

Privacy Policy Management - Operations



Purpose:

Port Phillip Housing Association Ltd collects personal information from tenants, housing applicants and others, so that we can provide housing services and carry out our mission.

“Personal information” means any information that can be connected to your identity, including your name and address, other personal details, and information and opinions about you. Commonwealth and Victorian laws set out how we must manage your personal information to protect your privacy.

Scope:

This policy is intended to protect the privacy of anyone who visits or uses our services. Our staff, contractors, students on work placement, board members and volunteers must all follow this policy.

The policy doesn't apply to the personal information belonging to people who work or volunteer at PPHA, which is covered under PPHA's Privacy (Human Resources) Policy.

Policy Statement:

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1. About this policy

PPHA recognises and supports the framework and foundational principles of [Privacy By Design](#), which was adopted in 2010 as the global privacy standard.

Our detailed legal obligations are set out in the 13 Australian Privacy Principles (APPs) within the Commonwealth's *Privacy Act 1988*. We are also bound by Victoria's Information Privacy Principles, but our policy is based on the Commonwealth's APPs, as they provide greater rights and better protection.

We want our privacy practices to be open and transparent. To achieve this, our 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; and we provide the Privacy Statement when collecting personal information face-to-face.

We will update this privacy policy when our information handling practices change. Updates will be publicised on our website.

2. Collecting your personal information

Generally we collect personal information about you to help us provide a service to you – for example, to put you on our housing waiting list, to match you with suitable housing, to sign you up as a tenant in one of our properties, or to calculate your rent charge.

In these situations, we ask you for details about yourself and any other members of your household so that we can confirm your eligibility for our housing and provide the kind of housing that matches your household's needs. If you don't give us this information, we may not be able to provide you with suitable and affordable housing.

We also ask for and collect personal information about you 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. Without this information, we may be unable to provide you with accurate or detailed information or act on your request or complaint.

We always try to only ask for and collect the personal information we need for the particular function or activity we are carrying out.

(a) Collecting sensitive information

We generally only collect *sensitive information* about you when we have your consent.

When you apply for housing with us or you take up an offer of housing from us, we ask for and collect additional personal information about you to assess the urgency of your housing need, to help us understand the kinds of people that need our housing, and to provide statistical data to government departments that require us to report to them. This additional information may include sensitive information (such as about your health or disability, and your racial or ethnic origin) and other information such as your personal circumstances at the time of applying for housing or being offered housing.

You do not have to provide this additional or sensitive information to us, but if you don't tell us about your current circumstances or your health condition or disability, we may be unable to offer you housing that suits your specific needs or to make the modifications to your home that you would like.

(b) Indirect collection

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

- when you're a member of a household applying for or renting our housing, in which case we may collect personal information about you from another member of the household;
- when you authorise us to ask for and collect personal information about you from another source, such as Centrelink (to enable us to calculate your rent) or your support worker (to help us match you with suitable housing or to help you sustain your tenancy with us);
- if we are given personal information about you as part of a tenancy complaint against your household.

(c) Unsolicited personal information

If we receive your personal information without asking for it, we assess whether the information is reasonably necessary for our use and, if it is not, we destroy or de-identify the information as soon as possible.

We also destroy or de-identify any sensitive information relating to you and received or collected without your consent, unless an exception under the Privacy Act 1988 applies. Examples of exceptions include where collection of sensitive information is necessary to lessen or prevent a serious threat to someone's life, health or safety; or where the sensitive information relates to a tenant, resident or visitor at one of our properties and is necessary for us to carry out our functions as landlord.

(d) Anonymity

Where possible, we will allow you to interact with us anonymously or using a pseudonym.

However, for most of our functions and activities we usually need your name and contact information and enough information about the particular matter to enable us to properly handle your enquiry, request, complaint or application, or to act on your report.

(e) Collecting through our website

If our website allows you to make comments or give feedback, when you do this we will collect your email address and sometimes other contact details. We may use your email address to respond to your feedback. We store this personal information on servers located in Australia.

We may use a range of tools provided by third parties to collect or view website traffic information. These third party sites have their own privacy policies. We may also use cookies and session tools to improve your experience when accessing our website. The information collected by any of these tools may include the IP address of the device you are using and information about sites that IP address has come from, the pages accessed on our site and the next site visited. We use the information to maintain, secure and improve our websites and to enhance your experience when using them.

(f) Collecting through other social media and email

We use social networking services such as Twitter and Facebook to communicate with the public about our work, or for our tenants to communicate with us or amongst themselves. When you use these services we may collect your personal information, but we only use it

to help us to communicate with you and the public. The social networking service will also handle your personal information for its own purposes. These sites have their own privacy policies.

We collect your email and, if you provide it, other contact details when you subscribe to our email list. We only use this information for the purpose of sending you regular updates on our activities, and to administer the lists.

3. Using and disclosing your personal information

We use your personal information to help us provide you with appropriate and affordable housing services or relevant information about these 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’s necessary and we have the right to do so.

We generally use or disclose your personal information only for the primary purpose it was collected. In some situations we disclose your personal information for a different (“secondary”) purpose. This section of the policy also sets out some common secondary purposes.

Common situations in which we disclose personal information include:

(a) Managing your housing application

If you tell us that you’re on the public housing waiting list, we may disclose your name and application number to DHS so that for example they can confirm you are still on the list. We will not disclose this information to DHS without your permission. Without these permissions, you may have to wait longer for an offer of housing from us or we may not be able to make an offer to you at all.

(b) Organising your affordable rent

We 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. We will not do this without your consent, but if you do not give us permission, we may not be able to give you a discounted rent and you may have to make less convenient arrangements to pay your rent.

(c) 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, 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 us to complete the referral or to address your support issue.

(d) Arranging for repairs to your home

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

(e) 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.

(f) Publishing your image or story

We include selected tenant stories and images on our website, in our annual report, in promotional material, and in other published documents. 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.

(g) Handling your complaint

It may be necessary to disclose your personal information to a third 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.

(h) Reporting to government

In most situations we de-identify your personal information before we provide it to a government department or agency. In some limited circumstances such as a National Rental Affordability Scheme (NRAS) audit, it may be necessary to disclose your personal information to that agency to satisfy our regulatory or contractual requirements. We will not make such a disclosure unless this was explained to you as a condition of accepting our housing or unless we otherwise obtain your consent.

(i) Meeting our broader obligations

We will disclose your personal information if we are required to by law (for example, by a court order). We may 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's necessary for us to use or disclose your personal information for enforcement related activities, we will make a written note of this.

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

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

5. Quality of personal information

To ensure that the personal information 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.

6. 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 PPHA staff using our password-protected network. Most personal information is recorded in a customised software program that requires an additional password to access.

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

We destroy personal information in a secure manner when we no longer need it. We retain the personal information of previous PPHA tenants for longer than the legal minimum of seven years if there is a possibility that the person might apply for housing with us again.

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

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 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.

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 give you 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 ask us to add to it a statement that you believe the information is incorrect and why.

8. How to make a privacy complaint

If you want to complain to us 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 us.

If we receive a privacy complaint from you, we will decide what (if any) action we should take to resolve your complaint. The decision will generally be made by the relevant unit manager.

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 PPHA's Privacy Officer. The Privacy Officer will then make a recommendation to the Chief Executive Officer (CEO), and the CEO will make a final decision. Alternatively, you can appeal to the Commonwealth or Victorian government agency responsible for privacy law:

Office of the Australian Information Commissioner (OAIC):

- online [Privacy Complaint form](#);
- OAIC Enquiries Line: 1300 363 992, or from outside Australia + 61 2 9284 9749;
- by email to enquiries@oaic.gov.au or by fax to 02 9284 9666;
- in writing to GPO Box 5218 Sydney NSW 2001;
- if you are deaf, or have a hearing or speech impairment, contact the OAIC through the National Relay Service:
 - o Teletypewriter (TTY) users phone 133 677 then ask for 1300 363 992;
 - o Speak and Listen users phone 1300 555 727 then ask for 1300 363 992;
 - o Internet relay users connect to the [National Relay Service](#) then ask for 1300 363 992;
- if you do not speak English, or English is your second language, call the [Translating and Interpreting Service](#) on 131 450 then ask for 1300 363 992.

Office of the Victorian Privacy Commissioner:

- online using their [secure, electronic form](#);
- email: enquiries@privacy.vic.gov.au or fax 1300 666 445;
- in writing to GPO Box 5057 Melbourne VIC 3001;
- for enquiries only: 1300 666 444, or from outside Australia: +61 3 8619 8719

9. How to contact us

You can contact us by:

Email: info@ppha.org.au

Telephone: 03 9534 5837 (reception)

By mail: PPHA, Suite 6/22-28 Fitzroy St, St Kilda VIC 3182

Related Information:

[Complaints and Appeals](#)

[Complaints and Appeals](#)

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References to Standards and Legislation:

Housing Act 1983 (Vic): [Housing Act 1983 \(VIC\)](#) 1: [Various](#)

Information Privacy Act (Vic): [Info Privacy Act 2000 \(Vic\)](#) 1: [Various](#)

NCHS Section 6: Management systems 6.03: Management Information Systems

Privacy Act: Privacy Act 1988 1: [Various](#)

Glossary

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 [s6(1) of Privacy Act].

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. See s6(1) of the Privacy Act.

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. See s6(1) of the Privacy Act.

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.