

**POLICY:**

**PRIVACY AND CONFIDENTIALITY [CK-POL-0002-01]**

**Authorised by:**



**20/10/2024**

*(Signature: Board Secretary)*

*(Date: Board approved)*

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## Introduction

The Board of commonkind is committed to protecting the privacy of personal information that the organisation collects, holds and administers. Personal information is information that directly or indirectly identifies a person.

commonkind recognises the essential right of individuals to have their information administered in ways they would reasonably expect – protected on the one hand and made accessible to them on the other. These privacy values are reflected in and supported by our core values and philosophies and our Privacy Policy, which complies with the Privacy Act 1988 (Cth).

commonkind is bound by laws that impose specific obligations when handling information. The organisation has adopted the following principles as minimum standards for handling personal information.

commonkind will:

- Collect only information that the organisation requires for its primary function;
- Ensure that stakeholders are informed as to why we collect the information and how we administer the information gathered;
- Use and disclose personal information only for our primary functions or a directly related purpose, or for another purpose with the person's consent;
- Store personal information securely, protecting it from unauthorised access; and
- Provide stakeholders access to their information, and the right to seek its correction.

## Purpose

The purpose of this document is to provide a framework for commonkind in dealing with privacy considerations.

## Policy

### 1 Overview

- 1.1. This Privacy Policy (**Policy**) explains how commonkind Ltd (ABN 86 676 508 188) and its related entities (collectively referred to as **we, us, our** and **commonkind**) collect and handle your Personal Information.
- 1.2. commonkind is committed to protecting your privacy. Establishing a trusting relationship with our stakeholders is central to our work practices.
- 1.3. **Privacy Legislation** means, as applicable, the Privacy Act 1988 (Cth, Australia) or supplements, Australian state or territory privacy laws, the Privacy Act 2020 (NZ) or any legislation that replaces those laws.
- 1.4. In this Policy, **Personal Information** or **Personal Data** has the same meaning as in the Privacy Legislation.

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- 1.5. This Policy applies to all enterprises and online services operated by commonkind, including the following website/s and associated subdomains:
  - (a) commonkind [www.commonkind.org](http://www.commonkind.org)
- 1.6. We apply this Policy to all individuals and entities who interact with commonkind. This includes (but is not limited to) agents, contractors, subcontractors, employees, representatives, users of commonkind’s services, and volunteers.
- 1.7. We may update this Policy from time to time in accordance with legislative or operational changes. If you want us to send you a copy or have comments or questions regarding this Policy, please contact us using the details in clause 13.

## 2 Types of information we collect

- 2.1. The type of information that we collect and hold depends on the nature of a person’s involvement with us.
- 2.2. We only collect your Personal Information where it is reasonably necessary to pursue one or more of our functions or activities, or where the law requires us to collect it.
- 2.3. Depending on the reason for collecting it, the Personal Information we collect may include (but is not limited to):
  - a. **Your name and contact details:** This includes information necessary to register you for community service opportunities, to communicate with you about upcoming events, and to send updates about our activities.
  - b. **Copies of identification documentation:** To ensure the safety and security of all program participants, particularly those involving children, we may need to verify your identity.
  - c. **Payment information and banking details:** If you are donating, purchasing a product, or paying for participation in certain events or programs, we need this information to process transactions.
  - d. **Personal Information contained in forms or applications:** This could include volunteer applications, event registration forms, or other forms necessary for participating in our programs or activities.
  - e. **Personal Information contained in queries or feedback about our services:** This helps us improve our services and respond to any concerns or suggestions you have.
  - f. **Online usage data:** This includes your IP address, the pages you have clicked through on our websites, websites that referred you to our sites, information about the device you are using, and your wider geographic location. This information helps us understand how our website is used and how we can improve the user experience.
  - g. **Demographic information:** Information such as your age, gender, and interests, helps us tailor our programs and services to meet the needs of our community better.
  - h. **Emergency contact information:** To ensure the safety and well-being of participants in our activities, especially in emergencies.
  - i. **Volunteer experience and skills:** Information about your previous

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community service experience and skills to match you with suitable opportunities within our programs.

j.

- 2.4 In some circumstances, we collect Sensitive Information, which requires a higher level of protection under the Privacy Legislation. We consciously limit how much Sensitive Information we collect, and we only collect it when we have your consent and the collection is reasonably necessary for us to pursue one or more of our functions or activities. In this Policy, **Sensitive Information** (or **Special Category Data**) has the same meaning as in the Privacy Legislation.

### 3 How we collect information

- 3.1. We ask you for Personal Information when it is reasonably necessary for the activities you seek to be involved in.
- 3.2. We will only collect your Personal Information by lawful and fair means, including by telephone, by letter, by email, through forms on our websites or through websites we trust.
- 3.3. Normally, we collect your Personal Information directly from you (or the relevant individual), unless it is unreasonable or impracticable.
- 3.4. Subject to clause 3.2:
- a. We may collect Personal Information from agents, contractors, subcontractors, employees, representatives, users of commonkind’s services, and volunteers.
  - b. Occasionally, we may collect Personal Information from a third party for example, Personal Information may be provided by third-party websites (refer to clause 8).
  - c. We collect user data through log files and cookies.
    - (i) In some cases you can block or delete cookies and still use our services, although if you do, you will be asked for your email address and password every time you log into an account you hold with us.
- 3.5. We generally obtain consent from the owner of Personal Information to collect their Personal Information. Consent may be provided in writing, or may be provided orally, or may be implied through a person’s conduct.
- 3.5.1. For minors, we require consent from a parent or legal guardian before collecting Personal Information. We will make reasonable efforts to verify that the consent is provided by a parent or legal guardian.
- 3.6. You are not required to provide the Personal Information and/or Sensitive Information we request. However, if you choose not to provide it, we may be unable to service your needs (see also clause 5).
- 3.7. You are free to browse our websites anonymously. However, when you register for one of our services, we require you to register an account using your name or a pseudonym and provide a valid email address. It is impractical for us to manage and

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provide support if we cannot match you to your account. Receipts (especially tax deductible receipts) may only be valid with accurate information, including your real name.

- 3.8. We assess and monitor the privacy practices of third-party service providers, especially where data related to children might be collected. We ensure these providers comply with privacy standards comparable to our own.

#### 4 How we deal with unsolicited Personal Information

- 4.1. If we receive your Personal Information from you or a third party without having asked for it, and we determine we do not need it, we will destroy or de-identify the information as soon as practicable, so long as it is lawful and reasonable to do so.

#### 5 How we use your Personal Information

- 5.1. We will use Personal Information we collect from you for the primary purpose of collection, and for such other secondary purposes that are related to the primary purpose of collection and reasonably expected by you, or to which you have consented.

- 5.1.1. Participants and Parents: in relation to Personal Information of Participants and Parents, commonkind's primary purpose of collection is to enable us to provide suitable activities to participants engaged in our programs, exercise our duty of care, and perform necessary associated administrative activities, which will enable Participants to take part in all the activities of commonkind. This includes satisfying the needs of Parents, the needs of the Participant and the needs of commonkind throughout the whole period the Participant is engaged with commonkind.

- 5.1.1.1. The purposes for which commonkind uses Personal Information of Participants and Parents include:

- a) to keep Parents informed about matters related to their child's involvement, through correspondence, newsletters and other channels;
- b) day-to-day administration of commonkind;
- c) looking after Participants' wellbeing
- d) seeking donations and marketing for commonkind; and
- e) to satisfy commonkind's legal obligations and allow commonkind to discharge its duty of care.
- f) In some cases where commonkind requests Personal Information about a Participant or Parent, if the information requested is not provided, commonkind may not be able to permit the Participant to take part in a particular activity.
- g) On occasions, information such as achievements, activities and similar news is published in newsletters, social media channels and on our website. This may include photographs

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and videos of activities such as sessions. commonkind will seek Media Consent from the Participant's parent or caregiver prior to taking any audio/visual media and/or publishing Participant photographs and video material.

5.1.2. Job Applicants, Employees, Volunteers and Contractors: In relation to Personal Information of job applicants, employees, volunteers and contractors, commonkind's primary purpose of collection is to assess and (if successful) to engage the applicant, employee, volunteer or contractor.

5.1.2.1. The purposes for which commonkind uses Personal Information of job applicants, employees, volunteers and contractors include:

- a) in administering the individual's employment or contract
- b) for insurance purposes
- c) seeking donations and marketing for commonkind
- d) to satisfy commonkind's legal obligations, for example, in relation to child protection legislation

5.2. In general, we use your Personal Information for a range of purposes, including:

- a. providing you with our services;
- b. improving our services through quality-improvement activities;
- c. providing you with information, news, offers and surveys;
- d. conducting Data Science activities (explained in clause 10);
- e. helping you to access the most appropriate information and tools associated with our websites;
- f. providing you with technical assistance;
- g. processing payments, including donations;
- h. communicating important service-related announcements, changes to our services or policies, or password notifications;
- i. providing you with information about your account and newsletters you have signed up to receive;
- j. answering inquiries and resolving complaints;
- k. complying with directions from authorities or legislative requirements;
- l. screening for or preventing potentially fraudulent, illegal or abusive activity;
- m. storing your data so it is available for your future use of our services.

5.3. We may also collect, hold, use and disclose Personal Information for purposes:

- a. which we explained at the time of collection; or
- b. which are required by law; or
- c. for which you have provided your consent; or
- d. which are necessary for maintaining the reliability and security of infrastructure and services.

5.4. We only use or disclose your Personal Information for the above purposes, for purposes that you consent to, or for other related purposes that you would reasonably anticipate.

5.5. To the extent you submit content to public areas of our websites (for example, on a public online forum), it will be available to the public and we may reuse or republish it.

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If you request that such content be removed, we will do our best to remove it promptly.

- 5.6. If you have any concerns about us using your Personal Information in any of these ways, please notify us immediately.

## 6 How we store and handle your data

- 6.1. We hold Personal Information in several ways, including in electronic databases, email contact lists, and paper files held in secure offices.

- 6.1.1. our servers are located in the EU and subject to relevant data protection and privacy obligations.

- 6.2. We take reasonable steps to:

- (a) make sure that the Personal Information is accurate, up to date and complete, and (in the case of use and disclosure) relevant;

- (b) protect the Personal Information from misuse, interference, loss, unauthorised access, destruction, modification or disclosure through two-factor authentication. For sensitive Personal Information relating to minors, we implement enhanced measures such as encryption and restricted access to ensure the highest level of protection. Only authorised employees with a legitimate need to access this information will be granted access;

- (c) destroy or permanently de-identify Personal Information that is no longer needed. (However, we will keep information for longer where necessary to comply with contractual, regulatory or legal requirements.)

- 6.3. Any Personal Information we provide to you through your online account(s) with commonkind is password-protected.

- (a) You must not reveal or share your password with anyone.

- (b) We will never ask for your password, either verbally or through phone or email contact (whether initiated by you or us).

## 7 Accessing and correcting your Personal Information

- 7.1. If you would like:

- (a) confirmation that we hold your Personal Information;

- (b) to access your Personal Information; or

- (c) to correct your Personal Information you can request this by using the contact details in clause 13.

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- 7.2. We will respond to your request within a reasonable period and within any timeframe specified by the Privacy Legislation. You may make an urgent request to access or correct your Personal Information, which should include the reasons for the urgency.
- 7.3. Before allowing access to your Personal Information, we may ask you to take steps to verify your identity.
- 7.4. We will allow you to access your Personal Information unless there is a sound reason not to, including where:
  - (a) giving access would have an unreasonable impact on the privacy of others; or
  - (b) we reasonably consider that your request for access is frivolous or vexatious; or
  - (c) it is not permitted under the applicable Privacy Legislation.
- 7.5. If we refuse to give you access to your information, we will notify you of our reasons.
- 7.6. If you believe that information we hold about you is incorrect or out of date, please contact us and we will take all reasonable steps to amend the information in line with your request.

## 8 Third-party service providers

- 8.1. commonkind uses some third-party service providers (sub-processors) to support our websites and operations. These third-party service providers can include foreign entities that operate in an overseas jurisdiction.
  - (a) We select reputable third-party service providers based on their published privacy policies.
  - (b) By using our services and interacting with commonkind, you acknowledge that third-party service providers that are foreign entities may not be required to protect your Personal Information in a way that provides comparable safeguards as those provided in the Privacy Legislation.
- 8.2. A list of third-party service providers, their locations, the data disclosed and links to relevant policies can be downloaded from:  
<https://commonkind.org/wp-content/uploads/2024/10/CK-FOR-0031-Third-Party-Service-Providers.pdf>. These third-party service providers may change.
- 8.3. Any questions related to our use of third-party service providers can be directed to us via the contact details in clause 13.

## 9 Direct marketing

- 9.1. We only use your Personal Information to inform you about our products or services where we have your consent, or where we are otherwise permitted by law. We may contact you for these purposes in various ways, including by mail, email, SMS or telephone.

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- 9.2. We do not sell your Personal Information to any third party for direct marketing.
- 9.3. Where you have consented to receive marketing communications from us, your consent remains current until you advise us otherwise. You can opt-out at any time, by:
  - (a) contacting us as set out in clause 13;
  - (b) advising us if you receive a marketing call that you no longer wish to receive; or
  - (c) using the unsubscribe facility we include in our electronic messages (such as emails and SMS).
- 9.4. We do not use your Sensitive Information (refer to clause 2.4) for direct marketing.

## 10 Data Science

- 10.1. We manage a comprehensive set of data collected through the websites listed in clause 1.5 and we use scientific methods, processes and systems to derive meaning from this data (**Data Science**). Our data initiatives are underpinned by our philosophy of continuous quality improvement and our desire to embed evidence-based practice and inform quality decision-making.
- 10.2. By using our online services, you agree that commonkind can access, aggregate and use data collected from you as input into our Data Science activities.
- 10.3. We may use our Data Science activities to:
  - (a) conduct research;
  - (b) create new products and services;
  - (c) identify improvements to our existing products and services.
- 10.4. We may publish, present or disseminate the outputs of our Data Science activities with the public (for example, on our public websites or through social or mainstream media) or through other channels where we charge a fee. We do not disclose information that identifies individuals or organisations, unless we have their express consent.
- 10.5. Where we engage third parties to conduct Data Science activities, we either aggregate or de-identify the data first, or the third party is subject to our information-handling procedures described in clause 6.2.

## 11 Notification of a data breach

- 11.1. If we become aware of unauthorised access to or loss of your Personal Information, we will promptly:
  - (a) notify you;

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- (b) investigate the cause;
- (c) do our best to remedy any consequences; and
- (d) tell you what steps we have taken to prevent a reoccurrence.

11.2. Unauthorised access to or unauthorised disclosure of personal information, or a loss of personal information, are handled in accordance with the OAIC [oaic.gov.au/privacy/notifiable-data-breaches](http://oaic.gov.au/privacy/notifiable-data-breaches).

## 12 Complaints

- 12.1. If you have a complaint about how we collect or handle your Personal Information, or the data of your child or minor under guardianship, please contact us using the contact details in clause 13. We will strive to provide you with a substantive response to your complaint within seven days of receiving it, although in some cases, additional time may be required depending on the complexity of the issue.
- 12.2. When lodging a complaint, please provide detailed information about your concerns, including any specific incidents or interactions that prompted your complaint. This will help us to address the issue more effectively.
- 12.3. In cases involving Personal Information of minors, we take additional care to ensure that the complaint is handled with the utmost sensitivity and urgency. We will thoroughly investigate any complaints relating to the data of children and take appropriate corrective action where necessary.
- 12.4. If you are dissatisfied with our response or believe that your complaint has not been adequately addressed, you have the right to escalate the matter to the Office of the Australian Information Commissioner (OAIC) for further review and resolution. You can contact the OAIC through their website at [www.oaic.gov.au](http://www.oaic.gov.au), or by phone at 1300 363 992.

## 13 How you can contact us

Please contact us if you have any queries about the Personal Information we hold about you or how we handle it. You can email us at [hello@commonkind.org](mailto:hello@commonkind.org)

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