

**P3. Privacy Policy**

**Policy Owner: Chief Executive Officer and Manager, People and Culture**

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**1. POLICY**

1.1 Individuals have the right to know what information an organisation holds about them, to correct that information if it is wrong, and to expect that this information will not be disclosed to others.

1.2 VITS LanguageLoop takes its privacy obligations seriously and will seek to take all reasonable steps in order to comply with State and Commonwealth privacy legislation so that the privacy of the information that we hold is protected.

**2. POLICY SCOPE**

2.1 This policy sets out how VITS LanguageLoop collects, uses, discloses or transfers personal and other information in accordance with the Information and Health Privacy Principles contained within the *Privacy and Data Protection Act 2014 (Vic)* and the *Health Records Act 2001 (Vic)* respectively.

**3. DEFINITIONS**

**3.1. Personal Information** Information or an opinion about an identified individual,

or an individual 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. But does not include information of a kind to which the Health Records Act 2001 applies.

- **3.2 Health information** means information or an opinion about an individual's physical, mental or psychological health, including any disability, a health service an individual has received or will be receiving, that is also personal information or other personal information collected to provide a health service. For further details about the meaning of 'health information', see section 3(1) of the *Health Records Act 2001*.
- **3.3 Sensitive information** means information or an opinion about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices, or criminal record, that is also personal information.

#### 4. METHODS OF COLLECTION

- 4.1.** VITS LanguageLoop collects information from our clients, employees, contractors and other third parties.
- 4.2.** Whenever such information is collected;
- 4.2.1.** It will always be for one or more of our business functions or purposes;
  - 4.2.2.** It will only be collected by lawful, transparent and fair means;
  - 4.2.3.** It will not be collected in an unreasonably intrusive way;
  - 4.2.4.** Will only be collected in accordance with any other requirement under the relevant privacy principles;
- 4.3.** The type of information that VITS LanguageLoop may collect, and the purpose of collection, will be identified in the collection statement and for which reasonable steps will be taken to provide such information.
- 4.3.1.** Clients may provide information such as name, address, email address and telephone numbers for both the organisation and individuals within their organisation;
  - 4.3.2.** Financial information such as credit card details may also be provided where necessary to facilitate payment for a service;
  - 4.3.3.** Contractors may provide information such as name, address, email address and telephone numbers, as well as direct debit and ABN details.
  - 4.3.4.** Contractors may also provide details of industry and educational qualifications, and their availability;

- 4.3.5.** Other third parties and individuals may provide information or correspondence during the normal course of business.

## 5. USE AND DISCLOSURE

- 5.1.** VITS LanguageLoop will only use and disclose information for the primary purpose for which it was collected (or, for a secondary purpose where it is related to the primary purpose and when the requirements as detailed in the privacy principles for the use or disclosure of that information can be met for a secondary purpose).
- 5.2.** Generally, this will mean:
- 5.2.1.** The individual will have a reasonable expectation that VITS LanguageLoop may use and/or disclose such information for the secondary purpose;
  - 5.2.2.** This individual, or if unable, their authorised or legal representative, has consented;
  - 5.2.3.** Such use and/or disclosure is required, authorised or permitted under law, or for lawful action, or for the prevention of unlawful activity;
  - 5.2.4.** The use and/or disclosure is for statistical purposes;
  - 5.2.5.** The use and/or disclosure is necessary to lessen or prevent a serious and imminent threat to the life, health, safety or welfare of an individual or the public;
- 5.3.** VITS LanguageLoop will ensure that information will only be used or disclosed for a secondary purpose when it can be demonstrated that there is a relationship with the primary purpose;
- 5.4.** VITS LanguageLoop does not send personal information overseas.

## 6. DATA INTEGRITY

- 6.1.** VITS LanguageLoop will take all reasonable steps to ensure the information that it collects, uses, holds and discloses is accurate, complete, up-to-date and relevant.
- 6.2.** This will be done by verifying the accuracy, completeness and relevance of information when it is collected, and maintaining the accuracy, currency, completeness and relevance of the information that is held.

## 7. DATA SECURITY AND DATA RETENTION

- 7.1.** VITS LanguageLoop will take reasonable steps to ensure the information we hold is protected from misuse and loss, and from unauthorised access, modification or disclosure.
- 7.2.** We will also take reasonable steps to ensure that information that is held which is no longer required, including under any contractual or legal requirement, is destroyed or de-identified in a secure manner and in alignment with the Public Records Act 1973 (Vic)
- 7.3.** Our data is stored in secure on premise servers in Australia.
- 7.4.** Our data is backed up according to our schedule, which commences a daily to annual backup cycle.
- 7.5.** Data breaches will be mitigated and managed in accordance with our Information Security Response Plan on the OAIC data breach guidelines.

## **8. OPENNESS**

- 8.1.** VITS LanguageLoop will be open in how it manages the information that it collects. It will do so by having in place a publicly available statement setting out how information is handled, and through the establishment of this privacy policy, which will be made available to an individual on request.
- 8.2.** VITS LanguageLoop will supply a copy of our Privacy Policy free of charge, when requested in an appropriate form to a person or a body.

## **9. ACCESS AND CORRECTION**

- 9.1.** Upon request, individuals will be provided with access to their information unless one of the exceptions, which requires or allows access to be refused, as set out in the respective privacy principles, is exercised. Such exceptions apply generally as follows:
  - 9.1.1.** Providing access would pose a serious threat to the life or health of any individual;
  - 9.1.2.** Providing access would have an unreasonable impact on the privacy of another individual;
  - 9.1.3.** The request for access is frivolous or vexatious;
  - 9.1.4.** There are considerations with regard to legal proceedings which are underway, being investigated or anticipated;
  - 9.1.5.** Giving access would reveal the intention of the entity in relation to negotiations with the individual in such a way as to

prejudice those negotiations;

9.1.6. Providing access would be unlawful;

9.1.7. Denying access is required or authorised by or under an Australian Law or a court/tribunal order; or both of the following apply:

9.1.7.1. The entity suspects unlawful activity, or misconduct of a serious nature that relates to its functions or activities it has or is engaged in;

9.1.7.2. Giving access would likely prejudice the taking of appropriate action in relation to the matter; or

9.1.8. Giving access would reveal commercially sensitive information;

9.1.9. Individual do have the option of not identifying themselves or may use a pseudonym when dealing with LanguageLoop in relation to their personal matter except where that is impracticable;

9.1.10. For further details of our access to information refer to our Freedom of Information Policy.

**10. COMPLAINT RESOLUTION**

**10.1.** If an individual or their authorised or legal representative have a complaint regarding VITS LanguageLoop's privacy practices or wish to make a complaint about how their information has been managed, they should contact the CEO at VITS LanguageLoop.

**10.2.** Any complaints received will be handled promptly, fairly and confidentially.

**Policy History**

Date Reviewed	Author	Date Board Approved	Next Review Date	Version Number
August 2019				1
February 2024	CEO/DCS	21/3/2024	March 2026	2