believe we have breached our privacy obligations to you.

IndianCare reserves the right (at its discretion) to modify, amend or replace this Privacy Policy from time to time to take account of new laws and technology, changes to IndianCare's operations and practices and to make sure it remains appropriate to the changing community needs. The modified, amended or replaced policy will be posted by IndianCare to its website in place of the older privacy policy and notified to clients.

Scope

This Privacy Policy applies to clients, supporters and donors, job applicants, interns/students, volunteers, contractors, website users and other people with whom IndianCare ordinarily interacts.

This Privacy Policy is issued on behalf of IndianCare. It does contain information about how IndianCare collects and shares information with IndianCare members and partners but you should refer to the separate Privacy Policies of those organisations, for information on how they manage your personal information.

This Privacy Policy does not apply to employees of IndianCare or employee records, as the handling of employee records by a private sector employer is exempt from the Privacy Act if it is directly related to the employee's current or former employment relationship. However, if you do have questions regarding the handling of your employee records, you can contact our Privacy Officer (see below) for assistance.

Definitions

Personal information

According to the Privacy Act, 'personal information' means information or an opinion about an identified individual, or about an individual who is reasonably identifiable.

Sensitive information

According to the Privacy Act, 'sensitive information' means personal information relating to a person's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, membership of a trade union or other professional or trade association membership, philosophical beliefs, sexual orientation or practices, or criminal record. It also includes health or genetic information about an individual or biometric information used for specific purposes.

We will only:

- collect sensitive information where you agree and it is reasonably necessary for IndianCare's functions and activities;
- use and disclose sensitive information for the purpose for which it was collected or a directly related secondary purpose that you would reasonably expect, unless you agree otherwise,

or the collection, use or disclosure of the sensitive information is otherwise authorised or required by law.

Types of personal information we collect and hold

Once consent has been obtained, IndianCare collects and holds a range of personal information, including some health and other sensitive information, about clients, supporters and donors, job applicants, students/interns, volunteers, contractors, website users and other people with whom IndianCare ordinarily interacts, which may include the following:

Clients:

- full name, date of birth, gender, contact details, next of kin / emergency contact;
- visa status

- language(s) spoken;
- bank account and credit card details;
- family supports within community, information on personal issues and experiences, areas of interest, relationships;
- information regarding referrals to government welfare agencies;
- Centrelink Reference Number (CRN);
- court orders (if this information is volunteered); and
- photos and/or videos (at events run by IndianCare)

Once consent has been obtained IndianCare may also collect the following types of sensitive information about clients only where necessary or appropriate or the client has otherwise consented or volunteered the information:

- racial or ethnic origin (including if clients identify as Aboriginal or Torres Strait Islander);
- religious background; and
- sexual orientation.

Supporters and donors:

- full name, contact details;
- photos and/or videos.

Job applicants, interns, volunteers and contractors:

- full name, date of birth, contact details, emergency contact / next of kin;
- languages spoken;
- resumes, employment histories and qualifications, training records and competency assessments, references, professional development history;
- alumni associations
- salary and payment information, including superannuation details;
- financial information (including bank account details);
- Tax File Number;
- complaint records and investigation reports; and
- leave details;
- photos and videos;
- workplace surveillance records; and
- emails and Internet browsing history when using a IndianCare email address or resources.

IndianCare may also collect the following types of sensitive information only where necessary or appropriate or where you have otherwise consented or volunteered the information:

- racial or ethnic origin (including if you identify as Aboriginal or Torres Strait Islander);
- criminal records; and
- medical information (including details of disability and/or allergies, and medical certificates).

Website Users

We may also collect information about you when you access our website using technology called 'cookies'. That information includes the pages viewed and the information downloaded, the IP address of the computer or mobile used to visit our website, the page from where the individual visited our website, the type of browser used, unique device identifiers and information about websites visited before the individual visited our

website. You can configure your browser to disable cookies, but some parts of our website may not function properly (or at all) if cookies are disabled.

Purpose for collecting personal information

IndianCare's primary purpose for collecting personal information is to support its functions and activities, including:

- complying with necessary business/accounting standards, and reporting obligations to the Australian Taxation Office and other government agencies;
- fulfilling legal requirements including:
 - taking reasonable steps to reduce the risk of harm to clients and others;
 - make reasonable adjustments for clients and others; and
 - ensure, as far as reasonably practicable, the health and safety of people in IndianCare workplaces;
- maintaining good order and management of IndianCare programs;
- generating statistical data and reports for policy and funding purposes;
- organising and managing events / functions; and
- day-to-day administration of the IndianCare; and
- any other purposes that would be reasonably expected.

Clients

In relation to personal information of clients, IndianCare's primary purpose of collection is to enable IndianCare to provide appropriate referrals, to deliver services and programs within the community and perform necessary associated administrative activities, including:

- supporting clients to access services, referrals, information or advice they have requested from IndianCare;
- educating clients on supports offered within the community; and
- supporting clients' social and emotional wellbeing and health.

In some cases where IndianCare requests personal information about a client, if the information is not provided, IndianCare may not be able to continue providing support for the client or permit the client to take part in a particular activity.

Job applicants, interns, volunteers and contractors:

IndianCare's primary purpose for collecting personal information regarding other people who interact with IndianCare is to assess their suitability and manage the relationship, including:

- assessing an applicant's suitability for employment or a volunteer position; and
- managing training/internship/volunteer records and arrangements.

How does IndianCare collect personal information?

IndianCare collects personal information about an individual directly from that individual, where reasonable and practicable to do so. We collect the information in a variety of ways, including:

- electronic or paper documents (including emails, registration forms, letters and invoices), face-to-face meetings and interviews, emails and telephone calls;

- from our website using various technologies, including ‘cookies’;
- online tools (including apps or other software used by the IndianCare);
- photographs, video or other recordings made at IndianCare events;
- polls, surveys and/or questionnaires;
- from other parties (such as medical professionals, recruiters, referees); and
- from publicly available sources.

Collecting personal information from IndianCare members

IndianCare offers individual-based where IndianCare approved members may attend and contribute to IndianCare’s Annual General Meetings. Upon gaining approval as a member, these member agencies agree to support IndianCare’s statement of purposes and comply with IndianCare’s policies.

Cookies and analytics

IndianCare may also collect data from its website using various technologies, including ‘cookies’. A ‘cookie’ is a text file our website transmits to an individual’s browser which is stored on the individual’s computer as an anonymous tag identifying the individual’s computer (but not the individual) to us. The browser may be configured to disable cookies, but some parts of our website may not function properly (or at all) if cookies are disabled.

How do we use and disclose the personal information we collect?

As a general principle, and in accordance with our statutory obligations, we only use and disclose personal information for:

- the primary purpose for which the information was collected;
- a secondary purpose that is related to the primary purpose and for which you would reasonably expect us to use the collected information;
- a secondary purpose that is directly related to the primary purpose where it is sensitive information; or
- as otherwise required or authorised by law, including the APPs.

We will take reasonable steps to make individuals aware of the purpose for which the information collected may be used or disclosed, including by reference to this Privacy Policy.

In particular, we may disclose personal information to the following people, where appropriate and with consent from the client or when authorised to do so:

- third party service providers that provide legal, administrative, financial, educational and assessment support services, document and data management services to IndianCare;
- other community agencies, including aged care providers;
- government departments (both state and federal);
- medical practitioners;

- parents, guardians or emergency contacts;
- third parties to whom you authorise us to disclose your personal information;
- where authorised or required by law or court order, or other governmental order or process, such as where we believe in good faith that the law compels us to disclose information in order to:
 - lessen or prevent a serious threat to your life, health or safety or public health or safety, where it is impractical to obtain your consent;
 - take appropriate action in relation to suspected unlawful activity or serious misconduct;
 - to locate a person reported as missing;
 - to assert a legal or equitable claim; or
 - to conduct an alternative dispute resolution process; and
- where we are required to do so as a result of any obligations we owe under a contract.

Images and Videos

From time to time, IndianCare may collect photographs and videos of people attending IndianCare events or participating in IndianCare activities. These images may be displayed from time to time in promotional material and published in IndianCare publications. Client images will only be used in IndianCare-related media and will not be sent to third-parties (other than service providers) such as external media outlets without your express permission. For promotional and other marketing material including IndianCare's website, IndianCare's social media accounts and video footage, specific consent will be obtained if your identity could be established within the design framework. No image linked with an individual's name will be included in any marketing or promotional material or vehicle without prior written consent.

Where reasonably practicable, IndianCare will communicate prior to community activities or events about whether there will be any photography, livestreaming or recording of the event.

Third-party service providers

When IndianCare engages third parties to provide products and/or services to IndianCare, such as IT service providers and payment processors, such third parties may have access to personal information IndianCare holds about individuals. IndianCare does not authorise those third parties to use any personal information disclosed to or accessed by the third party for any purpose other than to facilitate the third party's completion of its obligations owed to the IndianCare.

Disclosure of personal information overseas

IndianCare will not send personal information about an individual outside Australia without:

- obtaining the consent of the individual (in some cases this consent will be implied); or
- otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

IndianCare uses third-party online platforms to store and manage information regarding the services and programs it delivers. This may include the personal information of clients, volunteers and program participants. IndianCare may also engage third parties to provide services to IndianCare that involve the use of personal information, such as services relating to email, surveys, event management and ticketing of events. This personal information may be stored in the 'cloud' which means that it may reside on a cloud service provider's server which may be situated outside Australia, for example, in the United States, Canada, or Ireland.

IndianCare does not otherwise disclose or allow third parties outside Australia to access the personal information IndianCare holds.

Direct marketing

Marketing is an important part of ensuring that IndianCare continues to deliver local community information and support services. People who interact with IndianCare, particularly supporters and donors, may from time to time receive fundraising communications. IndianCare may also disclose your contact details to organisations that assist in IndianCare's fundraising, such as external fundraising organisations.

If you would like to opt-out of receiving marketing material, please contact IndianCare's Privacy Officer (see below). There will also be a simple "unsubscribe" (opt out) method in any marketing emails. If you opt-out of receiving marketing material from us, we may still otherwise contact you in relation to our existing relationship with you other than for the purposes of marketing.

Security and retention of personal information

IndianCare takes the security seriously and takes reasonable steps to protect any personal information it holds from misuse, interference and loss. This includes:

- physical security measures such as locking cabinets and restricting access to employee on IndianCare premises; and
- technology security measures such as employing passwords and multi-factor authentication measures to protect electronic records.

IndianCare's staff are required to respect the confidentiality of clients' personal information and the privacy of all individuals who interact with IndianCare.

Accessing the personal information we hold

An individual is entitled to access the personal information we hold about that individual. All enquiries should be directed to IndianCare's Privacy Officer (see below).

We will respond to such requests within a reasonable period of time. We are entitled under the Australian Privacy Principles to charge a reasonable fee to cover the costs we incur in providing access but this is usually not required.

We reserve the right to refuse access where an exception applies, for example, where releasing the information would unreasonably impact the privacy of another individual. Alternatively, we reserve the right to redact the information made available, to protect the privacy of other individuals. We also reserve the right to verify the identity of the person requesting the information and their entitlement to access it.

Quality of the personal information we hold

We take reasonable steps to ensure that the personal information we collect, use and disclose is accurate, complete and up-to-date. However, the accuracy, completeness and currency of the information we hold largely depends on the accuracy of the information supplied to us or which we collect.

If at any time you discover that any information held about you is inaccurate, out-of-date, incomplete, irrelevant or misleading, you can request correction of the information by contacting IndianCare's Privacy Officer (see below). IndianCare reserves the right to verify your identity before processing a correction request.

Lodging a complaint

If you wish to make a complaint to IndianCare about how IndianCare handles your personal information we ask that you make the complaint in writing to IndianCare's Privacy Officer (see below).

IndianCare will promptly acknowledge receipt and will respond to you within a reasonable time period (generally within 30 days). Where the complaint requires a more detailed investigation, the complaint may take longer to resolve, and we will keep you updated as to progress.

IndianCare reserves the right to verify the identity of the individual making the complaint and to seek further information from the complainant about the circumstances of the complaint. IndianCare reserves the right to refuse to investigate or to otherwise deal with a complaint where permitted under the Privacy Act. For example, IndianCare may refuse to investigate or to otherwise deal with a complaint if IndianCare considers the complaint to be vexatious or frivolous.

If you are not satisfied with our response to your complaint, or you consider that IndianCare may have breached the Australian Privacy Principles or the Privacy Act, you can make a complaint to the Office of the Australian Information Commissioner ("OAIC").

Office of the Australian Information Commissioner

Postal address: GPO Box 5288 Sydney NSW 2001

Phone: 1300 363 992

Email: foi@oaic.gov.au

Website: www.oaic.gov.au

How to contact us

If you have a query in relation to this privacy policy or wish to make a complaint, please contact:

Privacy Officer – Dr. Vasundhara Kandpal, Manager IndianCare, manager@indiancare.org.au or 1300 005 040