

## Privacy Policy

### Who

This Privacy Policy (Policy) applies to Australian Mentoring Services Pty Ltd (ABN 55 639 633 177) ("AMS", "we", "our" or "us"). We:

- a) Are a registered National Disability Insurance Scheme (NDIS) provider,
- b) Provide support services to individuals, and
- c) Aim to enable individuals with a disability to exercise choice and control in the pursuit of their goals.

This Policy applies to all individuals whose personal information is collected by us in the course of our functions and activities, including participants, Mentors, contractors and prospective employees.

However, this Policy does not apply to the personal information of our current or former employees.

### Scope of Policy

This policy describes how we collect, handle and protect the privacy of your personal information. It also explains your rights to access and correct your personal information and make a privacy complaint. We are committed to protecting your privacy and aim to be as transparent as possible about what we do with your personal information.

We are bound by laws that govern how we collect and use your personal information, including the Privacy Act 1988 (Cth) (Privacy Act), the Australian Privacy Principles (APPs), the Spam Act 2003 (Cth), and the Health Records and Information Privacy Act 2002 (NSW) (HRIP Act).

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## What is Personal Information?

In this Policy, **personal information** means any information or opinion about, or in relation to, an identified individual or an individual who is reasonably identifiable, regardless of whether it is true or correct. Personal information does not include information that is properly de-identified.

**Sensitive information** is a sub-set of personal information and includes health information, and information about your race or ethnicity, political opinions or associations, religious beliefs or affiliations, philosophical beliefs, membership of a professional association or union, sexual orientation or practices, or criminal records. Sensitive information is more protected under law than are other forms of personal information.

**Health information** means any information or opinion about, or in relation to, your health or disability, health services provided to you, and it includes your expressed wishes regarding future provision of health services. Health information also includes any genetic information about you that is, or could be predictive of, your future health or your genetic relative. Health information is a subset of sensitive information.

## **Updates to this Policy?**

We may change this Privacy Policy from time to time, by publishing changes on our website at [www.amsnsw.com](http://www.amsnsw.com). We recommend you review this Privacy Policy at our website from time to time.

## **Types of Personal Information we may collect?**

The types of personal information we may collect about you depends on the dealings you have with us, and may include your:

- a) Name, address, email address and phone number and identification documents.
- b) Government-issued identifiers, including Medicare and NDIS numbers.
- c) Health information such as medical history, symptoms or diagnoses, specialist reports, and medical records from other health service providers.
- d) Financial data including bank account details and credit card details.
- e) Information about your preferences, interests, and goals including the specific skills or areas with which you would like AMS support.
- f) Sensitive information, including about your:
  - i. Family and cultural background, ethnicity and race (where required).
  - ii. Health, health services provided to you, and
  - iii. Lifestyle information.
- g) Information regarding your personal issues, experiences and relationships.
- h) Behaviours or engagement with service providers and activities.
- i) Information relevant to your involvement in any ongoing legal or regulatory proceedings.
- j) Demographic data.
- k) Information included in your tenancy agreement.
- l) Cultural affiliation or practices.
- m) The name of the organisation you work for and your professional title.
- n) Your IP information.
- o) Information about your usage of our website and apps for the purposes of analytics (including when you use our website and apps and what you do on it).

If you are applying for a job or a volunteer position with us, we may also collect your:

- (a) Country of birth, citizenship, residency and/or visa details.
- (b) Languages spoken.
- (c) Employment or volunteer work history and qualifications.
- (d) Academic records.
- (e) Drivers licence details.
- (f) ABN number.
- (g) References.
- (h) Medical information.
- (i) Personal alternative contact details.
- (j) Superannuation fund details.
- (k) Criminal history record, and
- (l) Working With Children Check details.

## **Dealing with us Anonymously or using a Pseudonym?**

Where possible and lawful, you may interact with us anonymously or by using a pseudonym. For example, if you contact us with a general question, we will not record your name unless we need it to adequately address your query.

However, in many instances we will need your identity details, particularly if you would like us to provide services to you. If you do not provide or authorise us to have your personal information, we may be unable to provide you with some or all of our services. Upon request, we can tell you what personal information we must have in order to provide a particular service to you.

### **Ways we Collect your Personal Information?**

We may collect personal information from, about, or in relation to, you in different ways, including:

- a) From you directly when you interact with us, for example from our discussions or communications with you or when you complete a form or online form.
- b) From you when you visit our premises.
- c) From another person authorised to provide us with your personal information on your behalf.
- d) When you visit our website or other applications.
- e) From third parties such as your external service provider support worker, Support Coordinator, family member(s), friend(s), the NDIS Quality and Safeguards Commission, the NDIA, program coordinators, NSW Departments such as Justice Health, Corrective Services, Child Protection, Health including community mental health personnel, or another representative, including through direct communication or the completion of an enquiry form; or

If you apply for a job or contract position with us, we may also collect personal information about you from third parties and publicly available sources, including:

- a) Recruiters.
- b) Government departments to verify your entitlement to work in Australia.
- c) Police agencies to obtain your criminal history record.
- d) Academic institutions.
- e) Service agreements.
- f) Consulting medical practitioner.
- g) Superannuation fund provider.
- h) Your current or previous employers, or
- i) Your referees.

### **Cookies**

When you visit our website, we may also use 'cookies' or other similar tracking technology to improve your experience with us by tracking your website usage and remembering your preferences. Cookies are small files that store information on your computer, mobile phone or other device.

You can disable cookies through your internet browser but our website may not work as intended if you do so.

We may also use cookies to enable us to collect personal information. Any personal information collected by cookies will be handled by AMS in the same way as personal information collected in other ways under this Privacy Policy.

### **Purposes for which we collect, use and disclose Personal Information?**

We collect your personal information for the following purposes:

- a) To engage with you.
- b) To provide you with appropriate services.
- c) To provide you relevant information about services which may be suitable for, or relevant to you.
- d) To manage and conduct our business.
- e) To obtain feedback and manage any complaints lodged.
- f) To participate in research conducted and published by a third party about how to best support participants.
- g) To assist with tenancy applications and ongoing rental arrangements.
- h) To collect payment and issue receipts for services you receive through AMS.
- i) To help us manage, develop and enhance our services and support programs.
- j) To engage in business-to-business communication and networking.
- k) For persons applying for a job, volunteer or contract position, to consider your suitability for employment.
- l) To pay you for any services provided under the engagement or employment by the AMS, and
- m) To comply with our legal obligations, resolve any disputes and enforce our agreements and rights with third parties.

### **Disclosing your Personal Information?**

In the course of providing our products and services to you, or processing your applications for work or volunteer positions, we may disclose your personal information to the following:

- a) Third party data management service providers which may include Microsoft (via OneDrive), AMS Customer Relationship Management (CRM) and other AMS IT applications.
- b) AMS contractors that provide services to us, including administration support and information technology support.
- c) Payment system operators and financial institutions.
- d) Your agents and advisors or other persons authorised by, or responsible for, you.
- e) Third parties in order to provide our services, for example NDIS workers, other health or allied health service providers, real estate agents.
- f) Organisations we contract to provide services on our behalf.
- g) Legal or regulatory bodies including but not limited to courts, NSW Civil and Administrative Tribunal, Mental Health Review Tribunal, NDIS Quality and Safeguards Commission, WorkSafe or Office of the Australian Information Commissioner.
- h) Our professional advisers, including lawyers, accountants and auditors.
- i) Government agencies or departments that provide funding for AMS services; and
- j) Referees or former employers.

Some of these organisations may be located outside of Australia, including in the United States. Most of these overseas organisations are service providers or related entities that

provide support and assistance to us in delivering our services to you. You consent to the collection, use, storage and processing of your personal information outside Australia as set out in this privacy policy.

Where you give us consent to do so, we may also disclose your personal information to a third party health care service provider or other authorised representative, friend or family member for:

- a) Any exit processes.
- b) Transitioning out of an AMS service or program.
- c) Transitioning into the care of another service provider, or
- d) any other purpose you may provide AMS.

We will not disclose your personal information to a third party without your consent, unless under the compulsion of law or under an exemption provided by the Privacy Act or HRIP Act.

### **How we collect and use personal information about Children?**

We may collect personal information about children (individuals under the age of 18) in the course of providing services, for instance, by recording the name and date of birth of a child who resides with you.

We may also collect personal information about children who are themselves participating in our programs or receiving our services. We will collect this information from the child's responsible adult such as a parent or guardian.

We will record the contact details of the relevant responsible adult as the contact details for the child.

Whether a child has capacity to make their own privacy decisions will be assessed by AMS on a case-by-case basis, having regard to factors such as their age and circumstances. AMS will otherwise treat consent provided by the relevant responsible adult as consent given on behalf of the child.

Personal information collected about a child will be used solely for the purposes of determining and providing the appropriate and suitable AMS service to that child.

### **Individuals experiencing vulnerability**

We engage in supported decision-making practices when collecting, handling and disclosing the personal information of individuals experiencing vulnerability and endeavour to have regard to the wishes and preferences of the individual to whom the information relates.

### **AMS website**

The AMS website may, from time to time, contain links to other third party websites. The third party websites are not subject to the terms of the AMS Privacy Policy. It is recommended that you review the third party's privacy policy if you have any concerns or queries in relation to the third party's collection and handling of your personal information.

## Direct Marketing

From time to time, where permitted under law, we may use your personal information to identify a service or product that you may be interested in. We may, with your consent, use the personal information we have collected about you to contact you from time to time whether by phone, SMS, or email to tell you about new products or services that we believe may be of interest to you.

You can opt out of receiving direct marketing communications in a particular way, or at all, from us at any time by unsubscribing from the mailing list by indicating this on our enquiry form or contacting our Privacy Officer on [contact@amsnsw.com](mailto:contact@amsnsw.com). If you opt out of marketing, please note that your details may still be shared with our marketing partners and/or mail houses for the purposes of ensuring they do not market to you.

Where the contact details of support workers or other service provider engaged to facilitate the provision of AMS services are also the individual's personal details, the contact details may be used for the purpose of direct communication related to the promotion of marketing of AMS services and products from time to time.

We do not engage in direct marketing to children.

## How we hold your Personal Information

We hold and store your personal information in hard copy and electronically. We aim to store your information securely and take reasonable steps against misuse, interference, loss, unauthorised access, modification and disclosure. We have a range of security controls in place (including physical, technical and procedural measures). We note that some information obtained via third party software may be stored by a third party storage provider.

We only keep your personal information for as long as it is required for the purpose for which it was collected or as otherwise required by applicable laws. If we no longer need to hold your personal information for any reason or we are no longer required by law to keep it, we will take reasonable steps to de-identify or destroy that information. These steps may vary depending on the nature of the information, the way it was collected and how it was stored.

## Access to and Correction of your Personal Information

We will endeavour to ensure that the personal information collected from you is up to date, accurate and complete. Where your information is collected through a third party, we will take reasonable steps to notify you of this, and to ensure the information collected is current and correct.

You may request access to, or the correction of, personal information we hold about you at any time by contacting the AMS Privacy Officer on the details below. We will need to verify your identity before responding to your request. Subject to any applicable exceptions or requirements, we will provide you with access to the personal information you request within a reasonable time and usually within 28 days. If we decide to refuse your request, we will tell you why in writing and how to complain.



### **If your Personal Information is hacked?**

If we discover that the security of your personal information has been compromised (a data breach), and we are unable to rectify the data breach without any potential adverse effect on your privacy, we may contact you to inform you. We will work with you to minimise or mitigate the consequences of any data breach.

AMS is required to notify the Australian Information Commissioner about eligible data breaches under the Privacy Act.

### **Complaints**

You can make a complaint in writing to the AMS Policy Officer using the details set out in this Policy. We will respond to you within a reasonable period of time to acknowledge your complaint and inform you of the next steps we will take in dealing with your complaint.

If you are not satisfied with our response, you may complain to the Office of the Australian Information Commissioner (OAIC) via the OAIC website, [www.oaic.gov.au](http://www.oaic.gov.au).

### **Contact Us**

If you have a question or comment regarding this Policy or wish to make a complaint or exercise your privacy rights, please contact:

Tegan Askwith, Privacy Officer  
Australian Mentoring Services  
Email: [contact@amsnsw.com](mailto:contact@amsnsw.com)

### **Review, approval and document controls**

Policy Name	Privacy
Review frequency	When information handling practices change, or otherwise every 3 years.
Person responsible	Director
Approval	Director

Review	Date approved	Approved by	New review date
1.1	24/11/2020	Owen Atalifo	24/11/2023
1.2	15/03/2022	Owen Atalifo	15/03/2025
1.3	03/03/2023	Wayne Zahra	03/03/2026
1.4	12/02/2024	Wayne Zahra	12/02/2027