

PRIVACY AND INFORMATION SHARING POLICY

POLICY DOCUMENT INFORMATION

Policy Name:	PRIVACY & INFORMATION SHARING POLICY:
Committee Responsible	Governance C'tee
Policy Number	1.309
Date Approved by the Board	25/2/2019 and replaces all Rent Policies previously in effect
Effective Implementation Date:	25/2/2019
Scheduled Review Date:	25/2/2020
Scope of Policy	<p>This Policy applies to:</p> <ul style="list-style-type: none"> ● Anyone who uses NRHC Services; ● Housing Applicants registered with the Victorian Housing Register (VHR) <p>All NRHC Staff, Members including Board & C'tee Members must follow this Policy</p>

PURPOSE

The purpose of this Policy is to set out NRHC's approach to collecting, using and disclosing your personal information in alignment with the Co-op's vision to be:

“An innovative rental housing co-operative, providing and promoting the model of long term, quality, affordable housing choices in response to the needs of its members and the community.”

POLICY STATEMENT

Approach to Privacy & Information Sharing – Guiding Principles

To support the achievement of NRHC's Vision this Policy aims to be consistent with and a balance between the NRHC values of:

- **Transparency**

By ensuring Members and Applicants are informed about the way NRHC collects, uses & discloses your personal information

- **Empowerment**

By enabling Members and Applicants to know their rights and responsibilities

- **Sustainability**

By ensuring the viability, resilience and sustainability of NRHC

NRHC Approach to Privacy & Information Sharing:

NRHC collects personal information from Members and Applicants for Membership, so that NRHC can provide housing and services.

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

The detailed legal obligations are set out in:

- the Australian Privacy Principles in the Privacy Act 1988 (Commonwealth);
- the Information Privacy Principles in the Privacy and Data Protection Act 2014 (Vic); and
- where your personal information is also health information, the Health Privacy Principles in the Health Records Act 2001 (Vic)

The Housing Act 1983 (Vic) allows NRHC in some circumstances to share the personal information of Applicants for social housing with other Victorian Housing Register agencies.

The Family Violence Protection Act 2008 also allows NRHC in some circumstances to share personal information with Risk Assessment Entities and Information Sharing Entities prescribed under the Family Violence Information Sharing Scheme under the Act.

NRHC will publish on NRHC's website (www.nrhc.coop):

- This Policy including updates; &
- A Privacy Statement summarising this Policy

NRHC will also provide the Privacy Statement when collecting personal information face-to-face for the first time.

Collecting Your Personal information

NRHC collects personal information about you for the purpose of assisting the Co-op. to provide or potentially provide housing and/or a service to you.

Examples include:

- When you are applying for Membership of and housing with NRHC;
- When signing you up as a Tenant-Member in one of NRHC owned or managed properties;
- To manage your Tenancy, for example to calculate your Rent; and
- When you contact NRHC, for example - to ask for information, report a tenancy issue (such as repairs needed on your home), or lodge a complaint with NRHC.

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

This information usually includes the following information about you and other residents of your household:

- Identify (name, date of birth) and copies of identification documents;
- Contact details (address, phone, email etc);
- Your residency status;
- Documentary evidence of your household income and assets;
- Information about your housing needs, such as name, date of birth and gender of other household residents, disability or health needs relevant to your housing, any affiliation relevant to any services NRHC may be providing;
- Demographic information (such as language/s spoken, country of birth, information relevant to any specific safety issues that may affect you);
- Records of conversations and communication between you and our staff;
- Personal information recorded in notes, recommendations and decisions made by our staff.

If you do not provide NRHC with this information, this can limit our ability to:

- Accept your application for Membership and housing with NRHC
- Make an offer of housing to you;
- Provide you with an affordable discounted rent; or
- Act on your request or complaint.

It is NRHC's intention to only request and collect the personal information the Co-op needs for the particular function or activity the Co-op is carrying out.

Collecting Information

NRHC only collects *Information* about you when needed to:

- Offer you housing that suits your specific needs;
- Provide services that are appropriate to your needs;
- Make the modifications to your home that you might need; or
- Understand any specific safety or security issues that may affect your life.

Indirect Collection of Personal Information

Normally NRHC would only collect your personal information directly from you.

However, there are some situations where NRHC will collect your personal information from other sources, for example:

- When you are a resident of a Tenant-Member's household or of an Applicants' household applying for NRHC Membership's,

Then NRHC can collect personal information about you from another person of the household, in particular from the Tenant-Member or Applicant;

- When you authorise NRHC to ask for and collect personal information about you from another source;

For example, Centrelink (to enable NRHC to calculate your Discounted Rent) or your support worker (to help us match you with suitable housing or to help you sustain your tenancy with NRHC); or

- If NRHC is given personal information about you as part of a complaint brought by another person.

If you have applied for social housing under the VHR, then the VHR can also include your personal information that has been collected by other VHR agencies that you have dealt with.

NRHC will / may see this information automatically on the VHR but will not collect that information unless it is directly relevant:

- To your housing needs;
- The provision of services to you; or
- To your potential safety and security.

Anonymity

NRHC will allow a person to interact with NRHC anonymously or by a pseudonym if there is clear safety or security risk affecting you.

In this case you may interact with NRHC by an agreed pseudonym.

Using and Disclosing Your Personal Information Without Your Consent

1. Family Violence Information Sharing Scheme under the Family Violence Protection Act 2008

Under the Family Violence Protection 2008 Act, your consent is not required if NRHC believes that there is a serious threat to an individual's life, health, safety or welfare if information is being requested and / or shared for a:

- Family violence assessment purpose
- Family violence protection purpose

2. Housing Act 1983 (Vic)

Where NRHC considers there is a potential risk to the Tenant-Member's health and safety and/or an imminent or potential risk of eviction, a referral to a relevant support service can be made without the Tenant-Member's consent.

A Referral without Consent is one where:

“It will not be possible to obtain consent from the Member for the referral, due to the Member's lack of willingness to engage in services. In these cases, the Housing Act 1983 (Vic) allows for “the disclosure of tenant information without prior consent, without breaching the Information Privacy Principles”.

Refer to NRHC's '[Referral to Support Agencies Policy](#)'

3. Other Circumstances

NRHC will disclose your personal information if required to by law (for example, by a court order).

NRHC 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 NRHC to use or disclose your personal information for such reasons, we will make a written note of this.

Using and Disclosing Your Personal Information

NRHC uses your personal information to:

- Provide you with appropriate housing and services or relevant information about NRHC housing and services;
- To deal effectively with your request or complaint.
- To generate statistical data for reporting to government bodies and to plan for improvements to the Co-op's services.

Care is taken to ensure that the Co-op's 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.

NRHC only discloses your personal information when it is necessary and NRHC has the right to do so or is required to do so by the law.

Normally NRHC uses or discloses your personal information only for the primary purpose it was collected.

However, in some situations NRHC discloses your personal information for a different (“secondary”) purpose.

This following section sets out some common secondary purposes.

Common situations in which NRHC discloses personal information include:

1. Applications for Co-operative Housing under the Victorian Housing Register (VHR)

If you have a current VHR application for social housing or are making an application to the VHR, the Housing Act 1983 (Vic) allows NRHC to use and disclose your (and your household's) personal information to other VHR agencies for certain purposes, including to:

- Determine whether you are eligible for social housing;
- Determine whether you are eligible for priority housing;
- Determine whether to allocate a tenancy in social housing to you;
- Determine your health, safety and support needs and housing requirements; and
- Support you to access housing that is appropriate to your needs.

This information is a summary only.

For more information about how personal information in the VHR is collected, used and disclosed, please see advice on [the DHHS website](#).

2. Assessing your Affordable Discounted Rent

NRHC may disclose your personal information to Centrelink so that Centrelink can provide us with the information we need to calculate your rent and so that your rent can be paid through Centrepay.

NRHC only does this with your consent.

However, if you do not give your permission, NRHC may not be able to give you a Discounted Rent and you may have to make less convenient arrangements to pay your rent.

3. Sustaining your Tenancy

If you have authorised NRHC to discuss your Tenancy or personal information with your support worker, case manager, carer, guardian, legal representative, health professional or other nominated advocate, or to make a referral on your behalf to a support agency or health centre, we will only disclose to them the information that is necessary for the Co-op to complete the referral or to address your support issue.

4. Arranging for Repairs to your Home

If repairs to your home require a tradesperson to attend, NRHC will give your name and phone number to the tradesperson so they can call you to make arrangements directly with you for gaining access to the property and carrying out the required / requested maintenance.

5. Taking Legal Action

If NRHC takes legal action against you (for example, under the Residential Tenancies Act), NRHC will only disclose to the Tribunal or Court the personal information (including sensitive information) that is necessary for NRHC to apply for a Hearing or to present NRHC's case.

6. Publishing your Image or Story

From time to time NRHC includes selected Tenant-Member stories and images on the Co-op's Newsletter and/or Website, in the Annual Report, in promotional material, and in other published documents.

NRHC will ask for your written consent to use your image, story or other personal information in this way.

If NRHC is unable to obtain your consent, the Co-op will ensure that you cannot be identified from the image or information published.

7. Handling Your Complaint

It may be necessary to disclose your personal information to a government agency or other party if NRHC are asked to respond to or investigate a complaint you lodge.

NRHC will not make any disclosure without your consent, but if you don't consent, we may be unable to process your complaint.

8. Reporting to Government

In most situations NRHC will de-identify your personal information before it is provided to a government department or agency.

When you apply for social housing under the VHR, personal information you provided with your application may be used to provide statistical data to government departments to help both NRHC and them understand the kinds of people that need housing.

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

NRHC will not make such a disclosure unless this was explained to you as a condition of accepting our housing or unless you have given your consent.

9. Meeting NRHC's Broader Obligations

NRHC will disclose your personal information if required to by law (for example, by a court order).

NRHC 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 NRHC to use or disclose your personal information for such reasons, we will

10. Disclosure of Personal Information Overseas

There would normally be no situation in which NRHC would disclose your personal information to an overseas recipient.

The only likely exception is where you have provided an overseas contact for your next of kin in case of emergency.

Please note that if you communicate with NRHC through a social network service such as Facebook or Twitter, the social network provider and its partners are very likely to collect and hold your personal information overseas.

Quality of Personal Information

To ensure that the personal information NRHC collects is accurate, up-to-date and complete, NRHC records information in a consistent format, promptly adds updated or new personal information to existing records, and regularly audit our data to check for inconsistencies.

NRHC also reviews the quality of personal information before it is used or disclose it.

Storage and Security of Personal Information

NRHC 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 NRHC office, and is only accessible by NRHC staff using a password-protected network.

Most personal information is recorded in a customised software program that requires an additional password to access.

Tenant-Member and Membership Applicant paper files are kept in lockable and/or code protected filing cabinets that can only be accessed by NRHC personnel who have a right to do so.

Keys are kept in a coded key safe.

Files are only removed from the cabinet when staff are currently working on them.

NRHC destroy personal information in a secure manner when it no longer needed.

NRHC retains the personal information of previous NRHC Tenant-Members for longer than the legal minimum of seven years if there is a possibility that the person might apply for housing with us again.

Accessing and Correcting Your Personal Information

You have the right to ask for access to personal information that NRHC's hold about you, and to ask that any errors in that personal information are corrected.

You can ask for access or correction by contacting NRHC, and we will respond within 30 days.

NRHC will usually agree to your request for access, and take reasonable steps to correct information we agree is incorrect.

There are some situations where NRHC has 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 vexatious; 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.

NRHC will try to make the process as simple as possible however:

- You may be asked to prove your identity before you are given access to your information or NRHC corrects it;
- If NRHC refuses to give you access to, or correct your personal information, NRHC must notify you in writing setting out the reasons;
- If NRHC makes 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 NRHC refuses to correct your personal information, you can ask us to add to it a statement that you believe the information is incorrect and why.

How to Make a Privacy Complaint

(Also refer to NRHC's Complaints Policy & Procedure)

If you want to complain to NRHC about the way we have handled your personal information, you should give your privacy complaint to NRHC in writing (by letter or email).

If you need help lodging a complaint, you can contact NRHC.

If NRHC receives a privacy complaint from you, NRHC will decide what (if any) action we should take to resolve your complaint.

The decision will generally be made by the relevant authorised person/s in the Co-op.

NRHC will promptly let you know that your privacy complaint has been received, and we will respond to your complaint within 30 days.

If you disagree with NRHC's response you can ask for a formal review by NRHC's Board.

The Board will then make a final decision.

If you remain unsatisfied with NRHC's 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

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

Post: PO Box 24014, Melbourne VIC 3001

How to contact NRHC

You can contact the NRHC at:

Email: office@nrhc.coop

Telephone: 9482 5998

By mail: 138 Separation St Northcote 3070

NRHC PRIVACY STATEMENT – NRHC Privacy Policy Summary

NRHC collects, holds, uses and discloses personal information to enable the Co-op to provide housing and other services for NRHC Tenant-Members and Membership Applicants.

This statement is a summary of how NRHC handles personal information.

NRHC's Privacy Policy provides more detail on how NRHC complies with privacy laws.

Collecting your Personal Information

Generally NRHC collects personal information about you to help the Co-op to provide a housing or related service to you.

NRHC tries to only ask for and collect the information NRHC needs to provide housing or related services.

If you don't give us this information, NRHC may not be able to provide you with the service you want.

NRHC generally only collects sensitive information about you when we have your consent.

NRHC tries 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

NRHC uses 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.

NRHC only discloses personal information when it is necessary and NRHC has the legal right to do so or is required by law to do so.

NRHC generally uses or discloses your personal information only for the primary purpose it for which it was collected.

In some situations NRHC can disclose your personal information without your consent for a different purpose such as when there is believed to be a serious safety, health or welfare risk to you or others – refer to NRHC's full Privacy Policy for an explanation of 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 NRHC's Privacy Officer, or you can appeal to the:

Office of the Australian Information Commissioner: **Phone: 1300 363 992**