

# ECHO

## PRIVACY POLICY FOR CONSUMERS

**Policy No:** 015  
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### **Purpose**

ECHO is required to have a Privacy Policy under Australian Privacy Principle 1. The Australian Privacy Principles are set out in a Schedule to the Privacy Act 1988 (including the National Privacy Principles) (the Privacy Act).

This policy is a public document and has been prepared in light of National Privacy Principle 5, Openness.

The purpose of this privacy policy is to tell you about the personal information handling practises of ECHO.

This policy sets out the way we handle your personal information, as well as the rights you have with regards to accessing your personal information.

### **Definition**

This policy only applies to our client management database and files. It does not cover any State, Territory or Commonwealth Government database or file. You are advised to contact the relevant government agency for a copy of their privacy policy.

### **Our obligations under the Privacy Act**

This policy sets out how we comply with our obligations under the Privacy Act 1988 and the Australian Privacy Principles which are set out in a Schedule to that Act.

The Australian Privacy Principles (APPs) regulate how ECHO, as an entity, must collect, use disclose and store personal information. The APP's also give individuals the right to access and correct their information in certain circumstances.

### **Anonymity and Pseudonymity**

The Australian Privacy Principles give you the option of not identifying yourself, or using a pseudonym (alias) when dealing with us, unless:

- We are required or authorised by law to deal only with individuals who have identified themselves
- It is impracticable to deal with individual on an anonymous basis or who are using an alias.

If you contact us on an anonymous basis, or by using an alias (for instance to make a general enquiry or to make a complaint) we will only be able to provide general information to you. In order to give you specific and targeted advice, we will need to establish your identity and your specific circumstances. We may be unable to progress or resolve your specific issue if you choose not to identify yourself.

So we can deliver services to you, we will need to know who you are. This is in order to assess and satisfy requirements for services.

### **Why do we collect information about you?**

We collect information for Proof of Identity (POI) purposes, administration of services and research and analysis.

We also collect information for purposes, such as processing Freedom of Information (FOI) requests, conducting data matching, providing services in culturally appropriate ways, conducting statistical analysis to improve service delivery to clients.

### **Your Personal Information**

We may collect your personal information where we are authorised or required by law, where you have consented, or where the information is reasonably necessary for or directly related to our functions or activities. We may also collect your personal information where a permitted general situation exists (as defined in the Privacy Act, such as to prevent a serious threat to safety).

## 1. Collection

Where practical ECHO Australia Inc will endeavour to collect personal information directly from you. In order to provide employment and other related services we will need to collect personal information from you such as:

- Your name;
- Your address;
- Your qualifications;
- Type of disability or illness
- Medical | treatment information
- Your previous employment history; and
- Your CRN and/or Job Seeker Identification Number (JSID)

As a contracted service provider to the Commonwealth Government of Australia to provide employment and related services, we may also collect personal information from Commonwealth Government Departments and Agencies including (but not limited to)

- The Department of Education
- The Department of Employment
- Law enforcement agencies
- Department of Immigration and Border Protection
- The Department of Family and Community Services;
- Department of Health
- The Department of Human Services; and
- Centrelink

To provide you with employment and related services we also collect personal information from other third parties such as any referees nominated by you.

At or as soon as practicable after, ECHO Australia Inc collects your personal information we will take reasonable steps to ensure that you are made notified of:

- The main reason that we are collecting Personal Information (this will be the Primary Purpose);
- Other related Uses or Disclosures that we may make of the Personal Information (Secondary Purposes);
- Our identity and how individuals can contact us, if this is not obvious;
- That individuals can access the Personal Information that ECHO hold about them;
- That individuals should contact ECHO (even if they are not a client or member) if they wish to access or correct Personal Information collected by us or have any concerns in relation to Personal Information;
- Where applicable, any law that requires the Personal Information to be collected;
- The consequences (if any) for the individual if all or part of the Personal Information is not provided to ECHO.
- Your rights with regards to accessing your personal information;
- To whom we usually disclose your information to;

ECHO Australia Inc will only collect personal information by fair and lawful means and not in an unreasonably intrusive manner.

### **How we collect and hold your personal information**

We collect personal information through a variety of channels, including:

- Paper forms or notices.
- Online portals (such as ESS)
- Other electronic or paper correspondence
- Face to face service centres
- Over the phone

We collect and receive personal information from third parties including other government agencies. This may occur as a result in the course of a lodgement of complaint or in the context of other activities. Generally, when your personal information is collected from someone other than you, we will have taken steps to inform you, either by way of this privacy policy, application forms, notices or through discussions with our staff that such a collection has occurred.

## **2. Use and Disclosure**

Your personal information will be used and disclosed to assist us in delivering services to you. This includes where we manage or deliver other programmes and initiatives on behalf of the Australian Government.

Your personal information will not be used for purposes unrelated to the purpose for which it was originally collected unless the other use is authorised or required by or under law, or one of the other exceptions in the APP's apply.

We will ensure, to the best of our ability that the information you provide to us remains private and is only used for the purposes you agreed to.

We will not disclose your personal information to anyone, including to other Government agencies organisations or third parties unless:

- You have consented
- The disclosure is required or authorised by or under law
- The disclosure is otherwise permitted by the APP's

When, why and to whom your personal information may be disclosed depends on the services to which the information related and the legislation under which we are delivering those services to you.

ECHO Australia will not reveal, disclose, sell, distribute, rent, license, share or pass your personal information on to a third party, other than those that we have a binding agreement with, ensuring that the third party affords your personal information the similar levels of protection as we do.

In order to provide you with employment and related services, we may need to disclose your personal information to such third parties as:

- Potential employers
- Department of Health
- Department of Employment
- Department of Social Services
- Law enforcement agencies
- Quality Assurance reviews
- Department of Social Services
- Department of Immigration and Border Protection
- Centrelink
- Educational institutions
- Private businesses such as RTO's

Further, we may use and Disclose your Personal Information to provide you with employment and associated services specified by you at the point of collection or for another purpose if:

- You would reasonably expect us to disclose it for that purpose;
- That purpose is related to the purpose specified by you at the time of the collection.
- ECHO may Disclose Personal Information to unrelated third parties to enable outsourcing of functions where that Disclosure or Use is for a related secondary purpose and has been notified to individuals or where such disclosure is within the individual's reasonable expectations.
- ECHO will take reasonable steps to ensure that its third parties include requirements for third parties to comply with the use and disclosure requirements of the Privacy Act
- ECHO Australia Inc reasonably believes that the use is necessary to lessen or prevent a serious or imminent threat to an individual's life or health;

- ECHO Australia Inc has reason to suspect that unlawful activity has been, or is being engaged in, and uses the information as part of its investigation, or in reporting its concerns to the relevant authority;
- The use and disclosure is specifically authorised by law; or
- The use and disclosure is reasonably necessary for the enforcement of the criminal law, a law imposing a pecuniary penalty, or for the protection of public revenue.

ECHO Australia Inc does not use or Disclose your Personal Information for the purposes of direct marketing unrelated products or services.

ECHO will not use personal information without taking reasonable steps to ensure that the information is accurate, complete and up to date.

#### Electronic Messaging Service (SMS and email)

From time to time we may send you an SMS alert or an email reminder. You may receive electronic messages by SMS or email from us if you have provided a mobile phone number or an email address.

The purpose of these alerts is to provide you with information about our services, remind you of an appointment, job interview, remind you to complete a form by a certain date, or advise you of an office location.

SMS or email reminders from us will not contain your name or contact details, reference numbers or direct links to websites.

Where appropriate, we may send you an SMS or email instead of a letter.

Messages you may receive include:

- Requests and reminders to attend appointments
- Requests and reminders to provide documents
- Requests and reminders to attend job interviews
- Notifications of decisions
- Confirmation of changes to your details
- Information about services

We consider that a message has been received by you once it has been sent to the service provider and has been forwarded to your account.

SMS or email messages from us will not contain any personal information such as your name or contact details.

You should ensure personal safeguards are in place to protect yourself, your computer, and your mobile phone against security threats.

You are able to withdraw from this service at any time.

### **3. Information Quality**

ECHO Australia Inc will take reasonable steps to ensure that your personal information is accurate, complete and up-to-date. You are encouraged to help us keep your personal information accurate, complete and up-to-date by contacting your consultant or this organisation and informing us of any changes to your details. You can contact us on 9210 2100.

ECHO will review, on a regular ongoing basis, its collection and storage practices to ascertain how improvements to accuracy can be achieved.

ECHO will take steps to destroy or de-identify Personal Information after as a short a time as possible and after a maximum of seven years, unless the law requires otherwise.

### **4. Information Security**

We take reasonable steps to protect the personal information we hold against misuse, interference, loss and unauthorised access, modification or disclosure. These steps include:

- Individual password access to systems and databases
- Secure file cabinets
- Our premises have secure access and are alarmed

- Access to personal information is on a need-to-know basis, by authorised personnel
- Paper records are held securely in accordance with Australian government security guidelines
- ECHO will review, on a regular and ongoing basis, its information security practices how ongoing responsibilities are achieved and maintained
- ECHO requires employees and contractors to perform their duties in a manner that is consistent with ECHO's legal responsibilities in relation to privacy

When no longer required, personal information is destroyed in a secure manner, or archived or deleted in accordance with our obligations under the Privacy Act and Archives Act 1983. Personal information obtained under a search warrant is disposed of in accordance with the Commonwealth Crimes Act 1914.

We will also take reasonable steps to destroy or permanently de-identify personal information if it is no longer required for any purpose.

## **5. Access and Correction**

You will be provided with the opportunity to access the personal information we hold on you and, where appropriate, you may be able to correct that information if you determine that it is incorrect. Echo Australia will allow any person on whom records are maintained to have access to those records unless legislation (e.g. the Freedom of Information Act) requires or authorises the refusal of access. To obtain access to your personal information please make a request at your closest office. Before giving access to information, ECHO Australia will require that you provide proof of identification and this along with your details of request will be recorded on your file.

## **6. Openness**

- Contact with ECHO via phone or by email [www.echoaustralia.com](http://www.echoaustralia.com) will be the first point of contact for inquiries about privacy issues.
- Any formal privacy related complaints should be directed in writing to the ECHO Operations Manager Level 3|2a Cambridge Street Box Hill Vic 3128
- ECHO will endeavour to manage any privacy related complaint efficiently and in a timely manner
- ECHO websites will contain a privacy statement and include a copy of this ECHO Privacy Policy

## **7. Anonymous Transactions**

- ECHO will not make it mandatory for visitors to its web sites to provide Personal Information unless such Personal Information is required to answer an inquiry or provide a service. ECHO may however request visitors to provide Personal Information voluntarily to ECHO (for example, as part of a competition or questionnaire).
- ECHO will allow its clients to transact with it anonymously wherever that is reasonable and practicable.

## **8. Transferring personal information overseas**

- ECHO does not send information overseas
- If Personal Information must be sent by ECHO overseas for sound business reasons, ECHO will require the overseas organisation receiving the information to provide a binding undertaking that it will handle that information in accordance with the National Privacy Principles.

## **9. Sensitive Information**

The Australian Privacy Principles impose additional obligations on ECHO when collecting, using or disclosing sensitive information.

ECHO Australia will not collect personal information revealing your racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, or sexual activity or orientation unless:

- Your consent has been obtained; or

- The collection is required or specifically authorised by law or a court/tribunal order
- The collection is necessary to prevent or lessen a serious and imminent threat to the life or health of any individual, where the subject of the information is physically or legally incapable of giving consent; or
- The collection is necessary for the establishment, exercise or defence of a legal claim.

## **10. The Internet and your Privacy**

Echo Australia uses the World Wide Web in order to assist you in providing employment and associated services. The following statement outlines how in the context of our web site your information is protected and recorded. By using the site you consent to the uses and disclosures outlined previously in this privacy policy.

## **11. Security**

ECHO Australia takes all reasonable steps to protect your security when using the site but you should be aware that no transmission of information to and from a website is ever totally secure.

Whilst we will strive to ensure the personal information transmitted to and from our website is secure and protected from unauthorised access, we cannot fully guarantee the security of your information. Transmission is at your own risk.

It is important to remember that if you are using a computer in a public place, such as a library or community centre, you must remember to log-off, otherwise others may be able to access your personal information.

## **Glossary**

Collection Information means the information outlined in 1 notified to individual prior to, or as soon as practical after, the collection of their Personal Information.

Disclosure generally means the release of information outside ECHO, including a contract to carry out an "out sourced function".

Health information means:

1. Information or an opinion about:
  - The health or a disability (at any time) of an individual; or
  - An individual's expressed wishes about the future provision of health service to him or her; or
  - A health service provided or to be provided to an individual; that is also personal information; or
2. Other personal information collected to provide or in providing a health service; or
3. Other personal information about an individual collected in connection with the donation; or intended donation by the individual of his or her body parts or body substances.

**ECHO means Equity, Compassion, Hope and Opportunity.**

## **What is 'personal information' and 'sensitive information'?**

The terms 'personal information' and 'sensitive information' come from section 6 of the Privacy Act.

References to personal information throughout the Privacy Policy include sensitive information unless otherwise indicated.

'Personal information' means:

Information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- A) Whether the information or opinion is true or not; and
- B) Whether the information or opinion is recorded in a material form or not.

Primary Purpose is the dominant or fundamental reason for information being collected in a particular transaction.

'Sensitive information' means:

- A) Information or an opinion about an individual's:
  - i. Racial or ethnic origin
  - ii. Political opinions
  - iii. Membership of a political association
  - iv. Religious beliefs or affiliations
  - v. Philosophical beliefs
  - vi. Membership of a trade union
  - vii. Sexual orientation or practices
  - viii. Criminal record
- B) Health information about an individual
- C) Genetic information about an individual that is not otherwise health information
- D) Use means the handling of Personal Information within ECHO.

### **Contacting ECHO**

If you require further information regarding ECHO's Privacy Policy.

Contact us:

Telephone: 03 9210 2100  
Level 3 | 2a Cambridge Street  
Box Hill Victoria 3128