

PRIVACY POLICY

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Purpose

This policy outlines Wintringham's approach to the ethical and secure management of personal and sensitive information. It sets out the principles and practices for collecting, using, disclosing, storing, accessing, correcting, and destroying information.

By embedding privacy and security into organisational systems and processes, the policy upholds the rights, dignity, and wellbeing of individuals, especially those who may be vulnerable. It promotes transparency, accountability, and consistency in information management across all functions and services.

Policy Statement

Wintringham recognises the critical importance of managing personal, sensitive and confidential information ethically and securely. This policy outlines the standards and responsibilities that guide how information is protected across all areas of our operations, with a focus on consistency, accountability, and respect for individual rights

Background and Context

Wintringham operates in a complex regulatory environment that requires the management of personal and sensitive information across a broad range of services and operational areas. This policy is shaped by Commonwealth and state legislation, including the Privacy Act 1988 (Cth), the Australian Privacy Principles, the Aged Care Act 2024, and relevant state-based frameworks such as the Health Records Act 2001 (Vic) and the Personal Information Protection Act 2004 (Tas). These laws and standards define the obligations for collecting, using, storing, and disclosing information within the organisation.

Commitment

Wintringham is committed to:

- Handling personal and sensitive information confidentially and securely, with access limited to roles where it is appropriate
- Protecting the privacy, dignity, and rights of individuals, especially those who may be vulnerable
- Embedding privacy and security principles into systems, processes, and service delivery
- Providing clear and accessible information to service users and personnel
- Supporting staff through training, guidance, and leadership
- Meeting obligations under applicable privacy, health, and social services laws and standards

Scope

This policy applies to all individuals and entities who access, manage, or are the subject of personal or sensitive information within Wintringham and Wintringham Housing. This includes service users, employees, directors, contractors, consultants, volunteers, temporary staff, donors, partners, vendors, and third parties..

Definitions

Confidential Information	Sensitive business or client data that may not fall under the Privacy Act but is commercially sensitive or protected under contract.
Health Information	Any personal information about a person's health or disability. It includes information or opinion about illness, injury or disability.

Personal Information	Any information or an opinion, which about a person whose identity is apparent, or can reasonably be ascertained.
Sensitive Information	Sensitive information is a category of personal information that is afforded a higher level of protection under the Privacy Act 1988 (Cth) due to its potential impact on an individual's privacy and wellbeing. It includes, but is not limited to: • Health and medical information and imaging • Racial or ethnic origin • Religious or philosophical beliefs • Political opinions or affiliations • Sexual orientation or gender identity • Criminal history • Genetic or biometric data (e.g., fingerprints, facial recognition). Includes any information about a person's experiences or circumstances that is of a private nature and can be relevant to the service being provided to that person. • Any other information about a person's experiences or circumstances that is of a private nature and relevant to the service being provided.
Service user	Includes residents, participants, individuals, clients, consumers, care recipients, renters and tenants.
Third Party	Any individual or organisation external to Wintringham and Wintringham Housing, including contractors, vendors, service providers, government agencies, and other entities who may access, receive, or process personal or sensitive information as part of their engagement with the organisation.
Wintringham Personnel	Includes permanent and casual employees, persons seeking employment, independent contractors, temporary agency workers, students and volunteers.

Responsibilities

Wintringham Personnel	• Follow this policy and related procedures when handling personal or sensitive information • Complete required training on privacy, data protection, and cybersecurity • Sign confidentiality and information handling agreements • Report any concerns, suspected breaches, or misuse of information • Support service users in understanding and exercising their privacy rights, including access, correction and complaint pathways.
Managers	• Promote privacy practices that align with this policy • Support staff in applying this policy • Escalate privacy concerns or breaches to the Privacy Officer

	Support staff development in trauma-informed and culturally safe information handling practices.
Privacy Officer	- Respond to privacy-related requests, concerns, and breaches - Coordinate responses to information sharing requests - Maintain oversight of privacy practices and reporting
Executive Management Team (EMT)	- Provide leadership, systems, and resources to support privacy and information handling practices - Monitor organisational compliance with privacy obligations

Procedure

1. Collection of Personal Information

- 1.1 Wintringham will only collect and store personal information that is reasonably necessary to perform one or more functions or activities.

For example, information will be collected about service users in order to plan and provide information and services, which are relevant and appropriate to the service user and their needs.

- 1.2 Wintringham will collect personal information about Wintringham personnel in order to maintain records of personnel and to recruit new personnel.

1.3 What Information Do We Collect?

1.3.1 **Service Users:**

- Personal information on or about people who access our services. Personal information is collected directly from individuals wherever possible.
- Sensitive and health information when necessary for providing services, or is a requirement of government funding, or during activities such as outreach service delivery.
- Additional information necessary for service provision, or to assess eligibility for entry to, or support from, specific programs or services.

1.3.2 **Wintringham Personnel:**

- Personal information of people who seek to be, are, or have been employed with Wintringham, which includes information about recruitment and selection, employment, terms and conditions of employment, performance, discipline and resignation.
- Personal information of people who seek to be, are, or have worked with Wintringham as volunteers, which may include information about recruitment and selection, work arrangements, performance, discipline and resignation.
- Personal information of people who are students on placement, in order to meet the requirements of the formal agreement with the student's

educational institution, as well as Wintringham's standard employee information.

1.3.3 Donors, Partners and other Stakeholders:

Personal information for the purposes of processing donations, fundraising, keeping supporters and donors informed of our work, raising awareness, thanking and acknowledging our donors and supporters, conducting research into supporter attitudes and desires, and internal reporting purposes.

1.4 How Do We Collect Information?

We may collect information you provide in writing or that is documented from verbal communication, either directly or indirectly, if it is included in something you give us. For example, Wintringham may collect your information:

- when you discuss your situation with a Wintringham staff member over the phone or in face-to-face meetings; and/or
- when you provide written information or documents to a Wintringham staff member by email, in hard copy, or by any other means.

You may choose not to provide some or all of the information Wintringham requests from you, however this may mean that we cannot provide you with the care and services you require, or that are most appropriate for you.

We will do our best to collect personal information from you directly. Unless it is unreasonable or impracticable for us to do so, we will seek your consent before collecting any personal information from a third party.

Third parties from whom we may collect your personal information from can include:

- any person or organisation that assesses health status or care requirements
- your health practitioner or other health providers or facilities;
- your family members or other significant persons; or
- your legal advisor or any other authorised representative; or agencies that conduct background checks and/or assess suitability for employment with vulnerable people, including the NDIS Workers Screening agencies (which vary by state).

Information is collected in a respectful, trauma-informed, and culturally appropriate manner.

1.5 Accurate Information and Records

It is important that the information Wintringham holds about its service users and personnel is up to date. If there are changes to your residential address, next of kin, support needs or financial details, please advise the appropriate Wintringham staff member.

1.6 Unsolicited Information

If we receive personal information that we did not request and we could not have obtained by lawful means, Wintringham will destroy or de-identify the information as soon as practicable and in accordance with the law.

1.7 Use of Pseudonyms

Service users and Wintringham personnel may not use a pseudonym (false name) or remain anonymous in their dealings with Wintringham, as we need to maintain records of our dealings with you. However, you may choose to remain anonymous in circumstances, such as completing consumer or staff satisfaction surveys.

2. Consent

- 2.1 Wintringham personnel must obtain a service users informed consent before collecting any personal information about that person, including photography or videography. For service users who do not have capacity to consent, consent should be obtained from their legal decision maker. Consent to collect personal information must be obtained and recorded in writing in the [Consent to Obtain and Exchange Information Form](#) (L_M Fm 3.16a).

Service users should identify any parties they do not wish their personal information to be disclosed to or requested from / provided by.

If it is not practical to obtain service user written consent, a record of the service user's verbal consent must be documented, including a record of the nature of the consent given and to whom.

Informed consent must be obtained before collecting or disclosing sensitive information, unless legally exempt (e.g. under the Family Violence Information Sharing Scheme).

Refer to [Client Consent Policy](#) (L_M 3.16)

- 2.2 As a prescribed Information Sharing Entity (ISE), Wintringham is mandated to share and provide information under the Child Information Sharing Scheme (CISS) and Family Violence Information Sharing Scheme (FVISS).

In the context of family violence information sharing, Wintringham is not required to obtain consent from a perpetrator or alleged perpetrator before collecting sensitive information about them (such as criminal record information).

Wintringham is also not required to gain consent from any person before collecting sensitive information about them in relation to a child victim survivor.

3. Right to Privacy and Dignity

- 3.1 Wintringham acknowledges that all service users and Wintringham personnel have the right to keep any information about themselves confidential.
- 3.2 Service users and personnel should be discrete with their comments at all times, protecting and respecting the privacy, dignity, and confidentiality of others.
- 3.3 Service users have the right to perform private activities in private.
- 3.4 Care and support services will be delivered in a manner that is respectful, dignified, and private.

4. Use and Disclosure of Information

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- 4.1 Wintringham will only use personal information for the purposes for which it is given to us, or for the purposes, which are related to one or more of our functions or activities.

For example, we will use your personal information to provide you with information and services, which are relevant and appropriate to your needs. This may involve the sharing of information between Wintringham personnel, and between Wintringham programs, to support you in the best way that we can.

Disclosure is permitted:

- With consent
- When required by law or court order
- To prevent serious threats to life, health, or safety
- To comply with regulatory obligations (e.g. Aged Care Quality and Safety Commission)

To perform our functions and activities, we may also disclose your personal information to external agencies such as:

- Doctors, hospitals and health care professionals (including allied health) assisting with your care and to coordinate the care provided to you.
- Your next of kin, legal guardian, power of attorney or other legal decision-maker, if you lose capacity to make your own decisions.
- Regulatory authorities to whom Wintringham is responsible. For example, the Aged Care Quality and Safety Commission, NDIS Quality and Safeguards Commission, WorkSafe Victoria, WorkSafe Tasmania, Social Services Regulator.
- Where applicable, personal information may also be disclosed to a Registered Supporter for service users receiving aged care services, with the service users consent.
- Other professional advisors, including accountants, auditors and lawyers.

Except for the cases as noted above, Wintringham will not use or disclose your personal information unless one of the following applies:

- You (or you authorised representative) have consented to the use or disclosure.
- It is otherwise required or authorised by law, including under the Australian Privacy Principles, the Victorian Health Privacy Principles or the Tasmanian Information Privacy Principles (as applicable).

Wintringham may disclose data to third parties for the purposes of complying with its obligations under any government funding contracts. Usually this involves reporting information, which is de-identified.

- 4.2 As part of Wintringham's obligations under funding agreements and regulatory requirements, it may be required to disclose personal information of employees and clients to third parties, including but not limited to:
- The Aged Care Quality and Safety Commission
 - The National Disability Insurance Scheme (NDIS) Commission
 - The Social Services Regulator
 - Other relevant regulatory or accreditation bodies

Such disclosures may occur during accreditation processes, investigations, or as required by law. Wintringham is committed to ensuring that any personal information shared is handled in accordance with applicable privacy laws and regulations, and

that reasonable steps are taken to protect the confidentiality and security of the information disclosed.

Employees and clients will be notified, where possible, of such disclosures and the circumstances under which they occur. However, where such a disclosure will impact on fulfilling Wintringham's legal requirements and/or compromise the integrity of an investigation, Wintringham will not provide notification.

As an example, during activities conducted by the relevant regulator (i.e. accreditation), Wintringham should provide any documents and information necessary, that contain personal information, to fulfill its regulatory requirements and will not be restricted in the provision of such personal information by a requirement to notify an employee of the disclosure of their personal details, so long as the personal information is relevant and only used for the purpose of satisfying the regulatory requirements.

Additionally, when Wintringham is required to comply with a request for personal information from the relevant regulator as part of an investigative process, Wintringham will not notify the relevant employee because it may compromise the integrity of the investigation. In such circumstances the obligation to inform the employee of the investigation sits with the agency / organisation conducting the investigation.

4.3 Direct Marketing

Under no circumstance will personal information be used for direct marketing related purposes without the consent of the person to whom the information relates. Direct marketing involves the use or disclosure of personal information to communicate directly with an individual to promote goods and services.

5. **Security of Personal Information**

- 5.1 Wintringham is committed to storing securely, the personal information you provide to us. Wintringham will take all reasonable steps to ensure the personal information Wintringham holds is protected from misuse, interference, loss, from unauthorised access, modification or disclosure.

All electronic information that is private or identifiable is held by Wintringham and stored on servers, which are hosted in Australia. Some incidental non-identifiable data may end up on international servers.

Security Measures include:

- Access controls tailored to system capabilities
- Encryption at rest and in transit
- Multi-factor authentication
- 24/7 Security Operations Centre monitoring the environment

Wintringham will, as soon as practicable and in accordance with the law, destroy or de-identify any personal information that is no longer required for our functions.

5.2 Cross-Border Disclosure of Personal and Information

Wintringham does not usually disclose personal information (not including health information) to any third parties outside of Australia.

If Wintringham does disclose personal information (not including health information) to an overseas recipient, Wintringham will take all steps that are reasonable in the circumstances to ensure that the overseas recipient does not breach the relevant privacy law(s) or privacy principles.

6. Access to and Correction of Personal Information

- 6.1 Any person may request access to their information at any time, to review it or to request a correction in information recorded about themselves.

Requests for access to information can be made by completing the [Request for Access to Information Form](#) and addressed to the Privacy Officer at privacy@wintringham.org.au

We will usually respond to each request to access or correct information within 30 days.

Requests to access or correct information may be declined in limited circumstances.

If the request is denied, Wintringham will provide its reasons in writing.

Depending on the nature and extent of your request, there may be a fee associated with providing access to information held by Wintringham. We will let you know if this applies.

7. Breaches of Privacy

- 7.1 A privacy breach occurs when three criteria are satisfied:

- there is unauthorised access to or unauthorised disclosure of personal information, or a loss of personal information; and
- it is likely to result in serious harm to one or more individuals; and
- Wintringham has not been able to prevent the likely risk of serious harm with remedial action.

If personnel are aware of an actual or suspected privacy breach, that person must immediately notify the Privacy Officer.

8. Making a Complaint

- 8.1 If you wish to make a complaint about the way Wintringham have managed your personal information, you may make that complaint verbally or in writing by setting out the details of your complaint to the Privacy Officer:

Phone: 03 9376 1122

Email: privacy@wintringham.org.au

All reasonable efforts to address a complaint and achieve an effective resolution will be made within 7 working days or as soon as practicable.

Depending on the nature of your complaint, unresolved complaints may be made to (as applicable):

- (a) Office of the Australian Information Commissioner
Ph: 1300 363 992
<https://www.oaic.gov.au/privacy/privacy-complaints/>
- (b) Health Complaints Commission Victoria
Ph: 1300 582 113
<https://hcc.vic.gov.au/make-complaint>
- (c) Department of Families, Fairness and Housing (DFFH) Victoria
<https://www.dffh.vic.gov.au/making-complaint>
- (d) Department of Health Victoria
<https://www.health.vic.gov.au/feedback-and-complaints>
- (e) Health Complaints Commission (Ombudsman) Tasmania
Ph: 1800 001 170
<https://www.ombudsman.tas.gov.au/>
- (f) Aged Care Quality and Safety Commission
Ph: 1800 951 822
<https://www.agedcarequality.gov.au/making-complaint>
- (g) NDIS Quality & Safeguards Commission
Ph: 1800 035 544
<https://www.ndiscommission.gov.au/complaints>
- (h) Victoria Disability Worker Commission
Ph: 1800 497 132
<https://portal.vdwc.vic.gov.au/public/home>
- (i) Consumer, Building and Occupational Services Tasmania
<https://www.cbos.tas.gov.au/topics/products-services/problems/resolve-problem-complaint/complaint-process>
- (j) Victorian Housing Registrar
Email: housingregistrar@dtf.vic.gov.au
Ph: 03 7005 8984
<https://www.vic.gov.au/managing-complaints>

8. Whistleblower Complaint

- 8.1 Wintringham encourages individuals to report serious concerns about the handling of personal or sensitive information, particularly where such concerns involve unauthorised access, misuse, or breaches of privacy obligations. These concerns may be raised through Wintringham's whistleblower process when they relate to conduct that compromises the ethical and secure management of information.

- 8.2 Whistleblower complaints may be submitted anonymously or confidentially and will be managed in accordance with Wintringham's [Whistleblower Policy](#) (PAC 5.18). Protections are available to individuals who make disclosures in good faith, and all complaints will be reviewed impartially and with appropriate confidentiality.

Concerns may include:

- Unauthorised access, use, or disclosure of personal or sensitive information
- Systemic failures to meet privacy obligations
- Conduct that undermines the dignity, safety, or rights of individuals through inappropriate information handling

- 8.3 For further information on making a Whistleblower Complaint, refer to the [Whistleblower Policy](#) (PAC 5.18).

Legislation & Standards

Aged Care Act 2024
Aged Care Quality Standards 2025
Privacy Act 1988
Health Records Act 2001
Personal Information Protection Act 2004
Social Services Standards 2024
Social Services Regulations Act 2021
Social Services Regulations 2024
Housing Act 1983
NDIS Standards 2019
Australian Privacy Principles
NDIS Act 2013

Resources

<https://www.oaic.gov.au/privacy/australian-privacy-principles>
<https://www.agedcarequality.gov.au/providers/standards>

Related Documents

L_M 3.15A	Privacy Procedure
L_M 3.18B	Family Violence Information Sharing Guidelines
L_M Fm 3.15a	Request for Access to Information Form
L_M Fm 3.18Ba	Information Sharing Request Form
L_M Fm 3.16a	Consent to Exchange & Obtain Information Form
L_M 3.20	Complaints Policy
PAC 1.17	Code of Conduct
TMM 2.1	Wintringham Housing - Operational Policies
ICT 3	ICT Security Policy
L_M 20	Conflict and Complaint Management Policy
L_M 2.18	Archiving Policy
L_M 2.12	Document Control and Review Policy
L_M 33	Record Keeping
PAC 5.18	Whistleblower Policy
L_M 3.14	Conflict of Interest Policy
ICT 1	ICT - (AUP) Acceptable Use Policy
L_M 3.12	Open Disclosure Policy
L_M 3.13	Rights and Responsibilities Policy

Authorisation

This policy has been authorised by General Manager Quality, Innovation and Communications – October / 2025.

Review Date

October / 2028