

## Privacy Policy

### Responsibilities

Project Hope Horse Welfare Victoria's Committee is responsible for developing, adopting and reviewing this policy.

Project Hope Horse Welfare Victoria's President is responsible for the implementation of this policy, for monitoring changes in Privacy legislation, and for advising on the need to review or revise this policy as and when the need arises.

### Introduction

Project Hope Horse Welfare Victoria ("PHHWV") is committed to protecting the privacy of personal information of members and associates which the organisation collects, manages and stores.

PHHWV has adopted the Australian Privacy Principles ("APPs") contained in the Privacy Act 1988 (Cth) and the Privacy and Data Collection Act 2014 (Vic) ("the Acts"). The APPs govern the way that PHHWV collects, uses, stores and discloses Personal Information that it receives.

### Purpose

The purpose of this document is to outline the ongoing obligations of PHHWV in the collection management and storage of the Personal and Sensitive Information of members and associates.

### What is Personal Information?

Personal Information is information or opinion that identifies an individual. Examples of Personal Information that is collected by PHHWV includes names, addresses, email addresses, and phone numbers (including mobile phone numbers).

### What is Sensitive Information?

Sensitive Information is described in the Acts to include information or opinion about such things as an individual's racial or ethnic origin, political opinions, membership of a political association, religious or philosophical beliefs, membership of a union or other professional body, criminal record or health information.

### Collection of Personal and Sensitive Information

PHHWV collects, manages and stores a range of Personal Information for the primary purposes of:

- Communicating with our members regarding membership and providing updates on the activities of the organisation
- Direct marketing to members
- Coordinating volunteers for administration of horse welfare roles within PHHWV
- Coordinating the provision of support to caregivers of horses and horses in need.

PHHWV may also collect Personal Information for a secondary purpose directly related to the primary purpose, such as arranging appointments, consultations and meetings with third parties for the purpose of improving the care or welfare of a horse.

Sensitive Information will only be collected and used by PHHWV:

- For the primary purpose for which it is obtained;
- For a secondary purpose which is directly related to the primary purpose; or
- With your consent, or where authorised by law.

PHHWV will:

1. Only collect information that is necessary for the performance and primary function of Project Hope Horse Welfare Victoria.
2. Collect Personal Information directly from the person wherever possible and only by lawful and fair means and not in an unreasonably intrusive way.
3. Notify members and associates about why we collect the information and how it is managed and stored.
4. Notify members and associates that the Personal Information collected about them is accessible to them.
5. If collecting personal information from a third party, advise the person about whom the Personal Information relates, where or from whom their Personal Information has been collected.
6. Only collect health information about an individual if:
  - a. the information is necessary to provide a service to the individual; and
  - b. the information is collected as required or authorised by or under law and in accordance with rules established by competent health or medical bodies that deal with obligations of professional confidentiality which bind the organisation.

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7. Where unsolicited Personal or Sensitive Information is received, if the Personal or Sensitive Information could have been collected by PHHWV for any of the purposes set out above, PHHWV will treat that information in accordance with this Privacy Policy. If the Personal or Sensitive Information could not have been collected in the usual way, it must be destroyed, and the person whose Personal or Sensitive Information has been destroyed will be notified about the receipt and destruction of the information.

# Privacy Procedure

## Use and Disclosure of Personal Information

PHHWV will:

1. Only use or disclose Personal Information for the primary purpose for which it was collected or a directly related secondary purpose.
2. For uses other than the primary purpose or a directly related secondary purpose, PHHWV will obtain prior consent from the affected person to the release of that information, save for where certain other legal reasons exist, or urgent disclosure is required to prevent serious and imminent threat to life, health or safety.
3. Only use the Personal Information collected from the person or from third parties for direct marketing purposes:
  - a. where that person would reasonably expect it to be used for this purpose; and
  - b. the person has chosen not to opt out of receiving such communications; and
  - c. the communication contains a notice that the recipient may express a wish not to receive any further direct marketing material from PHHWV (“Opt out Notice”); and
  - d. the communication sets out PHHWV’s business address, telephone number and email or website contact address.
4. In the event that PHHWV elects in furtherance of its primary or secondary purpose to send Personal Information about any person to any overseas third party, PHHWV will first ensure:
  - a. that the recipient of the information is bound by a law, binding scheme, contract or Privacy Policy in respect of the information substantially in the same terms as set out in the Acts; and
  - b. the individual to whom the information relates consents to the provision of the information to the overseas third party; or
  - c. the individual to whom the information relates requests PHHWV to release the information to the third party
5. If PHHWV has sufficient reasons to believe that an unlawful activity has been, is being or may be engaged in, and the disclosure of personal information

becomes a necessary part of its investigation of the matter or in reporting its concerns to relevant persons or authorities, the organisation may make such disclosures.

6. Only disclose personal information if its disclosure is mandated by an enforcement body or is required for the following:
  - a. the prevention, detection, investigation, prosecution or punishment of criminal offences, breaches of a law imposing a penalty or sanction or breaches of a prescribed law;
  - b. the enforcement of laws relating to the confiscation of the proceeds of crime;
  - c. the protection of the public revenue;
  - d. the prevention, detection, investigation or remedying of seriously improper conduct or prescribed conduct;
  - e. the preparation for, or conduct of, proceedings before any court or tribunal, or implementation of the orders of a court or tribunal and PHHWV must make a written note of the use or disclosure.

### **Storage of Personal Information**

PHHWV will implement and maintain steps to ensure that Personal and Sensitive Information it collects is protected from misuse and loss, unauthorised access, interference, unauthorised modification or disclosure by:

1. Before disclosing any Personal Information to any recipient including a provider of IT services such as servers or cloud services, establish that they have policies for the protection of the privacy of Personal Information in substantially the same terms as set out in the Acts.
2. Ensuring that its systems provide security for Personal Information by ensuring that access to such information is restricted and password protected..
3. Ensuring that its data systems are up to date, accurate and complete.

### **Destruction and de-identification of Personal Information**

PHHWV will:

1. Destroy Personal and Sensitive Information once is not required for the purpose for which it was collected, including any Personal or Sensitive Information stored on decommissioned laptops and mobile phones.
2. Change information to a pseudonym or treat it anonymously if required by the person whose information PHHWV holds and will not use any government related identifiers unless they are reasonably necessary for our functions.

## Data Quality

PHHWV will take reasonable steps to ensure the information it collects is accurate, complete, up to date, and relevant to the purposes for which it was collected.

## Data Security and Retention

Project Hope Horse Welfare Victoria will:

- Only destroy records in accordance with the organisation's Records Management Policy.

## Access and Correction

PHHWV will:

1. Ensure individuals have a right to seek access to Personal Information it holds about them and to correct it if it is inaccurate, incomplete, misleading or not up to date.
2. If the individual and PHHWV disagree about whether the information is accurate, complete and up to date, the individual may request that PHHWV take reasonable steps to attach a statement to the Personal Information noting that the individual has advised that the information is not accurate, complete or up to date.
3. If PHHWV elects to withhold or refuses to correct Personal Information of an individual, PHHWV will provide the individual with its reasons for denying access to or a refusal to correct Personal or Sensitive Information within 14 days of an election being made.
4. PHHWV can refuse to allow an individual to access their Personal or Sensitive Information if:
  - a. providing access would pose a serious and imminent threat to the life or health of any individual; or
  - b. providing access would have an unreasonable impact upon the privacy of other individuals; or
  - c. the request for access is frivolous or vexatious; or
  - d. the information relates to existing or anticipated legal proceedings between the organisation and the individual, and the information would not be accessible by the process of discovery in those proceedings; or
  - e. providing access would reveal the intentions of the organisation in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
  - f. providing access would be unlawful; or
  - g. providing access would be likely to prejudice an investigation of possible unlawful activity; or

- h. an enforcement body performing a lawful security function asks PHHWV not to provide access to the information on the basis that providing access would be likely to cause damage to the security of Australia.
5. If PHHWV decides not to provide the individual with access to the information on the basis of the above mentioned reasons, PHHWV will consider whether the use of mutually agreed intermediaries would allow sufficient access to meet the needs of both parties.
6. PHHWV may charge for providing access to personal information. However, the charges will be nominal and will not apply to lodging a request for access.

### **Identifiers**

PHHWV will not adopt as its own identifier of an individual an identifier that has been assigned by any third party. It may however adopt a prescribed identifier by a prescribed organisation in prescribed circumstances.

PHHWV will not use or disclose the identifier assigned to an individual by a third party unless:

- a. the use or disclosure is necessary for the organisation to fulfil its obligations to the agency; or
- b. the use or disclosure is by a prescribed organisation of a prescribed identifier in prescribed circumstances.

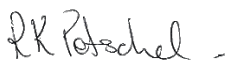
### **Anonymity**

PHHWV will allow people from whom Personal or Sensitive Information is being collected to not identify themselves or use a pseudonym unless it is impracticable to deal with them on this basis.

### **Making information available to other organisations**

Project Hope Horse Welfare Victoria can release information to third parties where it is requested by the person concerned.

### **Authorisation**



Rhonda Petschel - President

25/11/2024








# PHHWV Privacy Policy (v.Nov2024)

Final Audit Report

2024-11-25

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