



## Living Positive Victoria Privacy Statement

### Your privacy is important to us

Living Positive Victoria takes your privacy seriously. Living Positive Victoria has a legal and ethical obligation to ensure the privacy of information relating to members, individual clients and their families. This statement outlines how Living Positive Victoria will use and manage personal information provided to, or collected by the organisation. It applies to information collected and held about members, clients and volunteers.

Living Positive Victoria recognises the rights of individuals to have their information protected and made accessible to them. Our Privacy Policy reflects these rights and is compliant with the following legislation:

- Privacy Act 1988 (Commonwealth)
- Privacy and Data Protection Act 2014 (Victoria)
- Health Records Act 2001 (Victoria)
- Fair Work Act 2009 (Commonwealth)

All Living Positive Victoria employees, contractors, volunteers and members of the board are required to adhere to the following privacy principles inherent in the above legislation:

- Australian Privacy Principles (Commonwealth) ('APP')
- Health Privacy Principles (Victoria) ('HPP')
- Information Privacy Principles (Victoria) ('IPP')

Living Positive Victoria may review and update its Privacy Policy to reflect new laws and technology, changes to the organisation's operations and practices, and to make sure the Policy remains in line with the changing legal environment.

### What type of personal information does Living Positive Victoria collect?

Living Positive Victoria collects and holds, personal and sensitive information about members, clients and volunteers, including (but not limited to):

- name, address, phone number and email address
- medical information
- sexual identity and gender identity.



## How does Living Positive Victoria treat sensitive information?

Sensitive information includes any information relating to a person's:

- racial or ethnic origin and immigration status
- political opinions
- religious beliefs or affiliation
- trade union or other professional or trade association membership
- membership of a political association
- sexual identity or practices
- gender identity
- philosophical beliefs
- criminal record, that is also personal information
- health information
- current or former occupation or employment status.

Sensitive information will be used only for the purpose for which it was provided or a directly related secondary purpose, unless you agree otherwise, or the use of the sensitive information is allowed by law.

## Personal Information you provide

Living Positive Victoria will generally collect personal information about an individual through face-to-face contact, phone calls, emails or web based interaction. With the exception of an application for full membership, you do have the right to deal with the organisation anonymously or use a pseudonym. However, this may not always be practicable and may reduce the number and types of services you can access.

## Personal Information provided by other people

Living Positive Victoria may receive personal information about you from a third party such as a referral from a social worker or doctor. The privacy principles outlined in this document apply to information collected in this way.

## How will Living Positive Victoria use the personal information you provide?

In line with the privacy principles outlined above, Living Positive Victoria's Privacy Policy requires the organisation to:

- only collect and use personal information with your prior knowledge and consent
- only use the personal or sensitive information for the purpose for which it was collected or a directly related secondary purpose



- remove personal and sensitive information from records when it is no longer required, unless legally required to be retained and archived
- ensure policies and procedures are in place to protect the personal information we hold
- ensure living positive Victoria's Privacy Policy is available for clients, members and the public to access.

Living Positive Victoria will:

- not disclose your personal or sensitive information to other services or individuals without your written consent; and
- not disclose your personal or sensitive information to other institutions or authorities unless required to by law or other regulations or statutes.

## How long will Living Positive Victoria hold my information?

The [Australian Privacy Principles](#) and the [Health Privacy Principles](#) require Living Positive Victoria not to store personal information longer than necessary. The Health Privacy Principles also impose certain obligations about the length of time health records must be stored. Living Positive Victoria will hold membership information as long as the organisation exists.

## Updating personal information

Living Positive Victoria will endeavour to ensure that the personal information it holds is accurate, complete and up-to-date. You may update your personal information through the organisation's Consumer Relationship Management (CRM) system, where applicable, or by contacting the Privacy Officer of Living Positive Victoria.

You have the right to check what personal information Living Positive Victoria holds about you. Under the [Commonwealth Privacy Act](#) and the [Health Records Act](#), you have the right to access any personal information that Living Positive Victoria holds about you and to advise Living Positive Victoria of any perceived inaccuracy. There are some exceptions to this right set out in the applicable legislation. Contact the Privacy Officer in writing to access any information Living Positive Victoria holds about you.

Living Positive Victoria requires you to verify your identity and specify what information you require. There is no fee to access your personal information or to make a correction.

## Disclosure of your personal information

Living Positive Victoria will not disclose your personal information, sensitive information or health information to anyone else except in the following circumstances:

- with your explicit, informed and written consent; or
- where required by law.



## Sending information overseas

Living Positive Victoria will not send your personal information outside Australia without:

- obtaining your written consent; and
- complying with the [Australian Privacy Principles](#) or other applicable privacy legislation.

*Living Positive Victoria does not use overseas providers for IT services including servers and cloud-based services.*

## How do we keep your personal information safe?

All Living Positive Victoria employees, board members, volunteers and contractors are required to adhere to the Privacy Policy and respect the privacy and confidentiality of individuals.

Living Positive Victoria has procedures to protect the personal information it holds from misuse, loss, unauthorised access, modification, interference or disclosure. This includes but is not limited to locking paper records and password-only access to online records.

## How Living Positive Victoria uses cookies

When you use the Living Positive Victoria website, having your cookies enabled allows us to maintain the continuity of your browsing session and remember your details when you return.

Cookies are small pieces of text sent by your web browser by a website you visit. A cookie file is stored in your web browser and allows the website or a third party to recognise you and make your next visit more useful to you. Cookies can be "persistent" or "session" cookies.

We may place a number of cookies files in your web browser. We use cookies for the following purposes: to authenticate users and prevent fraudulent use of user accounts, to store your preferences, to enable certain functions of the website, and to provide analytics.

In addition to our own cookies, we may also use various third-party cookies to report on usage statistics from the website and/or deliver advertisements on and through the website.

If you would like to delete cookies or instruct your web browser to delete or refuse cookies, visit the help pages of your web browser. Please note, that if you delete cookies or refuse to accept them, you might not be able to use all of the features we offer, you may not be able to store your preferences and some of our pages might not display properly.

## Enquiries and privacy complaints

If you have any concerns or complaints, or if you believe there has been a breach of privacy, contact the Privacy Officer on 03 9863 8733. If we have not replied within 30 days or if you are not satisfied with our response you can refer your complaint to the Office of the Australian Information Commissioner:

- email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)
- phone: 1300 363 992



I \_\_\_\_\_ have been provided with a copy of this statement and understand how my information is collected, used, stored and protected.

Signed \_\_\_\_\_

Date \_\_\_\_\_