



KWY

Privacy Policy

Date endorsed: 07/04/2021

Date of review: 07/04/2023

Version: 1.0

Acknowledgement

Kornar Winmil Yunti Aboriginal Corporation acknowledges that we operate on the many different lands of the traditional owners.

We acknowledge and pay respect to the ancestors and traditional owners that walked and managed these lands for many generations before us.

We acknowledge the great diversity in language, cultures and histories of Aboriginal and Torres Strait Islander people. We acknowledge and recognise all Aboriginal people who have come from their own country and who have now come to call this country their home.

We acknowledge and respect Aboriginal:

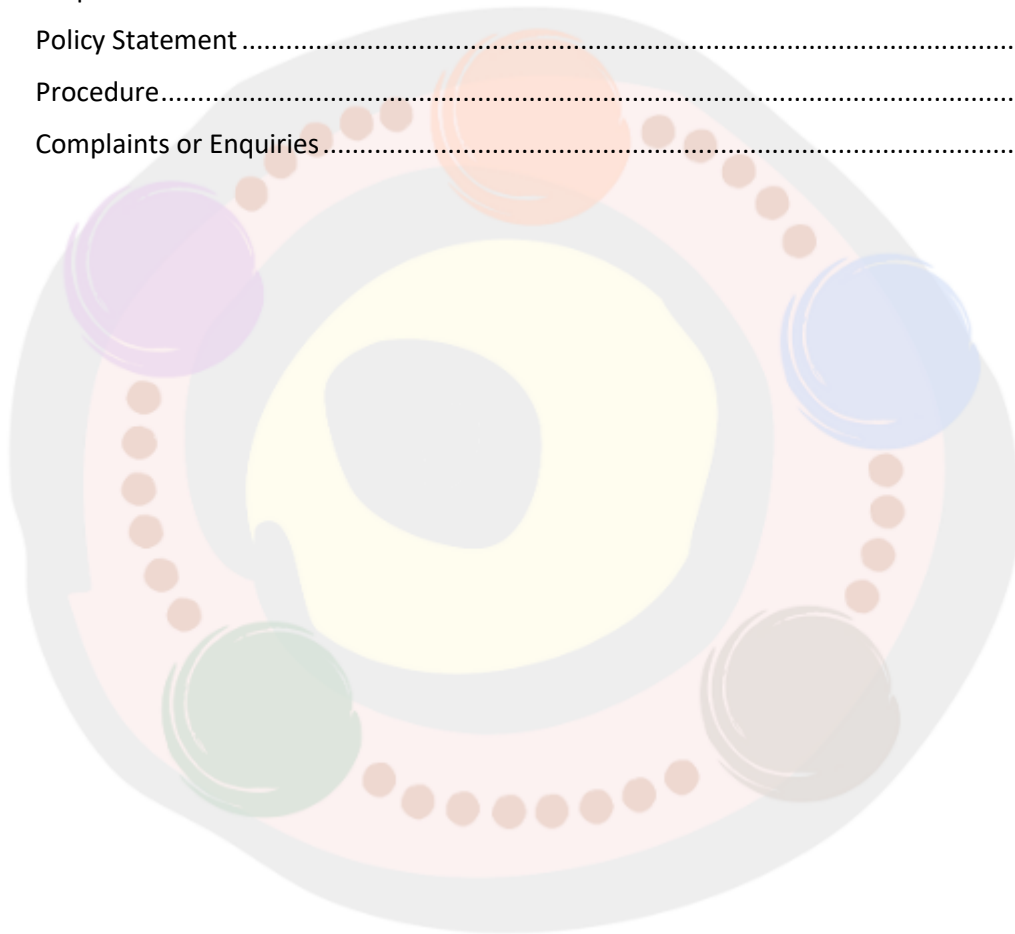
- Elders both past and present who are our knowledge holders, our teachers.
- Youth who are our hope for a brighter and stronger future.
- Community members who have gone before us and recognise their contribution to our people and community.

We acknowledge the resilience and strengths of families and the community. We will draw on these strengths and use culture to protect and heal our children, families and communities. We believe that strategies and initiatives developed and led by local Aboriginal people are the most appropriate for addressing the current difficulties that impacting Aboriginal people, families and communities.



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1. Policy Position Statement

KWY Privacy Policy	
Responsible Division & Unit:	Project Team Policies, Procedures and Forms Committee
Supporting documents:	Information Sharing Guidelines (ISG) KWY Data Breach Plan KWY Communications Policy KWY Program Manuals
Relevant Legislation:	Privacy Act 1988 (Cth) Privacy Regulations 2013 (Cth) Privacy (Tax File Number) Rule 2015 (Cth) Privacy (Persons Reported as Missing) Rule 2014 Spam Act 2003 (Cth)
Standards:	ISO 9001-2015 Quality Management ISO 31000 Risk Management Standard



2. Definitions

Term	Definition
Australian Privacy Principles	13 principles (replacing the Information Privacy Principles and National Privacy Principles) that apply when handling personal or sensitive information in order to conduct its business. Formed as part of the Privacy Amendment (Enhancing Privacy Protection) Act 2012.
Culturally appropriate	The accepted and traditionally patterned ways of behaving and a set of common understandings shared by members of a group or community. Includes land, language, ways of living and working, artistic expression, relationships, and identity. Culture includes a number of practices and ceremonies centred on a belief in the Dreamtime. Reverence for the land and oral traditions are emphasized. Language groupings and tribal divisions exhibit a range of individual cultures.
Information	Includes information forming part of a database, and information recorded in a material form or not.
ISG	The Information Sharing Guidelines for Promoting Safety and Wellbeing (ISG) is a state-wide policy approved by the SA Government; it outlines overarching principles and practices for information sharing for both government agencies and non-government agencies in South Australia. The ISG provide clear and consistent steps to determine if information sharing is appropriate while maintaining the balance between the right to safety and wellbeing and their rights to privacy.
Personal information (includes sensitive information)	Is defined as information (in any form) that can identify a particular person. Apart from computer and paper records, this can cover anything from video images to entries in the phone book. Personal information includes “sensitive information”, such as health information.
Privacy Act 1988	An Australian law which regulates the handling of Personal Information about individuals. This includes the collection, use, storage and disclosure of Personal Information, and access to and correction of that information.

3. Scope

This Policy applies to all clients, employees, volunteers, interns, students, contractors, and associates of KWY.

4. Purpose

This policy seeks to explain:

- How we protect, collect, retain, use, and disclose personal information.



- When and how your personal information is collected, disclosed, used, held, and otherwise handled by us.
- How you may access your personal information and your rights.
- How you may make a complaint, and how we will deal with any such complaint.

5. Policy Statement

KWY are required to comply with the Australian Privacy Principles outlined in the Privacy Act 1988 (Cth). KWY is committed to safeguarding the confidentiality of any personal information collected about our clients and staff. Individuals have the right to control how their personal information is collected and used. KWY have procedures in place that protect privacy with regard to the collection, storage, and disclosure of personal information.

6. Procedure

Collection of personal information

The personal information KWY collects and holds about you is dependent on your interaction with KWY.

It may include:

- Your name, date of birth or place of birth.
- Your contact details, occupation, address, phone number and email address.
- Copies of your identification documents, such as your driver's licence.
- Information regarding your family and other relationships.
- Information about your requirements for the services we provide, i.e. court orders.
- Sensitive information about you that may include your gender, health, disability, physical and mental health, criminal convictions, religious affiliation, racial origin, cultural beliefs and other particulars required as part of our funding obligations and/or that are relevant for the proper provision of the services that we provide.
- Photographs, video and sound recordings.
- Information associated with web browsing, email, text messaging, phone calls or other electronic interaction with you including your phone number and username.
- Survey and questionnaire responses.

How we collect personal information.

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

- Directly from you in person
- Electronic forms
- In hard copy
- In ways which are culturally appropriate
- Correspondence with us i.e. by letter, email, or phone
- Via third parties where you are referred to us for the services that we provide
- Transfers between our own services provided it relates to the primary purpose for which it was collected.
- As a provider of services to governments, we may collect personal information from relevant government departments and agencies.
- Our website and third-party sites occasionally used such as Survey Monkey)



- Our social media accounts
- At events, training sessions, conferences and forums

Use of your personal information

We collect, hold and use personal information only for the primary purposes for which it was collected or as set out below including:

- To provide our services to you or someone else you know.
- To provide you with information about our other services that KWY offer that may be beneficial to you.
- To provide you with information relevant to the operation of our business.
- To facilitate KWY internal business operations, including the fulfilment of any legal requirements.
- To comply with the requirements of funding bodies as part of a funding agreement with us
- To facilitate proper governance processes such as risk management, incident management, internal audit and external audits
- To gather feedback about the quality of service that we provide so that we can continuously improve

Sharing your personal information

KWY will endeavour at all times to gain your consent for information sharing outside our organisation. When seeking consent to use or disclose personal information, including sensitive information, KWY has an 'Authority to Exchange Information' form which must be completed and signed by you prior to sharing information. We will generally only use and disclose your Personal Information for the purpose for which it has been collected. However, we may at times be required to use or disclose information without your consent. This may occur if we reasonably believe use or disclosure is necessary to lessen or prevent a serious threat to the life, health, or safety of any individual, or to public health or safety, or we are required by law. Such as:

[Children and Young People \(Safety\) Act 2017](#)

KWY is obliged by law to notify child protection services if they suspect on reasonable grounds that a child/young person has been or is being abused or neglected, and the suspicion is formed in the course of the person's work (paid or voluntary) or in carrying out official duties.

[Disclosure to service providers](#)

At times we may be required to disclose your Personal Information to other service providers. Examples of service providers we frequently work with include, but are not limited to:

- Department for Child Protection
- Department of Human Services
- Women's Safety Services SA
- Department of Health

[Information Sharing Guidelines \(ISG\)](#)

In addition to compliance with the Australian Privacy Principles, KWY adheres to the SA Governments' Information Sharing Guidelines (ISG) for promoting safety and wellbeing, has a contractual obligation to comply with the requirements of the Master Agreement. South



Australian Cabinet has endorsed the ISG to apply to all government agencies and relevant non-government organisations. The ISG endorses the sharing of information without consent, when it is believed a person is at risk of harm (from others, or as a result of their own actions) and adverse outcomes can be expected unless appropriate services are provided.

Protecting and storing your personal information

KWY hold personal information as either a physical or electronic record and have processes in place to ensure the security of personal information. We apply appropriate security to personal and sensitive information to ensure only staff that require access, have access to carry out the delivery of services and programs.

KWY will take all reasonable steps to keep secure any information that is held about individuals and to keep this information accurate and up to date, including information that is stored electronically. Our employees are obliged to respect the confidentiality of any personal information held by us. All documents containing client information is stored on approved and monitored systems.

Access to your personal information

You have the right to access personal information that KWY holds about you and can do so by making a written request. KWY will endeavour to acknowledge your request and provide you with access to the information requested within a timely and appropriate manner.

KWY may decline a request for access to personal information where, among other things:

- Providing access would pose a serious threat to the life, health, or safety of any individual, or to public health or public safety.
- Providing access would have an unreasonable impact upon the privacy of other individuals.
- The information relates to existing or anticipated legal proceedings between KWY and you, and the information would not be accessible by the process of discovery in those proceedings.
- Providing access would reveal information generated within KWY in connection with a commercially sensitive decision-making process.
- Providing access would be unlawful.
- Denying access is required or authorised by or under law or court/tribunal order.
- Providing access would be likely to prejudice the enforcement related activities conducted by or on behalf of enforcement bodies.

7. Complaints or Enquiries

If you have any questions or complaints regarding privacy, or if at any time, you believe we may have wrongfully disclosed your personal information or breached our Privacy Policy, please contact us on [08 8377 7822](tel:0883777822) or lodge your complaint via email to admin@kwy.org.au

We will aim to respond and resolve your enquiry or complaint in a timely and appropriate manner.

If you are not satisfied with our response you are entitled to contact the Office of the Australian Information Commissioner, by emailing enquiries@oaic.gov.au, phoning 1300 363 992, or in writing to the Director of Privacy Case Management Office of the Australian Information Commissioner, GPO Box 5218, Sydney NSW 2001.

