

Policy Number 31: Privacy and information sharing

(Previously Privacy Policy & replaces **Policy 55 External Agency/Consultant Communication**)

Version No. 02

Established: 2018

Present Version Passed: **8/8/23**

Next Scheduled Review: 2025

## PURPOSE

This policy sets out how Northern Geelong Rental Housing Co-operative (NGRHC) collects, uses and discloses your personal information.

## RELEVANT CO-OPERATIVE OBJECTIVES

Housing Registrar Performance Standards for Registered Housing Providers.

## SCOPE

This policy applies to staff, contractors, students on work placement, applicant, Board members and volunteers.

- Collecting your personal information
- Using and disclosing your personal information
- Quality of personal information
- Storage and security of personal information
- How to make a privacy complaint

## POLICY STATEMENT

NGRHC collects personal information from renter-members, applicants and others, so that NGRHC can provide housing and services.

Commonwealth and Victorian laws set out how we must manage your personal information to protect your privacy. Our detailed legal obligations are set out in the Legislation and Standards list at the bottom of this policy.

The NGRHC privacy policy is written in simple language; we publish this policy on our website, along with a Privacy Statement that summarises this policy in simple terms. The Privacy Statement is available at any time.

## COLLECTING YOUR PERSONAL INFORMATION

Commonwealth and Victorian laws set out how NGRHC must manage your personal information to protect your privacy.

NGRHC collects personal information from Members and Applicants for Membership via:

- the application and interview process;
- the process to sign you up as a renter-member in one of our properties; or
- when you contact us, for example to ask for information, or report a tenancy issue (such as repairs needed on your home), or lodge a complaint with us.

NGRHC does this to best manage your tenancy, for example to calculate your rent.

In these situations, we ask you for details about yourself and any other members of your household so that we can provide you with a service that meets your household's needs.

This information usually includes the following information:

- identity (name, date of birth) and copies of identification documents;

- contact details (address, phone, email etc);
- your residency status;
- evidence of your household income and assets;
- information about your housing needs;
- demographic information (such as language spoken at home and country of birth);
- records of conversations and communication between you and our staff;
- personal information recorded in notes, recommendations and decisions made by our staff and the NGRHC Committee of Management.

The renter-member is responsible for keeping NGRHC up to date with any changes in your household or family structure.

If you do not give us this information, this can limit our ability to:

- make an offer of NGRHC membership and housing to you;
- provide you with an affordable rent; or
- act on your request or complaint.
- NGRHC only ask for and collect the personal information we need for a particular purpose or activity.

### **Collecting sensitive information and health information**

You do not have to provide sensitive information or health information to us, but if you do not tell us about your current circumstances or your health condition or disability, we may be unable to assist you to:

- look at your application for community housing;
- offer you housing that suits your specific needs;
- provide services that are appropriate to your needs; or
- make the modifications to your home that you may require.

### **Indirect collection**

NGRHC only collect your personal information directly from you. However, there are some situations where we collect your personal information from other sources, for example:

- reference checks following an interview for community housing
- personal information about renter-members may be collected from another member of your household;
- when you authorise us to ask for and collect personal information about you from another source in order to help you sustain your tenancy with us; or
- we are given personal information about you as part of a complaint brought by another person.

### **Anonymity**

To effectively carry out our functions and activities we will need your name and contact information and enough information about the particular matter to enable us to properly handle your enquiry, request, complaint, or to act on your report.

### **USING AND DISCLOSING YOUR PERSONAL INFORMATION**

We use your personal information to help us provide you with appropriate housing and services, or to deal effectively with your request or complaint.

We also use personal information (including some sensitive information) to generate statistical data for reporting to government bodies and to plan for improvements to our

services. We take care to ensure that our statistical data and reports cannot be used to identify you.

“Disclosing” personal information means giving your information to someone else or allowing someone else to have access to it. We take care to protect your personal information and we only disclose it when it is necessary and we have the right to do so. We only use or disclose your personal information for the primary purpose it was collected. In some situations we disclose your personal information for a different (“secondary”) purpose.

Situations in which we disclose personal information for a secondary purpose may include:

- NGRHC will update the VHR about the status of a successful applicant;
- Information required resulting from a court order; or
- Emergency services in the case of an emergency.

### **Sustaining your tenancy**

If you have authorised us to discuss your tenancy or personal information with your support worker, case manager, carer, guardian, legal representative, health professional or other nominated advocate.

If you have asked us to make a referral on your behalf to a support agency or health center, we will only disclose to them the information that is necessary for us to complete the referral or to address your support issue.

Each and every request for assistance requires a new authority to act on your behalf.

### **Arranging for repairs to your home**

If repairs to your home require a tradesperson to attend, we give the tradesperson your name, address and phone number so they can call you to make arrangements directly with you for gaining access to the property.

### **Taking legal action**

If we take legal action against you (for example, under the Residential Tenancies Act), we will only disclose to the Tribunal or Court the personal information (including sensitive information) that is necessary for us to apply for a hearing or to present our case.

### **Publishing your image or story**

We include selected renter-member stories and images on our website, in our annual report, in promotional material, and in other published documents such as the newsletter or Facebook. We will ask for your written consent to use your image, story or other personal information in this way. If we are unable to obtain your consent, we will ensure that you cannot be identified from the image or information we publish. Consent to publish your image or story will be sought on a case by case basis.

### **Handling your complaint**

It may be necessary to disclose your personal information to a government agency or other party if we are asked to respond to or investigate a complaint you lodge. We will not make any disclosure without your consent, but if you don't consent, we may be unable to process your complaint.

### **Reporting to government**

In some limited circumstances it may be necessary to disclose your personal information to a government agency to satisfy our regulatory or contractual requirements.

### **Meeting our broader obligations**

We will disclose your personal information if we are required to by law (for example, by a court order). We can also disclose your personal information if this is necessary to lessen or prevent a serious threat to someone's life, health or safety or to take action on suspected unlawful activity or serious misconduct. If it is necessary for us to use or disclose your personal information for such reasons, we will make a written note of this to be kept in your NGRHC file.

### **Disclosure of personal information overseas**

There would normally be no situation in which we would disclose your personal information to an overseas recipient. The only exception is where you have documented an overseas contact in case of an emergency.

If you communicate with us through a social network service such as Facebook or Twitter, the social network provider and its partners could collect and hold your personal information overseas.

### **QUALITY OF PERSONAL INFORMATION**

To ensure that your personal information and that of your household we collect is accurate, up-to-date and complete we record information in a consistent format.

We promptly add updated or new personal information to existing records, and we regularly audit our data to check for inconsistencies.

We also review the quality of personal information before we use or disclose it.

### **STORAGE AND SECURITY OF PERSONAL INFORMATION**

We take steps to protect the security of the personal information we hold. Personal information in electronic form is stored on a secure computer server within our main office, and is only accessible by NGRHC staff using our password-protected network. Most personal information is recorded in a customised software program that requires an additional password to access.

renter-member and applicant paper files are kept in lockable filing cabinets on site that can only be accessed by NGRHC personnel who have a right to do so. Files are only removed from the cabinet when staff are currently working on them.

A scanned copy of the signed Residential Rental Agreement or other related documents will be uploaded to the secure NGRHC computer server. This ensures the document will be captured as part of scheduled backups for the server.

We destroy personal information in a secure manner when we no longer need it or when statute allows. We retain the personal information of previous NGRHC renters for longer than the legal minimum of seven years.

### **Accessing and correcting your personal information**

You have the right to ask for access to personal information that we hold about you, and to ask that we correct any errors in that personal information. You can ask for access or correction by contacting us, and we will respond within 30 days.

There are some situations where we have the right to reject your request, or to give access but not in the way or to the extent that you asked for – for example, if your request is frivolous or aggrieved; or giving access would seriously threaten someone else's health or safety or have an unreasonable impact on their privacy; or there is a law that requires us not to.

We will ask you to prove your identity before we give you access to your information or correct it, and we will try to make the process as simple as possible. If we refuse to provide access to, or correct, your personal information, we must notify you in writing setting out the reasons.

If we make a correction and we have disclosed the incorrect information to others, you can ask us to tell them about the correction. We must do so unless there is a valid reason not to. If we refuse to correct your personal information, you can request that NGRHC add a statement to your file that you believe the information is incorrect and why.

## HOW TO MAKE A PRIVACY COMPLAINT

If you want to make a complaint to NGRHC about the way we have handled your personal information, you should give us your privacy complaint in writing (by letter or email). If you need help lodging a complaint, you can contact the NGRHC office.

If we receive a privacy complaint from you, we will decide what (if any) action we should take to resolve your complaint. The NGRHC Manager will look at a complaint in the first instance.

We will promptly let you know that we have received your privacy complaint, and we will respond to your complaint within 30 days.

If you disagree with our response you can ask for a formal review by NGRHC's Committee of Management (CoM). The CoM will then make a recommendation to the Manager, and the Manager will carry out the CoM instructions. If you remain unsatisfied with our response, you can refer your complaint to the Commonwealth or Victorian government agency responsible for privacy law:

### [Office of the Australian Information Commissioner](#)

Phone: 1300 363 992

Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

Fax: +61 2 9284 9666

Post: GPO Box 5218, Sydney NSW 2001

### [Commissioner for Privacy and Data Protection](#)

Phone: 1300 666 444

Email: [privacy@cpdp.vic.gov.au](mailto:privacy@cpdp.vic.gov.au)

Post: PO Box 24014, Melbourne VIC 3001

### [How to contact us](#)

You can contact the NGRHC Manager as follows:

Email: [manager@ngrhc.org.au](mailto:manager@ngrhc.org.au)

Telephone: 03 5277 9993

By mail: 46 Roseneath Street, North Geelong. Victoria. 3215

### [Definitions](#)

In this policy:

Applicant	A person who applies for community housing via the VHR
Consent	includes express consent (given explicitly, either orally or in writing) and implicit consent (where in the circumstances it can reasonably be inferred). It requires four key elements: the individual is adequately informed before giving consent

	the individual gives consent voluntarily the consent is current and specific, and the individual has the capacity to understand and communicate their consent.
DFFH	The Victorian Department of Families Fairness and Housing
Health information	includes personal information about a person's current or previous health or disability, or about their expressed wishes for future provision of health services to them, or about a health service provided or to be provided to them
Personal information	means information or an opinion about an identified person, or a person who is reasonably identifiable, whether the information or opinion is true or not; and whether the information or opinion is recorded in a material form or not.
Sensitive information	includes: health information (as defined); personal information about a person's race or ethnicity, political opinions or affiliation, religious beliefs or affiliation, membership of a trade union or professional association, sexual orientation or practices, or genetic or biometric information.
Social housing	Both public housing (housing owned and managed by DHHS) and housing owned, controlled or managed by participating registered agencies (that is, registered housing agencies that participate in the VHR)
Community housing	One type of Social Housing where organisations receive assistance from Government in the form of grants, loans, dwellings or current operational funding.
VHR	The Victorian Housing Register, the state-wide common application for people seeking social housing, which can be accessed via NGRHC, DHHS, the mygov portal or designated support providers
Renter-Member	Those eligible to vote according to the NGRHC Rule Book.
VHR Agency	A registered housing provider under the Housing Act 1983 (Vic); DFFH; and a designated service provider (as defined in the Housing Act 1983).

### Related Documents

The Rules of the NGRHC

Tenancy Agreement

Policy No. 33 Grievance & Dispute Resolution Policy

Policy No. 07 Rent Increases and Reviews

Policy No. 49 Allocations of Long Term Housing

Information Technology Management Policy

### Legislation and standards

This policy implements NGRHC's obligations under:

- Privacy Act 1988 (Commonwealth)
- Privacy and Data Protection Act 2014 (Vic)

- Health Records Act 2001 (Vic)
- Housing Act 1983 (Vic) Part VIIIA – Social Housing
- Performance Standards for Registered Housing Agencies
- DHHS Victorian Housing Register Operational Guidelines
- Charter of Human Rights and Responsibilities Act 2006 Act No. 43/2006

#### Transparency and accessibility

This policy will be available on the NGRHC website [www.ngrhc.org.au](http://www.ngrhc.org.au)

## **Privacy Statement – to be viewed in conjunction with the Privacy Policy**

NGRHC collects, holds, uses and discloses personal information to enable us to provide housing and other services for our renter members and applicants. This statement is a summary of how we handle personal information. Our Privacy Policy provides more detail on how we comply with privacy laws.

### **Collecting your personal information**

NGRHC collect personal information about you to help us provide a housing or related service to you. We try to only ask for and collect the information we need. If you don't give us this information, we may not be able to provide you with the service you want. NGRHC generally only collect sensitive information about you when we have your consent. NGRHC try to only collect your personal information directly from you, but in some situations we collect your personal information from other sources to enable us to carry out our legal duties.

### **Using and disclosing your personal information**

NGRHC use your personal information to help us provide you with appropriate and affordable housing services, or to deal effectively with your request or complaint, or to generate de-identified data for internal or government reporting. NGRHC only disclose personal information when it is necessary and we have the right to do so. NGRHC use or disclose your personal information only for the primary purpose it was collected for. In some situations we disclose your personal information for a different ("secondary") purpose. Our main privacy policy explains these situations.

### **Accessing and correcting your personal information**

You can ask for access or correction by contacting us, and we will respond within 30 days. We will take reasonable steps to correct information we agree is incorrect.

### **How to make a privacy complaint**

If you make a written complaint to us about how we have handled your personal information, we will respond within 30 days to explain what action we will take. If you disagree with our response, you can ask for a formal review by NGRHC's Manager, who in turn will consult with the Committee of Management.



