

The Y Northern Territory

Privacy Policy



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Policy Hierarchy	Governance		
Business Division Owner	Governance		
Document Owner	Chief Executive Officer		
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V2.0	CEO	12 July 2024	12 July 2024
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The Y Northern Territory Privacy Policy

1. Purpose

The Y Northern Territory considers the privacy of individuals, staff, volunteers, customers, and partnerships to be of highest importance, and is committed to handling all Personal Information with honesty and transparency.

This Policy describes how the Y Northern Territory manages the collection of Personal Information in an open and transparent manner and protects the privacy of individuals with regards to Personal Information held.

The Y Northern Territory respects the privacy of our clients, members, participants, Y Northern Territory People and visitors, and recognises and supports their right to privacy and confidentiality of their private and personal records. Staff use appropriate processes and procedures in their day-to-day duties to protect the privacy of the Y Northern Territory People, customers and other external contacts.

Any Personal Information collected is professionally managed in accordance with the Australian Privacy Principles (**APP**) under the Privacy Act 1988 (Cth) (**Privacy Act**) and the Freedom of Information Act 1982.

2. Scope

This Policy and supporting procedures apply to all Y Northern Territory services and operations. All Y Northern Territory people are required to act in accordance with this policy, regardless of their employment status or seniority.

3. Definitions

Term	Definition
Personal Information	<p>Is defined under the Privacy Act and includes any information or opinion, regardless of its source, which identifies an individual, or from which an individual's identity can be determined, whether the information is:</p> <ul style="list-style-type: none"> • True or not • Recorded in material form or not. <p>Personal Information includes, but is not limited to:</p> <ul style="list-style-type: none"> • Personal details (including name, address, telephone number or e-mail address) • Employee records • Bank account details.
Personnel Records	<p>are records of Personal Information relating to staff employment and volunteer engagement, including but not limited to:</p> <ul style="list-style-type: none"> • Health information • Working with children and criminal history checks

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Term	Definition
	<ul style="list-style-type: none"> • Personal details and emergency contacts • Terms and conditions of employment • Training and performance records. <p>Personnel records include records of Personal Information of prospective employees and volunteers.</p> <p>Personnel records are exempt from the requirements of the Privacy Act. However, as a matter of best practice, the Y Northern Territory will maintain confidentiality of all Personal Information collected, stored, used or disclosed, in accordance with this policy.</p>
Privacy	<p>What privacy means as a general concept is often different to what privacy means under law. Only certain types of information and activities are protected by privacy legislation. Most privacy laws are more correctly described as data protection laws, as they are limited to regulating the handling of Personal Information by organisations</p>
Sensitive Information	<p>Is defined under the Privacy Act and includes sensitive information about individuals, such as such as religion, gender, disability, and criminal records.</p> <p>Sensitive information will only be collected with an individual's consent, unless otherwise permitted by law. The Y Northern Territory does not disclose sensitive information without prior consent.</p>
Y Northern Territory People	<p>Includes staff, contractors and sub-contractors, labour hire employees, apprentices or trainees and volunteers involved with the activities of the Y Northern Territory.</p> <p>It also includes the Y Northern Territory Board Members and any person serving the Y Northern Territory on a committee or in an advisory capacity.</p>

4. Collection of Personal Information

- (a) The Y Northern Territory will only collect and hold Personal Information about an individual that is necessary for business functions, activities and the provision of services and advice related to that individual. The exact information that the Y Northern Territory collects will depend on the services the Y Northern Territory has been engaged to deliver to you, as well as the exact relationship you have with the Y Northern Territory.
- (b) Personal Information, including Sensitive Information and Personnel Records, may be collected and retained by the Y Northern Territory about individuals, job applicants, employees, volunteers and contractors.
- (c) The Y Northern Territory collects Personal Information or Sensitive Information through forms filled out, face to face meetings and interviews, telephone calls, social

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media, emails, websites, e-commerce systems, etc. The Y Northern Territory protects web sites through the use of encryption technology.

- (d) In some circumstances, the Y Northern Territory may receive Personal Information about individuals from a third party, for example, referrals.
- (e) If Personal Information is collected, the purpose for which the information is to be collected, and the consequences of providing it, will be made clear at the time of the collection.

5. Purposes for collection of Personal Information

- (a) Personal Information may be collected for the following purposes:
 - Planning, delivering and administering programs and service
 - Training
 - Employment (recruitment, payroll, taxation, superannuation)
 - Work health & safety
 - Research, development and quality assurance
 - Donations
 - Human resources management for staff and partners
 - Ensuring the range and quality of services we provide
 - Establishing eligibility for our services, and prioritising individuals for those services
 - Assessing your needs and developing personalised plans (such as Individual Care Plans, Positive Behaviour Support Plans, and Fitness, Aquatic and Recreation plans)
 - Researching and developing Y Northern Territory services
 - Providing information to funding bodies and government agencies (in accordance with the law).

6. Disclosure of Personal Information

- (a) Depending on the nature of the information we have collected and the purpose for collection, the Y Northern Territory may provide your information to other individuals or organisations.
- (b) The Y Northern Territory:
 - will only use and disclose Personal Information for the primary purpose for which it is collected, and
 - will not use Personal Information for any other purpose without first seeking the individual's consent unless authorised or requested by law.
- (c) Disclosure of Personal Information described in clause 6(b) of this policy for primary purposes, includes disclosure to partners of the Y Northern Territory who may provide the Y Northern Territory with funding for programs and services or assisting to deliver programs and services.

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- (d) Sensitive Information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless individuals agree otherwise, or the use or disclosure of the sensitive information is authorised or required by law.
- (e) The Y Northern Territory will take all reasonable steps to ensure that Personal Information used or disclosed is accurate, up to date, complete and relevant, having regard to the purpose of its use and disclosure.
- (f) Where this policy is being used in conjunction with a Membership Contract for the centres stipulated below, you acknowledge that the Y Northern Territory collects and holds your Personal Information as agent for and on behalf of the owner of the centre for the purposes of providing you with the services detailed in the membership agreement:
 - Parap Pool Centre
 - Nightcliff Pool Centre
 - Casuarina Pool Centre.

7. Collection of personal or health information relating to children

- (a) The Y Northern Territory does not collect, use or disclose Personal Information about anyone under the age of 18 unless we have the consent of a parent or legal guardian or are authorised or required by law.
- (b) The Privacy Act extends rights to individuals of any age and does not specify an age at which an individual is capable of giving consent. Under common law, considerations of what an appropriate age is, take into account factors like the maturity of the child and the child's ability.

8. Social Networking Services

- (a) The Y Northern Territory uses social networking services such as Twitter, Facebook, Instagram and YouTube to communicate with the public about our work. When individuals communicate with the Y Northern Territory, these services may collect their Personal Information, but we only use it to help us communicate with individuals and the public. Social networking services will also handle individual's Personal Information for their own purposes and have their own privacy policies, which are accessible through their relevant websites.
- (b) The Y Northern Territory does not transfer any Personal Information overseas without the consent of the individual, however when you communicate with us through a social networking service such as Twitter or Facebook, the social network provider and its partners may collect and hold your Personal Information overseas.

9. Access and Correction

- (a) The Privacy Act gives you the right to access Personal Information about you and correct errors in any Personal Information that we hold about you. Access to your Personal Information may be provided upon completion of a Request to Access

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Personal Information Form. The Y Northern Territory reserves its rights to verify your identity before processing your request.

- (b) All requests are processed within 30 days of receipt of application at no charge. Access to Personal Information for the purposes of viewing or correction will only be available to people requesting changes to their specific information or authorised carers/guardians with the consent of the person requesting the information. The Y Northern Territory reserves its rights to refuse access in some circumstances for a legal guardian for a child under the age of 18 where it would be unlawful, pose serious threat to the individual or unreasonably impact on the privacy of another person.

10. Data Security and Retention

- (a) The Y Northern Territory takes reasonable steps to protect Personal Information from loss, misuse, unauthorised disclosure or destruction. Security breaches will be dealt with according to procedures outlined in the Y Northern Territory Data Breach Response Plan (to be developed) and in accordance with the Privacy Act.
- (b) Only Y Northern Territory People have access to information for approved purposes. All Y Northern Territory People, as a condition of their engagement, are expected to respect the confidentiality of Personal Information and the privacy of individuals as per this policy.

11. Maintaining the Privacy of Individuals

- (a) It is a breach of this policy to allow a third party to gain access by either seeing or hearing Personal Information or Sensitive Information that they are not entitled to.
- (b) To ensure the privacy of individuals, the Y Northern Territory People:
- are not permitted to discuss Personal Information or Sensitive Information about any other person openly,
 - if they feel it necessary to consult with another Y Northern Territory Person for advice or a second opinion on a matter, they must do so discreetly,
 - must not ask questions or discuss personal or sensitive information with any person in a manner that would enable a third party to hear the questions or the answers to those questions,
 - must ensure that when they are providing personal or sensitive information to an individual that the information is about that individual only and that there is no information about another person,
 - when dealing with an individual either in person or over the telephone, must be discreet in their discussions,
 - must not speak out across the office or on hands free mode on the telephone when discussing personal or sensitive information, and
 - if an individual is hard of hearing, people should provide the information in writing or offer appropriate assistance so that the individual is not embarrassed or made to feel that their information is not being respected at all times.

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12. Anonymity

Wherever it is lawful and reasonable to do so, the Y Northern Territory provides an opportunity to remain anonymous.

13. Complaints of a Breach of Privacy

- (a) Privacy laws give individuals the right to complain if they think an organisation has breached their privacy rights and to seek redress.
- (b) An individual may make a complaint if they believe that there has been a breach of privacy or if they do not agree with a decision made by the Y Northern Territory regarding access to their Personal Information.
- (c) Complaints can be made either verbally or in writing. The Y Northern Territory will endeavor to resolve the complaint by following the Y Northern Territory Feedback and Complaints Policy for an external workplace participant and the Grievance Policy for an internal Y Northern Territory people.
- (d) You may complain to the Office of the Australian Information Commissioner (**OAIC**) if you have a complaint with us and you are not happy with our response or have concerns about the way we handle your information. The contact details for the OAIC are:

Office of the Australian Information Commissioner	
Postal Address	GPO Box 5218, Sydney NSW 2001
Phone	1300 363 992
Online	www.oaic.gov.au
Email	enquiries@oaic.gov.au

14. Breaches of this Policy

- Any breaches of this policy by a Y Northern Territory Person may result in the Y Northern Territory taking disciplinary action against that person, which may include termination of employment or services.
- In circumstances where a Y Northern Territory person breaches this policy and it involves a breach of any Australian law, the Y Northern Territory may notify the police or other relevant government authority.

15. Related Documents

- Customer Complaints and Feedback Policy
- Request to Access Personal Information Form
- Data Breach Response Plan (To be developed)
- Code of Conduct

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- Grievance Policy
- Disciplinary and Termination Policy
- Membership Contract
- Contract of Employment
- Recruitment and Selection Policy
- The Privacy Act 1988 (Cth)
- The Freedom of Information Act 1982 (Cth)

16. Document Control

A review of this policy will be undertaken annually. This document is due for review July 2025.

Version	Description of Revision	Date Approved	Date Effective	Owner
1.0	Policy created	2 March 2018	5 March 2028	Governance Manager
2.0	Policy amended to include social networking services information, anonymity, data quality, data security and retention, collection of personal or health information relating to children. Minor changes to wording and format that do not change the meaning of the policy.	23 March 2024	23 March 2024	CEO
2.1	Minor changes made to formatting and structure. Additional definitions included. Reference to Health Records Act removed. Reference to Membership Contracts included.	12 July 2024	12 July 2024	CEO