

Privacy Policy

1. Rationale

AMES Australia provides a comprehensive range of settlement support, English language and literacy tuition, vocational training and employment services.

Services are provided to the following cohorts:

- Refugees
- Asylum seekers
- Skilled and recently arrived migrants
- Job seekers
- Youth

It is the responsibility of all public sector organisations and government entities to implement appropriate measures to meet the requirements, standards and practices for handling personal information in accordance with the Privacy and Data Protection Act 2014 (Vic) and Privacy Act 1988 (Cth).

2. Policy Statement

AMES Australia is committed to protecting the privacy of all people who interact with our services, events, facilities, clients, staff and volunteers.

This policy must be observed by:

- All AMES Australia personnel
- Volunteers
- Consultants
- Partners
- Contractors
- Clients

AMES Australia uses a combination of technical, administrative and physical safeguards and takes reasonable steps to protect information from misuse and loss, and unauthorised access, modification and disclosure.

3. Implementation

Why AMES Australia collects personal information

AMES Australia collects personal information because:

- it was provided to us, whether we asked for the information or not
- we need it to provide a product or service
- we would like to improve our services through the collection and analysis of statistical and research data
- people work for us, or apply to us for a job, to volunteer, or for work experience

- we need to comply with legal or contractual obligations.

What personal information AMES Australia collects

AMES Australia only collects information needed for the services or activities delivered. Personal information collected may include name, address, telephone number, visa subclass, educational background, employment history, email address, communication/ correspondence, bank details, health or medical information and other sensitive information.

AMES Australia only collects sensitive information if the individual consents to the sensitive information being collected, unless an exception applies.

Anonymity and Pseudonymity

An individual has the right to contact AMES Australia anonymously or using a pseudonym (assumed name) unless the information is needed to adequately respond to a question or to provide a service.

How AMES Australia collects personal information

Personal information is collected when:

- given in person
- government authorities such as Centrelink and Commonwealth and State Departments provide information to AMES Australia to confirm a client's eligibility to receive services
- documentation is provided.

For example

Staff:

- submitting an application in response to an advertised position at AMES Australia
- updating qualifications and professional developments.

Clients:

- applying for or enrolling in a course / qualification
- registering to receive employment services
- being referred to receive settlement support
- participating in a research project or survey.

Comments are made or feedback is provided through AMES Australia website www.ames.net.au

Email addresses may be used to respond to comments or feedback.

AMES Australia uses cookies, small data files placed on computers or devices, for improving access to the AMES Australia website.

Communication occurs through social networking services such as Twitter, Facebook and YouTube. Social networking services have their own privacy policies.

Email lists are subscribed to. AMES Australia email lists are not provided to third parties or commercial entities. All communications from AMES Australia provide an opt-out mechanism which precludes AMES Australia from sending promotional information in the future.

Audio and Video Recording

AMES Australia personnel and client will only record a conversation with another person if prior to the recording they have:

- a written record of participants' confirmation that they have understood the reason or purpose of recording the conversation
- a written record of participants' consent to have the conversation recorded.

Dealing with unsolicited personal information

If information is contained in a Commonwealth record, AMES Australia will comply with the provisions of the Archives Act 1983 (Cth).

If information is not contained in a Commonwealth record, AMES Australia will destroy or de-identify the information as soon as practicable, if it is lawful and reasonable to do so.

De-identification can be done by removing or altering information that may allow an individual to be identified.

Use and disclosure of personal information

Personal information will be used and disclosed only for the purpose for which it was collected (known as the 'primary purpose') unless the:

- individual has consented to the use or disclosure of the information
- individual would reasonably expect that the use or disclosure of the information is directly related to the primary purpose
- following permitted general situations exist:
 - to lessen or prevent a serious threat to the life, health or safety of any individual or to public health and safety
 - to take appropriate action in relation to suspected unlawful activity or serious misconduct
 - reasonably necessary to assist locate a person who has been reported missing
 - reasonably necessary for the establishment, exercise or defence of a legal or equitable claim
 - reasonably necessary for a confidential dispute resolution process.

AMES Australia does not use or disclose information for the purpose of direct marketing unless the individual has provided consent and there is a simple means by which the individual may easily request not to receive direct marketing communications from the organisation.

Further requirements under a service agreement or contract should also be considered prior to the use and disclosure of personal information (e.g. Class PIC certificate for jobactive client information).

Quality of personal information

AMES Australia will take reasonable steps to ensure that the personal information that AMES Australia collects, uses, or discloses is accurate, up-to-date, complete and relevant to the purpose of the collection.

Accessing and updating personal information

Under the Privacy legislation and the Freedom of Information Act 1982 (Cth) an individual has the right to ask for access to the personal information held by AMES Australia and request that any inaccuracies be corrected. AMES Australia will take reasonable steps to make appropriate corrections to personal information so that it is accurate, complete and up-to-date.

If a correction is made and the information has been disclosed to others, they will be advised of the correction.

Requests to access or update personal information can be made at AMES Australia sites or emailed to AMES Australia Privacy Officer/Champion at privacy@ames.net.au.

For more information about Freedom of Information requests, refer to the Freedom of Information Procedure.

Security of personal information

AMES Australia takes all reasonable steps to protect personal information from misuse, loss and from unauthorised access, modification or disclosure.

AMES Australia's internet gateway is protected by a firewall which is set to the highest level of protection. Computer systems and databases are maintained by the AMES Australia Information and Technology (IT) Unit.

Computer systems owned by funding bodies/ government authorities are not under AMES Australia's control. AMES Australia does not accept any responsibility for the maintenance and security of such systems.

The storage and destruction of personal information is managed according to contractual obligations with funding bodies and in conjunction with Public Records of Victoria requirements.

4. Evaluation/Reporting/ Review

Complaints, requests and enquiries

AMES Australia welcomes feedback about privacy issues and will acknowledge the receipt of complaints, requests and enquiries promptly.

Complaints, requests and enquiries can be made in writing, by phone or email to:

Aileen Srdic

Privacy Officer/Champion

AMES Australia

Level 4, 1 Little Collins St. Melbourne 3000

Phone: 03 9938 4639 or 13 2637

Email: srdica@ames.net.au or privacy@ames.net.au

AMES Australia will take reasonable steps to respond or make a determination within 30 business days. However if an individual is not satisfied with AMES Australia's response or decision, they can escalate their complaint to the Office of the Victorian Information Commissioner (<https://ovic.vic.gov.au/>) or Office of the Australian Information Commissioner (<https://oaic.gov.au/>).

Breach or Non-compliance

AMES Australia staff/ personnel should immediately notify their line manager or the AMES Australia Privacy Officer if actual or potential breach has occurred.

Further reporting requirements under a service agreement or contract should also be considered.

A data breach response plan will be established if a breach is suspected, discovered or reported. The plan includes the actions to be taken to assess, manage and contain the breach.

If there are reasonable grounds that a data breach is likely to result in serious harm to any individual to whom the information relates, AMES Australia is required to notify relevant individuals and the Office of the Australian Information Commissioner (OAIC) or Office of the Victorian Information Commissioner (OVIC) as soon as practicable (in accordance with the Notifiable Data Breach Scheme).

Threshold Assessment and Privacy Impact Assessment - Projects

A threshold assessment is conducted to determine whether a privacy impact assessment is required as part of Project Management. A privacy impact assessment (PIA) is a systematic assessment of a project that identifies the impact that the project might have on the privacy of individuals, including how to manage its impact.

5. Definitions

Personal information

Information or an opinion about an individual whose identity is apparent or can reasonably be ascertained, sensitive information and unique identifiers.

Sensitive information

Information or an opinion about an individual's racial or ethnic origin, political opinion, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of professional / trade associations, membership of a trade union, sexual preferences / practices, criminal record, health information, genetic information.

Health information

Information or an opinion about the:

- physical, mental or psychological health of an individual
- disability of an individual
- individual's expressed wishes about the future provision of health services
- health service provided, or to be provided, to an individual.

Unique identifier

Usually a number assigned by an organisation or Government authority to an individual (e.g. employee number, client number, student number, boat ID, jobseeker number).

6. References

This policy was reviewed and approved by Executive on 17 July 2020.

Applicable Regulations

Privacy Act 1988 (Cth)

Privacy and Data Protection Act 2014 (Vic)

Freedom of Information Act 1982 (Cth)

Health Records Act 2001 (Vic)

Archives Act 1983 (Cth)

Telecommunications (Interception and Access) Act 1979 (Cth)

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