

PRIVACY OF PERSONAL INFORMATION AND DATA

Open and transparent management of personal information

Autism Spectrum Australia (Aspect) respects every person's right to privacy, dignity and confidentiality, and operates in accordance with the [Australian Privacy Principles](#) under the Commonwealth Privacy Act (1988). This Privacy Policy provides information about how Aspect collects and handles information, and how Aspect's stakeholders can enquire or provide feedback regarding how personal information is being used.

Note: For schools, the [Privacy Compliance Manual](#) provides further assistance and guidance to comply with the Privacy Principle requirements in a school setting.

Anonymity and pseudonymity

Whenever it is lawful and possible, supporters and donors have the option of being anonymous or using a pseudonym when dealing with Aspect.

If you are receiving a service from us, you cannot be anonymous or use a pseudonym. This is because we need your personal information to provide you the service.

Collection of solicited personal information

Aspect collects personal information that is necessary for our work and helps us to engage with each stakeholder. If you do not wish to provide some or all of the personal information requested, Aspect may not be able to do what was intended by collecting your personal information. For example, we may not be able to manage or provide you with supports/services, correctly receipt your donation, progress your employment application, or respond to your queries.

Where reasonable and practical, Aspect will collect your personal information directly from you. However, Aspect will also collect information about you from third parties, including but not limited to; other individuals and companies, health professionals, social and community workers and the government, with your consent or as legally required.

If you provide personal information to us about someone else, you must ensure that you are entitled to disclose that information to us, as Aspect may collect, use and disclose that information, as outlined in this policy.

In performing our functions, Aspect may collect and hold the following kinds of personal and sensitive information:

- identity and contact details for individuals (e.g. name, phone, email and postal address);
- photographs, video recordings and audio recordings of individuals;

- information relating to personal circumstances (e.g. age, gender, community of origin, cultural and linguistic background, disabilities and other family circumstances including spouses, carers and dependents);
- information relating to financial affairs (e.g. payment details, bank account details);
- other information relating to identity (e.g. date of birth, drivers licence);
- information about employment (e.g. employment status and work history, education status, referee comments, salary); and
- government identifiers (e.g. tax file number and Centrelink information).

Dealing with unsolicited personal information

If Aspect receives personal information about an individual that was not requested and the information was not obtained by the means set out above; Aspect will destroy or de-identify the information (i.e. any information that could reasonably identify an individual will be removed) as soon as practicable. This will apply except where the information is required by law, or a court/tribunal order to retain the information has been issued.

Notification of the collection of personal information

Aspect collects personal information from you by various methods including (but not limited to) the following:

- through your interactions with our representatives;
- when you access and use our website;
- when you contact us by telephone, letter or email;

(Note: when contacting us by phone, we may record your call for quality and training purposes. If we do, you will be advised that the call may be recorded. Anyone not wanting the call recorded is advised to tell the customer representative, who will stop the recording by contracting with us or completing in-take forms).

- when you make payments via our payment gateway;
- when you make purchases from our online store;
- by completing surveys, signing up for newsletters or providing feedback or complaints to us;
- when you agree to support us through donations or by other means;
- Internet protocol (IP) address or domain when using our website;

(Note: this information is only used for internet traffic monitoring or to run the website. No personal information is collected).

- if you use social media to interact with us, any information that you allow the social media site to share with us.



(Note: We use social networking services such as Facebook, Twitter, Youtube and LinkedIn to communicate with the public. When you communicate with us using these services, Aspect may collect your personal information to communicate with you and the public. The social networking service will also handle your personal information for its own purposes. These sites have their own privacy policies and data storage, which may include cookies. Your use of these services is governed by the individual conditions of each site).

Use or disclosure of personal information

Aspect uses the personal information provided in a variety of ways. Uses of the information may include, but are not limited to:

- communications;
- service delivery and procurement;
- fundraising and marketing activities;
- the administration of Aspect's business operations;
- research;
- government funding requirements and legal obligations;
- employment processes;
- membership processes;
- partnerships;
- fees and transactions;
- website management;
- updating our records and keeping your contact details up to date;
- processing and responding to any feedback or complaint made by you; and
- complying with any legal requirements.

Aspect may collect personal information to conduct research in relation to autism. Personal information that Aspect collect for research purposes is only accessible by the research team and is not used for other purposes unless you consent to those other purposes. Where we collect personal information for a research project involving a collaborator, we will ensure that the collaborator treats your personal information the same way in which we treat it.

Disclosure of information and data relating to the people we support

At the commencement of a service or a support with Aspect, we will ask for consent to release information to the relevant funding bodies, government or partnering organisations, as detailed in the relevant Aspect procedure.

In the course of providing our services, we may disclose your personal information to:



- companies and contractors retained to provide services for us, such as IT developers, lawyers, consultants and auditors, who will need to have access to your personal information to provide those services; and
- other individuals or companies consented to by you.

This consent will be updated whenever the intended use of the information needs to change. Consent to disclose information can be changed or revoked at any time by notifying Aspect in writing.

Aspect may disclose de-identified data to meet regulatory obligations or for other purposes (for example statutory reporting, research or quality assurance).

On occasion, Aspect may be required or authorised by law to disclose your personal information. For example:

- the service user has a notifiable disease or there is some statutory notification requirement (for example, notification of a case of child abuse);
- a court or other agency authorised by statute has issued a subpoena for specific information; or
- Aspect is seeking information or has been requested to provide information under State or National legislation.

Disclosure of supporter information and data related to Aspect Fundraising

Personal information is sometimes supplied to, or collected by, contractors who perform tasks on our behalf, and is de-identified where possible, for the purposes of fundraising. These contractors may include research agencies, telemarketing agencies, social media platforms, printers and mailing houses that send our letters.

Direct marketing

Aspect keeps the personal information we collect through service delivery separate from our supporter database. We identify our donors and supporters through fundraising and direct marketing, and do not directly market to the people we support unless they have elected to be on our supporter database.

Donors' and supporters' personal information, in addition to the other methods outlined in this policy, may also be collected from a publicly maintained record or purchased through lists from organisations offering such lists for marketing purposes.

From time to time Aspect may use the personal information of donors and supporters to provide you with current information about our current services, special offers you may find of interest, changes to our organisation, or new services being offered by us or any company with which we are associated. Aspect may also use your personal information as part of our fundraising initiatives. By providing Aspect with your personal information, you consent to us using your information to contact you on an ongoing basis for these purposes, including by mail, email, SMS, social media and telephone.



If you do not wish to receive marketing information or be contacted by us for fundraising purposes, you may decline at any time to receive such information by contacting Aspect Fundraising using the contact details below. You can choose to opt-out of receiving some, or all, of our direct marketing material. For example, by contacting us you may opt-out of receiving our regular newsletters, but may still consent to receiving calls from us during our fundraising drives.

From time to time we may share your information with other charities or like-minded organisations. If you do not wish this to occur, you can opt out at any time by contacting us on 1800 288 476, or by email at fundraising@autismspectrum.org.au.

We will not charge you for giving effect to your request and will take all reasonable steps to meet your request at the earliest possible opportunity.

Cross border disclosure of personal information

We engage third party data storage and cloud-based application providers that may transfer personal information outside Australia to countries whose privacy laws may not provide the same level of protection as Australia's privacy laws. When engaging third party offshore data storage or cloud-based application providers, Aspect will take reasonable steps through our contract and agreement arrangements to try and make sure they are compliant with Australian Privacy Principles and the Australian Privacy Act. By providing Aspect with your personal information, you give consent to us disclosing your information to entities located outside Australia and, when permitted by law, to do so.

Adoption, use or disclosure of government related identifiers

We may collect Commonwealth Identifiers from you, as required by legislation. We do not use or disclose this information unless we need to by law, or if you have consented to disclose this information to a third party.

Quality of personal information

We take reasonable steps to ensure that the quality of the information we hold about you is accurate, up-to-date, complete and relevant. You should contact us if you think your personal information is wrong.

Security of personal information

Aspect takes all reasonable steps to protect all of the personal information Aspect and third-party service providers store from misuse, interference and loss, and from unauthorised access, modification or disclosure.

Aspect may store your data in:

- electronic information management systems;
- web or cloud-based platforms;
- internal server storage;



- hard-copy files in locked cabinets;

(Note: Hard copy information is stored in our offices, which are secured to prevent entry by unauthorised people. It may be stored for a time with a third party for specific purposes, for example, at a mailing house or external server data storage used by Aspect approved software systems)

- contracted third party database storage or cloud hosting services in Australia or overseas.

(Note: Where personal information is stored with a third party, Aspect has arrangements which require those third parties to maintain the security of the information. We take reasonable steps to protect the privacy and security of that information, however Aspect accepts no liability for any unauthorised access or use of that information).

Deletion or removal of Personal Information

Personal information is stored for the required timeframes in accordance with the applicable legislative requirements, and when the information is no longer needed for any purpose for which the information may be used or disclosed, it will be destroyed or permanently de-identified.

For electronically stored information, we store data until it is no longer necessary to provide our services, or until your account is deleted – whichever comes first. This is a case-by-case determination that depends on factors such as the nature of the data, why it is collected and processed, and relevant legal or operational retention needs.

For hard-copy records, any personal information not actively being used is archived, usually for 7 years, with a third-party provider of secure archiving services, before being securely destroyed.

Requesting deletion of data

If you would like to request your data be deleted, please email fundraising@autismspectrum.org.au, citing your name and email address.

Managing actual or potential privacy breaches

Aspect regularly reviews its data security systems and those of any engaged third-party providers, to ensure that all data is kept secure and confidential according to the Australian Privacy Principles.

In the unlikely event of a breach of Aspect's data security, Aspect will work promptly to reduce the risk of exposure to your information and inform the relevant stakeholders who provided the information as to the potential or actual breach. Aspect reports privacy and data breaches to the relevant regulatory bodies, including the [Office of the Australian Information Commissioner](#) for Notifiable Data Breaches, as required by the type of service and location the service is provided.



Access to personal information

Aspect will take reasonable steps to verify your identity before granting access or making any corrections to your information.

You may also authorise another person to access your information on your behalf if, for whatever reason, you are unable to access it yourself. This authority must be in writing and a copy must be provided to us. The authority must name the person whom you authorise to access your information.

Correction of personal information

Aspect assumes that personal information provided is accurate, complete and up-to-date. It is the responsibility of individuals to provide Aspect with details of any changes to their personal information as soon as reasonably practicable, following such change.

Aspect will take reasonable steps, such as making appropriate deletions, additions and corrections, to ensure that personal information held is accurate, relevant, complete, up to date and not misleading.

Any request to access or correct information is to be made to the Privacy Officer in writing at:

Aspect Privacy Officer

Level 5, Tower B, The Zenith, 821 Pacific Highway
Chatswood NSW 2067

We aim to respond to requests within a reasonable period, usually within 30 days after we receive the request. Occasionally it may take us longer if your request is particularly complex or you have made several requests. We will inform you and provide updates if we cannot respond in 30 days.

If any National or State legislations prevent us providing access to, or amending your records, you will be given an explanation and told of the processes available to you.

Privacy Complaints

If you have a query or complaint about how we manage your personal information, or if you would like to know more, please contact the manager/school principal of the service, school or support. Alternatively, you can contact at any time:

- Aspect Customer Service:
1800 277 328 or email customerservice@autismspectrum.org.au.
- Aspect Fundraising:
1800 288 476 or email fundraising@autismspectrum.org.au for fundraising related matters.



Any feedback or complaints provided to Aspect will be managed through the feedback and complaints management processes, which are outlined on the [Feedback and Complaints page](#) on Aspect's website.

If we fail to respond to your complaint within a reasonable time, or if you are dissatisfied with the response that you receive from us, you are entitled to make a complaint to the Office of the Australian Information Commissioner at: Privacy complaints - Home (oaic.gov.au).

External framework

The Privacy of Personal Information and Data policy illustrates Aspect's adherence to the:

- NDIS Practice Standards (2018) and NDIS Code of Conduct, specifically within the NDIS Practice Standards and Quality Indicators:
 - Core Module: 1. Rights and Responsibilities, under the relevant Outcomes.
 - Core Module: 2. Provider Governance and Operational Management, under the relevant Outcomes.
 - Core Module: 3. Provision of Supports, under the relevant Outcomes.
 - Core Module: 4. Support Provision Environment, under the relevant Outcomes.
 - Supplementary Module: 2. Specialist Behaviour Support Module, under the relevant Outcomes.
 - Supplementary Module: 2a. Implementing Behaviour Support Plans, under all Outcomes.
 - Supplementary Module: 3. Early Childhood Supports, under the relevant Outcomes.
 - Supplementary Module: 4. Specialist Support Coordination, under the relevant Outcomes.
- Disability Standards for Education (2005), specifically:
 - Part 8: Standards for Harassment and Victimisation.
- NESA Registered and Accredited Individual Non-Government Schools (NSW Manual), specifically:
 - 3. Requirements for Registered Non-Government Schools, under requirements for Safe and Supportive Environments.
- Standards for Registration and Review of Registration of Schools in South Australia, specifically the relevant quality related criteria for:
 - Standard 1 School Governance.
 - Standard 3 Student Safety, Health and Welfare.



Australian Human Rights Commission's National Principles for Child Safe Organisations, specifically:

- o 1. Child safety and wellbeing is embedded in organisational leadership, governance and culture;
- o 2. Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.
- o 3. Families and communities are informed and involved in promoting child safety and wellbeing.
- o 6. Processes to respond to complaints and concerns are child focused.
- o 7. Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
- o 8. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
- o 9. Implementation of the national child safe principles is regularly reviewed and improved.
- o 10. Policies and procedures document how the organisation is safe for children and young people.

Critical Definitions

Aspect Stakeholders – are organisations and individuals with whom Aspect regularly interacts, namely:

- people on the autism spectrum;
- families and carers of people on the autism spectrum;
- governments;
- donors and supporters;
- strategic alliance partners; and
- Aspect staff

Data – refers to personal information, including sensitive information that is collected, stored, used or disclosed digitally.

Personal Information – is any information or an opinion about an identified or reasonably identified person, regardless if the information is true or is stored in a material form. This can be identifying information (for example, name, contact details) and may include sensitive information, which is given additional protection in the Privacy Act (for example, information regarding a person's health, political, philosophical or religious beliefs and affiliations, sexual orientation and practices, criminal record).



Privacy – protection from unwanted actions or unauthorised disclosure or use of personal information (including sensitive information) that is collected, stored, used or disclosed in any hardcopy, digital or immaterial form.

Legislation and Guidelines

National

Australian Education Act 2013 (Cth)
Australian Education Amendment Bill 2017 (Cth)
Disability Standards for Education 2005 (Cth)
Freedom of Information Act 1982 (Cth)
National Disability Insurance Scheme Act 2013 (Cth)
National Disability Insurance Scheme Amendment (Quality and Safeguards Commission and other measures) Bill 2017 (Cth)
Privacy Act 1988 (Cth)
Privacy Amendment (Enhancing privacy protection) Act 2012 (Cth)
Privacy Amendment (Notifiable data breaches) Act 2017 (Cth)
Privacy Amendment (Private Sector) Act 2000 (Cth)
Spam Act 2003 (Cth)
Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019 (Cth)

New South Wales

Children and Young Persons (Care and Protection) Act 1998 (NSW)
Children's Guardian Act 2019 (NSW)
Community Services (Complaints, Reviews and Monitoring) Act 1993 (NSW)
Education Act 1990 (NSW)
Health Records and Information Privacy Act 2002 (NSW)
Health Services Act 1997 (NSW)
Privacy and Personal Information Protection Act 1998 (NSW)

Victoria

Children Youth and Families Act 2005 (Vic)
Freedom of Information Act 1982 (Vic)
Health Records Act 2001 (Vic)
Health Services Act 1988 (Vic)
Privacy and Data Protection Act 2014 (Vic)

South Australia

Children's services Act 1985 (SA)
Education Act 1972 (SA)
Freedom of Information Act 1991 (SA)
Health Care Act 2008 (SA)
Ombudsman SA Information Sharing guidelines for promoting safety and wellbeing (ISG) SA
State Records Act 1997 (SA)



Australian Capital Territory

Children and Young People Act 2008 (ACT)
Freedom of Information Act 1989 (ACT)
Health Records (Privacy and Access) Act 1997 (ACT)
Legislation/Standards

Queensland

Child Protection Act 1999 (Qld)
Information Privacy Act 2009 (Qld)
Right to Information Act 2009 (Qld)

Northern Territory

Care and Protection of Children Act 2007 (NT)
Information Act 2002 (NT)

Tasmania

Children, Young Persons and their families Act 1997 (Tas)
Personal Information Protection Act 2004 (Tas)
Right to Information Act 2009 (Tas)

Western Australia

Freedom of Information Act 1992 (WA)

