

## PURPOSE

This policy sets out how Salvation Army Housing (Victoria) [SAHV] collects, uses and discloses your personal information.

## SCOPE

This policy applies to anyone who uses SAHV services. SAHV staff, contractors, board members and volunteers must all follow this policy.

This policy does not apply to:

- the personal information belonging to people who work or volunteer at SAHV
- personal information collected from people who are not using SAHV's services including donors.

In these instances The Salvation Army Privacy Policy will apply.

If you have applied for social housing under the Victorian Housing Register (VHR), this policy also summarises how SAHV shares your personal information with other VHR agencies.

## POLICY

SAHV recognise the importance of privacy and community awareness regarding the collection, use, disclosure and security of personal and sensitive information which we may collect during the course of providing housing services.

Commonwealth and Victorian laws set out how we must manage your personal information to protect your privacy. Our detailed legal obligations are set out in:

- The Australian Privacy Principles in the Privacy Act 1988 (Cwth);
- The Information Privacy Principles in the Privacy and Data Protection Act 2014 (Vic); and
- Where your personal information is also health information, the Health Privacy Principles in the Health Records Act 2001 (Vic)

In addition, SAHV takes part in the Victorian Housing Register (VHR). The Housing Act 1983 (Vic) allows us in some circumstances to share the personal information of applicants for social housing with other VHR agencies.

In addition, tenants and prospective tenant's privacy will be respected at all times by ensuring all appointments with you are held in meeting rooms to afford privacy when you are disclosing personal information.

## What information we collect and hold and why

Generally we ask for, and collect personal information about you to help us provide a service to you – for example:

- to help you apply for social housing via the VHR;
- to sign you up as a tenant in one of our properties;
- to manage your tenancy, for example to calculate your rent; and
- when you contact us, for example to ask for information, or report a tenancy issue (such as repairs needed on your home), or lodge a complaint with us.

In these situations, we ask you for details about yourself and any other members of your household so that we can provide you with a service that meets your household's needs. This information usually includes the following information about you and members of your household:

- identify (name, date of birth) and copies of identification documents;
- contact details (address, phone, email etc);
- your residency status;
- evidence of your household income and assets;
- information about your housing needs;
- demographic information (such as language spoken at home and country of birth);
- records of conversations and communication between you and our staff;
- personal information recorded in notes, recommendations and decisions made by our staff.

If you do not give us this information, this can limit our ability to:

- assist you to apply for social housing;
- make an offer of housing to you;
- provide you with an affordable rent; or
- act on your request or complaint.

We always try to only ask for and collect the personal information we need for the particular function or activity we are carrying out.

### [Collecting sensitive information and health information](#)

We generally only collect *sensitive information* (such as about racial or ethnic origin) and *health information* (such as about a person's disability or mental health condition) about you when we have your consent.

If we assist you to apply for priority housing under the VHR, then we will need to ask for and collect additional information about the urgency of your housing need and your support needs, such as any disability or mental health condition and your housing history.

You do not have to provide this sensitive information or health information to us, but if you do not tell us about your current circumstances or your health condition or disability, we may be unable to:

- assist you to make the right kind of application for social housing;
- offer you housing that suits your specific needs;
- provide services that are appropriate to your needs; or
- make the modifications to your home that you would like.

### [Indirect collection](#)

We try to only collect your personal information directly from you. However, there are some situations where we collect your personal information from other sources, for example:

- when you are a member of a household of a tenant or an applicant, in which case we can collect personal information about you from another member of the household;
- when you authorise us to ask for and collect personal information about you from another source, such as Centrelink (to enable us to calculate your rent) or your support worker (to help us match you with suitable housing or to help you sustain your tenancy with us); or
- if we are given personal information about you as part of a complaint brought by another person.

If you have applied for social housing under the VHR, then the VHR can also include your personal information that has been collected by other VHR agencies that you have dealt with.

### Anonymity

Where possible, we will allow you to interact with us anonymously or using a pseudonym, for instance if you complete feedback surveys.

However, for most of our functions and activities we usually need your name and contact information and enough information about the particular matter to enable us to properly handle your enquiry, request, complaint or application, or to act on your report.

## How we may use and disclose your information

We use your personal information to help us provide you with appropriate housing and services or relevant information about this housing and services, or to deal effectively with your request or complaint.

We also use personal information (including some sensitive information) to generate statistical data for reporting to government bodies and to plan for improvements to our services. We take care to ensure that our statistical data and reports cannot be used to identify you.

“Disclosing” personal information means giving your information to someone else or allowing someone else to have access to it. We take care to protect your personal information and we only disclose it when it is necessary and we have the right to do so.

We generally use or disclose your personal information only for the primary purpose it was collected. In some situations we disclose your personal information for a different (“secondary”) purpose. This section of the policy also sets out some common secondary purposes.

Common situations in which we disclose personal information include:

### 1. [Applications for social housing under the Victorian Housing Register \(VHR\)](#)

If you have a current VHR application for social housing or are making an application to the VHR, the Housing Act 1983 (Vic) allows us to use and disclose your (and your household’s) personal information to VHR agencies for certain purposes, including to:

- determine whether you are eligible for social housing;
- determine whether you are eligible for priority housing;
- determine whether to allocate a tenancy in social housing to you;
- determine your health, safety and support needs and housing requirements; and
- support you to access housing that is appropriate to your needs.

This information is a summary only. For more information about how personal information in the VHR is collected, used and disclosed, please see advice on the [DHHS website](#).

### 2. [Assessing your affordable rent](#)

We may disclose your personal information to Centrelink so that Centrelink can provide us with the information we need to calculate your rent and so that your rent can be paid through Centrepay. We will not do this without your consent.

### 3. [Sustaining your tenancy](#)

If you have authorised us to discuss your tenancy or personal information with your support worker, case manager, carer, guardian, legal representative, health professional or other nominated advocate, or to make a referral on your behalf to a support agency or health centre, we will only disclose to them the information that is necessary for us to complete the referral or to address your support issue.

### 4. [Arranging for repairs to your home](#)

If repairs to your home require a tradesperson to attend, we give the tradesperson your name and phone number so they can call you to make arrangements directly with you for gaining access to the property.

### 5. [Taking legal action](#)

If we take legal action against you (for example, under the Residential Tenancies Act), we will only disclose to the Tribunal or Court the personal information (including sensitive information) that is necessary for us to apply for a hearing or to present our case.

### 6. [Publishing your image or story](#)

We include selected tenant stories and images on our website, in our annual report, in promotional material, and in other published documents. We will ask for your written consent to use your image, story or other personal information in this way. If we are unable to obtain your consent, we will ensure that you cannot be identified from the image or information we publish.

### 7. [Handling your complaint](#)

It may be necessary to disclose your personal information to a government agency or other party if we are asked to respond to or investigate a complaint you lodge. We will not make any disclosure without your consent, but if you don't consent, we may be unable to process your complaint.

### 8. [Reporting to government](#)

In most situations we de-identify your personal information before we provide it to a government department or agency.

When you apply for social housing under the VHR, personal information you provided with your application may be used to provide statistical data to government departments to help us and them understand the kinds of people that need housing.

In some limited circumstances it may be necessary to disclose your personal information to a government agency to satisfy our regulatory or contractual requirements. We will not make such a disclosure unless this was explained to you as a condition of accepting our housing or unless we otherwise obtain your consent.

### 9. [Meeting our broader obligations](#)

We will disclose your personal information if we are required to by law (for example, by a court order). We can also disclose your personal information if this is necessary to lessen or prevent a serious threat

to someone's life, health or safety or to take action on suspected unlawful activity or serious misconduct. If it is necessary for us to use or disclose your personal information for such reasons, we will make a written note of this.

### Disclosure of personal information overseas

There would normally be no situation in which we would disclose your personal information to an overseas recipient. The only likely exception is where you have provided an overseas contact for your next of kin in case of emergency.

### Storage of your personal and sensitive information

We take steps to protect the security of the personal information we hold. Personal information in electronic form is stored on a secure computer server, and is only accessible by SAHV staff using our password-protected network. Most personal information is recorded in a customised software program that requires an additional password to access.

Tenant and applicant paper files are kept in lockable filing cabinets that can only be accessed by SAHV personnel who have a right to do so. Files are only removed from the cabinet when staff are currently working on them.

We destroy personal information in a secure manner when we no longer need it. We retain the personal information of previous SAHV tenants for longer than the legal minimum of seven years if there is a possibility that the person might apply for housing with us again.

If we assisted you to apply for social housing under the VHR, then the information that you provided to us (to prove your eligibility for social housing) is stored on the VHR's database, which is controlled by DHHS. Other VHR agencies can update this information at your request.

### Accessing and correcting your personal information

SAHV take all reasonable steps to ensure your personal information is current and accurate. You have the right to request access to this information and a right to correct factual errors and update details as required. If you would like to access or seek correction of your personal information, please talk to a Housing Worker or State Manager.

There are some situations where we have the right to reject your request, or to give access but not in the way or to the extent that you asked for – for example, if your request is frivolous or vexatious; or giving access would seriously threaten someone else's health or safety or have an unreasonable impact on their privacy; or there is a law that requires us not to.

We will ask you to prove your identity before we give you access to your information or correct it, and we will try to make the process as simple as possible. If we refuse to give you access to, or correct, your personal information, we must notify you in writing setting out the reasons.

If we make a correction and we have disclosed the incorrect information to others, you can ask us to tell them about the correction. We must do so unless there is a valid reason not to.

If we refuse to correct your personal information, you can ask us to add to it a statement that you believe the information is incorrect and why.

## How can you complain about a breach of privacy

If you want to complain to us about the way we have handled your personal information, you should in the first instance, make a complaint under our Complaints Resolution and Appeals Policy. Where an actual or potential breach of privacy has occurred the TSA National Privacy Officer will be informed and the matter assessed and dealt with.

You can also contact the TSA National Privacy Officer directly as follows:

Privacy Officer

The Salvation Army

PO Box 479 BLACKBURN VIC 3130

Email: [privacy@aus.salvationarmy.org](mailto:privacy@aus.salvationarmy.org)

Telephone: 1800 961 088 between 9.00am & 4.30pm Monday - Friday

If you remain unsatisfied with our response, you can refer your complaint to the Commonwealth or Victorian government agency responsible for privacy law:

### [Office of the Australian Information Commissioner](#)

**Phone:** 1300 363 992

**Email:** [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

**Fax:** +61 2 9284 9666

**Post:** GPO Box 5218, Sydney NSW 2001

### [Commissioner for Privacy and Data Protection](#)

**Phone:** 1300 666 444

**Email:** [privacy@cpdp.vic.gov.au](mailto:privacy@cpdp.vic.gov.au)

**Post:** PO Box 24014, Melbourne VIC 3001

## How do we comply with the Notifiable Data Breaches Scheme

We will notify you in the event your personal information is involved in a data breach that is likely to result in serious harm. This notification will include recommendations about the steps you should take in response to the breach. We will also notify The Australian Information Commissioner of eligible data breaches. Each suspected data breach reported to us will be assessed to determine whether it is likely to result in serious harm, and as a result require notification.

## DEFINITIONS

**Personal information:** Information (hardcopy or electronic) or an opinion about an identified individual or an individual who is reasonable identifiable:

- Whether the information or opinion is true or not; and
- Whether the information or opinion is recorded in material form or not.

Personal information includes details such as name, address, contact details, gender and date of birth.

Personal Information does not include de-identified information or aggregated information (ie reflecting trends without identifying the sample).

**Sensitive information:** Information or opinion about, eg a persons political opinion, religious beliefs, criminal record and includes health information.

**Data Breach:** A data breach occurs when personal information held by SAH/V is lost or subjected to unauthorised access, modification, disclosure, or other misuse or interference.

**Consent:** includes express consent (given explicitly, either orally or in writing) and implicit consent (where in the circumstances it can reasonably be inferred). It requires four key elements:

- the individual is adequately informed before giving consent
- the individual gives consent voluntarily
- the consent is current and specific, and
- the individual has the capacity to understand and communicate their consent.

**DHHS:** The Victorian Department of Health and Human Services

**VHR:** The Victorian Housing Register, the statewide common application for people seeking social housing, which can be accessed via SAHV, DHHS, the mygov portal or designated support provider.

**VHR Agency:** Means:

- a registered housing agency under the Housing Act 1983 (Vic);
- DHHS; and
- a designated service provider (as defined in the Housing Act 1983)

## LEGISLATION AND STANDARDS

This policy implements SAHV obligations under:

- Privacy Act 1988 (Cwlth)
- Privacy and Data Protection Act 2014 (Vic)
- Health Records Act 2001 (Vic)
- Housing Act 1983 (Vic) Part VIIIA – Social Housing
- Performance Standards for Registered Housing Agencies
- DHHS Victorian Housing Register Operational Guidelines