



## Can Assist Privacy Policy

At CANCER PATIENTS' ASSISTANCE SOCIETY OF NEW SOUTH WALES (ABN 76 000 412 715) ("we", "us" or "Can Assist"), we are committed to ensuring that all country people, regardless of where they live in NSW, have access to cancer treatment and care. Can Assist is also committed to protecting and respecting the privacy of our members, volunteers, donors and people requesting assistance from Can Assist. This policy does not apply to Personal Information held and managed by us as part of someone's employment record.

This privacy policy sets out how we manage Personal Information, including Health Information, having regard to our obligations under the Australian Privacy Principles as set out in the *Privacy Act 1988* (Cth) and the Health Privacy Principles as set out in the *Health Records and Information Privacy Act 2002* (NSW). We will regularly review and update this privacy policy to ensure that it reflects our information handling practices. This policy was last updated in September 2021. A new version of this policy will be posted to our website when this policy is modified, amended or replaced – see <http://www.canassist.org.au/privacy-policy>. We recommend that you regularly review our privacy policy.

### Why do we collect Personal Information?

Personal Information includes a broad range of information, or an opinion, that could identify an individual. As a charitable organisation, we collect and hold a range of Personal Information about our donors, members, volunteers, people requesting assistance, and visitors to our website.

We collect this Personal Information so we can deliver the best possible services to our assistance recipients and to comply with our legal obligations.

### What kinds of Personal Information do we collect and hold?

#### Assistance Seekers

Personal information on Assistance Seekers held by Can Assist may include:

- your name, gender, date of birth, and marital status;
- your contact information including residential and business addresses, telephone/mobile/fax numbers and email addresses;
- your bank account and/or credit card details for agreed billing or payment purposes;
- sensitive Information as detailed below; and
- details of financial assistance requested and details of any provided by us to you.

#### Volunteers, Members and Job Applicants

Can Assist may hold Personal information of Volunteers and Members, including applicants to become Volunteers and Members, including:

- your name, gender, marital status, and date of birth; and
- your contact information including residential address, telephone/mobile/fax numbers and email addresses.

We also collect and hold certain Personal Information about applicants for employment with us and contractors wishing to supply products and/or services to us as well as their employees, including:

- resumes, employment histories and qualifications;
- training records and competency assessments;
- police checks and other suitability checks; and
- medical histories directly related to the individual's ability to perform the inherent requirements of the position.

### Donors and Fundraisers

Personal Information on Donors and Fundraisers held by Can Assist may include:

- your name, gender, marital status, date of birth;
- your contact information including residential and business addresses, telephone/mobile/fax numbers and email addresses;
- payment information only when making a donation by phone, mail or otherwise in writing; and
- financial information including history of past donations and details of funds raised.

Donation and Fundraising payments to Can Assist may be made by phone or:

- by credit card processed online using a secure third party payment gateway; or
- via direct bank deposit by electronic funds transfer (EFT).

Can Assist may use one or more third-party payment gateways to facilitate secure online payment transactions. Payments made through such payment gateways are subject to the terms and conditions and privacy policy of the relevant third-party providers.

Unless you expressly consent otherwise, Can Assist does not see or have access to any personal information that you may provide to such third party payment gateway providers, other than information that is required in order to process your donation and deliver your receipt to you (e.g., your name, email address and billing address).

With regard to fundraising events, the Website may contain links to third-party platforms that assist users to organise and run fundraising events to support Can Assist. Payments made and personal information provided through such platforms are subject to the terms and conditions and privacy policy of the relevant third-party providers, in addition to Can Assist's separate Fundraising Terms and Conditions.

### Sensitive Information

Sensitive Information is a subset of Personal Information that generally has a higher level of privacy protection than other Personal Information. In certain circumstances we may also collect and hold

Sensitive Information regarding an individual where reasonably necessary for our functions or activities, with the individual's consent, or otherwise as required or permitted by law, including:

- health information including details of your cancer diagnosis, treatment, health care professionals treating you and location of where you are receiving care; and
- racial and ethnic origin.

Specifically, we collect racial and ethnic origin information on a voluntary basis in relation to our advocacy functions and where relevant in relation to grant applications. We use this sensitive information in an aggregated / de-identified form for these advocacy functions and grant applications where possible and will always seek specific consent if an individual is identifiable

### Website Users

We use cookies on our website. Cookies are a small file that is placed on your computer by a web server when you access a website. They collect user information and data for providing services via the website and for statistical and analytic purposes. Personal Information about you we may collect via the website includes:

- your server address;
- the date and time of your visit to our website;
- the pages you accessed and the documents downloaded;
- the previous site you visited;
- the type of browser you are using;
- any information that you provided to us by you during your account creation process or added to your user profile;
- preferences and password for using this site and your computer and connection information; and
- any information that you otherwise share with us.

Websites often use cookies. Most internet browsers accept cookies by default. You can control the use of cookies by configuring the preferences and settings in your browser and/or firewall.

Our website does not guarantee the secure transmission of information. There are inherent risks in the transmission of information across the internet.

### **How do we collect Personal Information?**

We may collect Personal Information about an individual from a range of sources using a variety of means including:

- forms (either physical or online), mail correspondence, emails and other electronic communications;
- information provided by third-party payment gateways and fundraising platforms;
- through telephone, email or in-person inquiries or discussions about us and/or the services we provide;
- through publicly available sources of information;
- through interactions with our social media channels that we offer or monitor; and

- direct contact in the course of us providing services (including the administration of accounts established with us).

We collect Personal Information using lawful and fair means and generally only when the information is relevant to our business and activities (including providing services to Assistance Seekers).

Where reasonable and practical, we will only collect personal information about an individual from that individual and their referrer with the individual's permission.

### **How do we store Personal Information?**

We strive to ensure the security of Personal Information we collect and hold. We take reasonable steps to protect Personal Information from misuse, interference and loss, and from unauthorised access, modification and disclosure.

We hold Personal Information in electronic and paper based records which may include storing electronically with offshore cloud computing providers. Any Personal Information we collect or hold is protected by safeguards including physical, technical (firewalls, SSL encryption, etc.) and procedural methods.

In the event of an eligible data breach under the Notifiable Data Breaches Scheme we will comply with our legal obligations, which may include notifying you and/or the Office of the Australian Information Commissioner of the breach and taking appropriate corrective action.

If we find that we no longer require, or have no further need for certain Personal Information, we may de-identify it or remove it from our systems and destroy all record of it.

### **For what purposes do we usually collect, hold and use Personal Information?**

#### Assistance Seekers

We primarily collect and use the Personal Information of Assistance Seekers to assess their requests for assistance and to provide assistance, including:

- financial contribution to cost of an individual cancer treatment;
- direct payment of an unpaid bill;
- providing fuel or food vouchers; and
- other assistance which may be requested and provided from time to time.

We also use Assistance Seekers' Personal Information for other purposes including, but not limited to:

- complying with our obligations under laws; and
- quality assurance, risk management and continuous improvement activities.

From time to time, and with the individual's consent, we may use Assistance Seekers' Personal Information for advocacy and marketing purposes (See 'Marketing' below).

### Volunteers, Members and Job Applicants

We use Personal Information about Volunteers, Members, job applicants and contractors:

- to assess their suitability and availability to perform the duties required and deliver services to us and our Assistance Seekers, where required;
- to meet our obligations under relevant laws; and
- to improve the services we offer through quality improvement activities such as training.

### Donors and Fundraisers

We use Personal Information about Donors and Fundraisers:

- to process donations and payments made by phone;
- to issue receipts;
- to assess whether to authorise you to conduct a fundraising events and to monitor your compliance with any terms and conditions applicable to the fundraising event;
- to keep them informed about the work of Can Assist;
- improve the outreach, advocacy, marketing and donation collection efforts of Can Assist;
- to contact them regarding past or possible future donations;
- to check for fraudulent or erroneous donations or transactions; and
- to meet our obligations under relevant laws.

### **In what circumstances would we usually disclose Personal Information?**

We do not sell, rent or trade the Personal Information we collect.

### Assistance Seekers

Personal Information collected about Assistance Seekers is not widely disclosed and not disclosed outside of Can Assist. However, as a volunteer-based organisation it may be disclosed to a limited number of Volunteers and Members, for example, when assessing an application for assistance or when arranging or providing assistance.

We may disclose Personal Information about our Assistance Seekers to:

- our Members and Volunteers in order for them to assess requests for assistance and in order to provide assistance. (e.g. to enable them to perform services under contract with us which may directly or indirectly benefit the client from whom the information was collected);
- to other third parties with your consent such as when making a payment on your behalf or arranging other assistances;
- government agencies where this is necessary for us to receive funding and/or comply with our legal obligations to notify the government and police of certain matters ;
- our professional advisers, such as lawyers or auditors; and

- related organisations.

We may also disclose Personal Information about Assistance Seekers when required by law or court order or where we are required to do so as a result of any obligations we owe under any contract.

#### Volunteers, Members and Job Applicants

We disclose Personal Information about Volunteers, Members, job applicants and contractors as part of operating the organisation including:

- to assess availability, contact individuals and otherwise organise the assistance they provide to Can Assist;
- to meet our obligations under relevant laws; and
- to improve the operations of Can Assist we offer through quality improvement activities such as training.

We may also disclose Personal Information about Volunteers, Members, job applicants and contractors when required by law or court order or where we are required to do so as a result of any obligations we owe under any contract.

#### Donors and Fundraisers

We disclose Personal Information about Donors and Fundraisers as part of operating the organisation to enable our Volunteers and Members to:

- contact donors regarding their previous, current or future donations;
- contact fundraisers regarding previous, current or future fundraising events; and
- inform them about the work of Can Assist.

We note that when making donations or other payments via our website Donors agree to provide their payment information to a third-party payment gateway. Can Assist does not receive, handle or store your payment information for donations made online via its website.

We may also disclose Personal Information about Donors and Fundraisers when required by law or court order or where we are required to do so as a result of any obligations we owe under any contract.

#### Cross-border disclosure

We do not disclose Personal Information to third parties outside Australia unless we have consent or the disclosure is authorised by law. However, we may securely store your Personal Information in electronic form outside Australia as part of using third party cloud services in our operations.

#### Sensitive Information

We will only use and disclose Sensitive Information for the primary purpose it was collected or a secondary purpose that is directly related, unless we have the individual's consent or we are otherwise authorised or obligated by law.

#### **Marketing**

We may use the Personal Information that we hold about you, including your contact details, to provide you with information about activities and events that may be of interest to you, or to seek your support for our activities. You may opt out of receiving all or certain types of marketing information from us at any time by contacting us on the details provided below.

Where we collect information about an individual from a third party, we will not use that information to directly market to that individual unless the individual consents to this. Such consent may be express or implied.

### **How can you access and correct your Personal Information?**

It is important that the information we hold about our Assistance Seekers, Volunteers, Members and Donors is accurate. Except in certain situations, you have the right to access your Personal Information and ask us to correct it. We will take reasonable steps to update or correct, as soon as possible, any Personal Information in our possession that is inaccurate, incomplete, out-of-date, irrelevant or misleading.

We may refuse to grant you access where this is allowed or required by law, for example, where this would have a negative impact on someone else's privacy. If we do refuse to grant access, we will give you written reasons.

If you would like to access your Personal Information, please contact:

Can Assist – Attn: Privacy Team

Suite 601, Level 6

22 Market Street

Sydney NSW 2000

T: 1300 226 277

admin@canassist.org.au

We may charge you a small fee for accessing your Personal Information, as permitted by law.

### **How can you complain about a breach of privacy?**

You have the right to complain if you believe we have breached this privacy policy or your rights under the Australian Privacy Principles or the Health Privacy Principles.

To lodge a complaint, please write to Privacy Complaints at the following address:

Can Assist

Suite 601, Level 6

22 Market Street

Sydney NSW 2000

admin@canassist.org.au

You can also make a complaint by using the contact form on our website.

We will promptly acknowledge receipt of your complaint and we will endeavour to deal with your complaint and to provide you with a response within a reasonable time period following receipt of your complaint (generally within 30 days of receipt). Where a complaint requires a more detailed investigation, it may take longer to resolve. If this is the case, then we will provide you with progress reports.

We reserve the right to verify the identity of the person making the complaint and to seek (where appropriate) further information from the complainant in connection with the complaint.

Where required by law, we will provide our determination on your complaint to you in writing.

Please note that we may refuse to investigate or to otherwise deal with a complaint if we consider the complaint to be vexatious or frivolous.

If you are not satisfied with our response, you can contact the Office of the Australian Information Commissioner: by phone (1300 363 992), post (GPO Box 5218, Sydney NSW 2001) or email ([enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)).

Further information and electronic enquiry forms can be found at <http://www.oaic.gov.au>.