

## Privacy of Personal Information & Data

Autism Spectrum Australia (Aspect) respects every person's right to privacy, dignity and confidentiality and operates in accordance with the Australian Privacy Principles under the Commonwealth Privacy Act (1988). This Privacy Policy provides information about how Aspect collects and handles information; and how Aspect's stakeholders can enquire or provide feedback on how personal information is being used.

### Types of information collected

Aspect collects personal information that is necessary for our work and helps us to engage with each stakeholder. If you do not wish to provide some or all of the personal information requested, Aspect may not be able to do what was intended by collecting your personal information, for example, we may not be able to manage or provide you with supports/services, process your donation, progress your employment application or respond to your queries.

### How information is collected

Aspect collects personal information from you by various methods including (but not limited to) the following:

- through your interactions with our representatives;
- when you access and use our website;
- when you contact us by telephone, letter, fax or email;
- by contracting with us or completing in-take forms;
- when you make payments via our payment gateway;
- by completing surveys, providing feedback or complaints to us;
- when you agree to support us through donations or by other means.

Where reasonable and practical Aspect will collect your personal information only directly from you. However, Aspect will also collect information about you from third parties including but not limited to other individuals and companies, health professionals, social and community workers and the government, with your consent or as legally required.

If you provide personal information to us about someone else, you must ensure that you are entitled to disclose that information to us, as Aspect may collect, use and disclose that information as outlined in this policy.

## Why information is collected and how it is used

Aspect uses the personal information provided to Aspect in a variety of ways. Uses of the information may include, but are not limited to:

- communications;
- service delivery and procurement;
- fundraising and marketing activities;
- the administration of Aspect's business operations;
- research;
- government funding requirements and legal obligations;
- employment processes;
- membership processes;
- partnerships;
- fees and transactions;
- website management.
- updating our records and keeping your contact details up to date;
- processing and responding to any feedback or complaint made by you; and
- complying with any legal requirements.

## Direct Marketing and Fundraising

Aspect keeps the personal information we collect through service delivery separate from our supporter database. We identify our donors and supporters through fundraising and direct marketing, and do not directly market to the people we support unless they have elected to be on our supporter database.

Donors and supporters personal information, in addition to the other methods outlined in this policy, may also be collected from a publically maintained record or purchased through lists from organisations offering such lists for marketing purposes.

From time to time Aspect may use the personal information of donors and supporters to provide you with current information about our current services, special offers you may find of interest, changes to our organisation, or new services being offered by us or any company we are associated with. Aspect may also use your personal information as part of our fundraising initiatives. By providing Aspect with your personal information, you consent to us using your information to contact you on an ongoing basis for these purposes, including by mail, email, SMS, social media and telephone.

If you do not wish to receive marketing information or do not wish to be contacted by us for fundraising purposes, you may decline at any time to receive such information by contacting Aspect Fundraising using the contact details below. You can choose to opt out of receiving some or all of

our direct marketing material. For example, by contacting us you may opt out of receiving our regular newsletters but may still consent to receiving calls from us during our fundraising drives.

We will not charge you for giving effect to your request and will take all reasonable steps to meet your request at the earliest possible opportunity.

### **Storage and protection of information and data**

Aspect takes all reasonable steps to protect all of the personal information Aspect and third party service providers store from misuse, interference and loss, and from unauthorised access, modification or disclosure. Personal information is stored for the required timeframes in accordance with the applicable legislative requirements, and when the information is no longer needed for any purpose for which the information may be used or disclosed, it will be destroyed or permanently de-identified.

Aspect may store your data in:

- electronic information management systems;
- web or cloud based platforms;
- internal server storage;
- hard-copy files in locked cabinets;
- external server data storage used by Aspect approved software systems;
- contracted third party database storage or cloud hosting services in Australia or overseas.

We engage third party data storage and cloud based application providers that may transfer personal information outside Australia to countries whose privacy laws may not provide the same level of protection as Australia's privacy laws. When engaging third party offshore data storage or cloud based application providers, Aspect will take reasonable steps through our contract and agreement arrangements to try and make sure they are compliant with Australian Privacy Principles and the Australian Privacy Act. By providing Aspect with your personal information, you give consent to us disclosing your information to entities located outside Australia and, when permitted by law to do so.

Hard copy information is stored in our offices when not in active use for the delivery of a service, which are secured to prevent entry by unauthorised people. Archived hardcopy information is stored with a contracted third party secure storage provider.

Purchases, donations or payments made to Aspect using our online system are secured by encryption.

## **Disclosure of information and data relating to the people we support**

At the commencement of a service or a support with Aspect we will ask for consent to release information to the relevant funding bodies, government or partnering organisations as detailed in the relevant Aspect procedure.

In the course of providing our services, we may disclose your personal information to:

- companies and contractors retained to provide services for us, such as IT developers, lawyers, consultants and auditors, who will need to have access to your personal information to provide those services; and
- other individuals or companies consented to by you.

This consent will be updated whenever the intended use of the information needs to change. Consent to disclose information can be changed or revoked at any time by notifying Aspect in writing.

Aspect may disclose de-identified data to meet regulatory obligations or for other purposes (for example statutory reporting, research or quality assurance).

On occasion, Aspect is required or authorised by law to disclose your personal information. For example:

- the service user has a notifiable disease or there is some statutory notification requirement (e.g. notification of a case of child abuse);
- a court or other agency authorised by statute has issued a subpoena for specific information; or
- Aspect is seeking information or has been requested to provide information under State or National legislation.

## **Disclosure of supporter information and data related to Aspect Fundraising**

- Personal information is sometimes supplied to, or collected by, contractors who perform tasks on our behalf, and is de-identified where possible, for the purposes of fundraising. These contractors may include research agencies, telemarketing agencies, printers and mailing houses that send our letters.
- Wherever we propose to disclose your personal information to a third party not outlined above, we will provide you with a collection notice which explains the circumstances in which we might disclose your personal information and ensure you have the opportunity to opt-out.

## Managing actual or potential privacy breaches

Aspect regularly reviews its data security systems and those of any engaged third party providers to ensure that all data is kept secure and confidential according to the Australian Privacy Principles.

In the unlikely event of a breach of Aspect's data security, Aspect follows the Privacy Amendment (Notifiable Data Breaches) Act 2017 requirements for informing the relevant stakeholders who provided the information as to the potential or actual breach.

## Accessing & correcting information, or lodging a query or complaint about privacy and data management

We take reasonable steps to ensure that the quality of the information we hold about you is accurate, up-to-date, complete and relevant. You should contact us if you think your personal information is wrong. We will take reasonable steps to verify your identity before granting access or making any corrections to your information.

If you would like to access or correct your personal information, have a query or complaint about how we manage your personal information, or would like to know more, please contact the manager / school principal of the service, school or support. Alternatively you can contact at any time:

- Aspect Customer Service:  
1800 277 328 or email [customerservice@autismspectrum.org.au](mailto:customerservice@autismspectrum.org.au).
- Aspect Fundraising:  
1800 288 476 or email [fundraising@autismspectrum.org.au](mailto:fundraising@autismspectrum.org.au) for fundraising related matters.

If any National or State legislation prevent us providing access to, or amending your records, you will be given an explanation and told of the processes available to you.

Any feedback or complaints provided to Aspect will be managed through the relevant feedback and complaints management procedures.

## External Framework

The Privacy policy demonstrates Aspect's commitment to upholding all Australian Privacy Principles in respect to the privacy, dignity and confidentiality of all Aspect stakeholders and management in all areas of service planning, development and provision in adherence with relevant legislative and regulatory frameworks, corporate business ethics and the National Standards for Disability Services Standard 1: Rights and Standard 6: Service Management.

## Critical Definitions

*Aspect Stakeholders* are organisations and individuals with whom Aspect regularly interacts, namely:

- People on the autism spectrum
- Families and carers of people on the autism spectrum
- Governments
- Donors & supporters
- Strategic alliance partners
- Aspect's staff

*Privacy* in this policy means the protection from unwanted actions or unauthorised disclosure or use of personal information (including sensitive information) that is collected, stored, used or disclosed in any hardcopy, digital or immaterial form.

*Personal Information* is any information or an opinion about an identified or reasonably identified person, regardless if the information is true or is stored in a material form. This can be identifying information (e.g. name, contact details, etc.) and may include sensitive information, which is given additional protection in the Privacy Act (e.g. information regarding a person's health, political, philosophical or religious beliefs & affiliations, sexual orientation & practices, criminal record, etc.).

*Data* in this policy refers to personal information, including sensitive information that is collected, stored, used or disclosed digitally.

## Legislation References

### National

ACNC Governance Standards

Best Practice Guidelines for Charitable Organisations 2002

Income Tax Assessment Act 1936 (Cth)

Income Tax Assessment Act 1997 (Cth)

National Disability Services Act 2013 (Cth)

Privacy Act 1988 (Cth)

Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth)

Privacy Amendment (Notifiable Data Breaches) Act 2017 (Cth)

Privacy Amendment Act (Private Sector) Act 2001 (Cth)

Privacy Regulations 2013 (Cth)

### NSW

Charitable Fundraising Act 1991 (NSW)

Children and Young Persons (Care and Protection) Act 1998 (NSW)

Community Services (Complaint, Appeals and Monitoring) Act 1993 (NSW)

Disability Services Act 1993 (NSW)

Education Act 1990 (NSW)  
Health Records and Information Protection Act 2002 (NSW)  
Independent Commission Against Corruption Act 1988 (NSW)  
Occupational Health & Safety Act 2000 (NSW)  
Occupational Health & Safety Regulation 2001 (NSW)  
Privacy and Personal Information Protection Act 1998 (NSW)

**Victoria**

Children, Youth and Families Act 2005 (VIC)  
Disability Act 2006 (VIC)  
Guardianship and Administration Act 1986 (VIC)  
Health Records Act 2001 (VIC)  
Medical Treatment Act 1988 (VIC)  
Privacy and Data Protection Act 2014 (VIC)

**South Australia**

Children's Protection Act 1993 (SA)  
Health Care Act 2008 (SA)  
Ombudsman South Australia: Information Sharing Guidelines for Promoting Safety & Wellbeing (ISG) (SA)