

Tharawal Housing Aboriginal Corporation

Privacy and Information Policy

Content:	Privacy and Information Policy
Version:	2
Applies to:	Tharawal Housing Aboriginal Corporation
Date:	Endorsed by board 05/08/2025
Last Review Date:	05/08/2025
Next Review Date:	05/08/2028

Scope:

This policy applies to all tenants, applicants and staff of Tharawal Housing Aboriginal Corporation. It outlines how Tharawal Housing Aboriginal Corporation collects and shares personal and sensitive information.

Guiding Principles

Tharawal Housing Aboriginal Corporation adheres to all legislation requirements when collecting and utilising personal and sensitive information. All staff are bound by the following:

- *Privacy and Personal Information Act 1988*
- *Health Records and Privacy Information Act 2002 (NSW)*
- *Child Protection Act 1998*
- *Housing Act 2001*
- *Code of Conduct (Tharawal Aboriginal Housing)*
- *Conflict of Interest (Tharawal Aboriginal Housing)*

The privacy and confidentiality of tenants, applicants and staff is paramount. Tharawal Housing Aboriginal Corporation will not breach a person's right to privacy, except in circumstances where there may be a risk to a child, person or when required by law.

Definitions:

Identification Information:

Identification information, as stated in the Privacy Act 1998, is about an individual document that includes:

- The individual's full name
- An alias or previous name of the individual
- The individual's date of birth
- The individual's sex
- The individual's current or last known address
- The name of the individual's current or last known employer

Personal Information

Personal information, as stated in the Privacy Act 1998, means information or an opinion about an identified individual, or an individual who is reasonably identifiable:

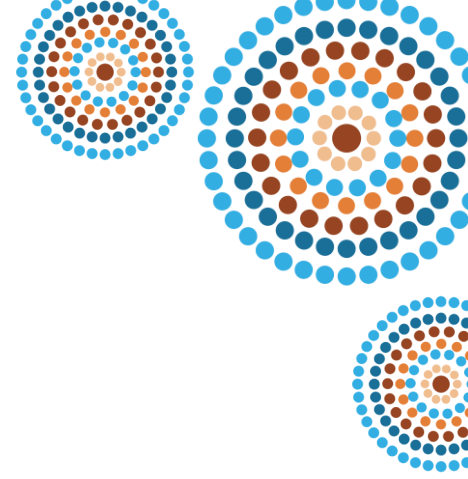
- Whether the information or opinion is true or note; and

Compliance

Privacy and Personal Information Protection Act 1998
Housing Act 2001
Residential Tenancies Act 2010
Anti-Discrimination Act 1997 NSW
Health Records and Information Privacy Act 2002 NSW
Notifiable Data Breaches Act 2017

References

Code of Conduct
Tenant and Community Engagement Policy
Child and Young Persona Policy



- Whether the information or opinion is recorded in a material form or not.

Sensitive Information

Sensitive information, as stated in the Privacy Act 1998, is:

- Information or an opinion about an individual's
 - Racial or ethnic origin
 - Political opinions
 - Membership of political association
 - Religious beliefs or affiliations
 - Philosophical beliefs
 - Membership of professional or trade associations
 - Membership of a trade union
 - Sexual orientation or practices
 - Criminal record
- Health information about an individual
- Genetic information about an individual that is not otherwise health information

Records:

A document that contains information about a person either in hard copy or in electronic form.

How Information is collected:

Tharawal Housing Aboriginal Corporation collects personal and sensitive information about tenants and applicants in many ways, such as:

- Completing of forms:
 - Application for Housing
 - Transfer Application
 - Medical Assessment
 - Rent Subsidy
 - Income details
- Speaking with tenants and applicants
- Speaking with support services
- Conducting interviews
- Home visits
- Emails
- Surveys

Personal and sensitive information is generally collected from the individual, however there are situations and circumstance where information may be collected from third parties or agencies. When information has been collected from a third party or agency the person who reported the information has the right to remain anonymous. The only time Tharawal Housing Aboriginal Corporation will disclose a person's identity is in a situation where it is impracticable or unlawful to not comply. The individual will be advised accordingly.

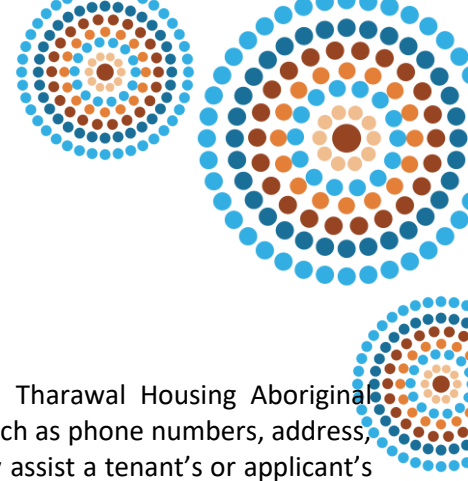
Tharawal Housing Aboriginal Corporation, where practical, confirms personal and/or sensitive information with the tenant or applicant for accuracy.

Compliance

Privacy and Personal Information Protection Act 1998
Housing Act 2001
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Anti-Discrimination Act 1997 NSW
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Tenants and applicants are expected to keep personal information up to date. Tharawal Housing Aboriginal Corporation staff will contact tenants and applicants to confirm information on file such as phone numbers, address, email, income, assets, next kin and any other relevant personal information that may assist a tenant's or applicant's application, or housing situation.

How information is used:

Information collected by Tharawal Housing Aboriginal Corporation is used for the purpose in which it is collected. Tharawal Housing Aboriginal Corporation keeps all person/s information private and confidential, and respects the rights of all person/s privacy and confidentiality.

Tharawal Housing Aboriginal Corporation staff will ensure that tenant's and applicant's information is used in the best interest of the person/s.

Sharing of Information:

Tharawal Housing Aboriginal Corporation will not disclose personal or sensitive information unless:

- It is required to by law
- Consent has been given by the tenant or applicant
- Not disclosing the information may cause risk or significant harm to a person
- Required for the purpose of tribunal or court proceedings
- Assist in police or other enforcement bodies for the prevention, detection, investigation and prosecution or punishment of criminal offences and intelligent gathering activities
- By not disclosing the information, the life or safety of someone is at risk or harm

Tharawal Aboriginal Housing is not obligated to inform tenants or applicants when information is disclosed unless required to by law.

Consent to share information:

It is the right of an individual to grant permission for personal and/or sensitive information to be released to a third party on their behalf. Tharawal Housing Aboriginal Corporation will only release information or speak with a third party on the provision written consent has been granted by the tenant or applicant.

Consent to release information can be granted to a family member, support worker, advocate or an organisation. Tenants and applicants have the right to revoke consent at any time.

Tharawal Housing Aboriginal Corporation staff will not discuss a tenant's or applicant's situation or circumstance with a family member even if the family member has the person's best interest at heart.

Accessing Personal Information:

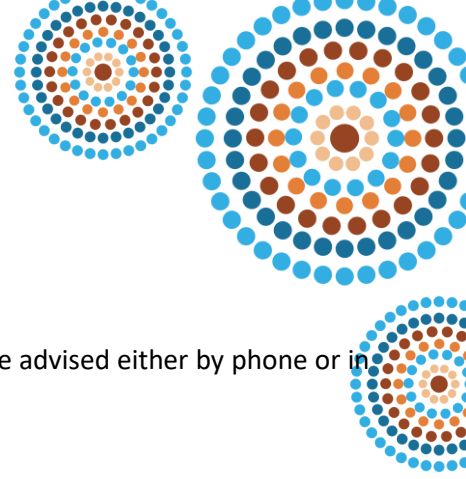
All person/s have a right to access their information held on file in accordance with the Freedom of Information Act 1989 (NSW). An application must be lodged in writing requesting access to your file and a service fee will be payable. All information relating to a third party will be blacked out of the document to protect the privacy of the third party. Private and confidential documents will not be released unless required by law.

Compliance

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Applications are processed within 60 days from receipt. The tenant or applicant will be advised either by phone or in writing once their documents are ready for collection.

Storage of Records:

Tharawal Housing Aboriginal Corporation will ensure all information collected is protected and secure as possible from loss, unauthorised access, interference, use, modification, disclosure and misuse. As required by law, Tharawal Housing Aboriginal Corporation will comply with the requirements of the *Notifiable Data Breaches (Scheme) Act 2017*, where information we hold is part of an eligible data breach.

When information held about an individual is no longer needed or required by Australian Law, court or tribunal, Tharawal Aboriginal Housing will take all reasonable steps to ensure the information is destroyed or de-identified.

Compliance

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