

My Place is a National Disability Insurance Scheme (**NDIS**) registered, not-for-profit provider of individualised and flexible supports to people with disabilities.

In addition to the commitments outlined in the My Place Service Charter, My Place is subject to the *Privacy Act 1988* (Cth), which includes the Australian Privacy Principles. These privacy laws govern how personal information is collected, used, and disclosed.

When My Place collects personal information, it will only collect what is necessary and will do so in accordance with these laws.

All areas of My Place's operations - including staff, volunteers, and contractors - are required to comply with both this policy and all applicable privacy laws.

In this policy:

- **Consumer** refers to a person with disability who receives NDIS or similar supports and services from My Place;
- **You** and **your** refers to you and any person whose personal information is collected by My Place;
- **Your delegates** or **Consumer's delegates** refers to the family members, decision-makers, advocates or other representative authorised by you or My Place's consumers to communicate with My Place;
- **My Place** refers to My Place WA Ltd trading as My Place (ABN 80 784 853 864) and any related body corporate;
- **My Place staff** or **staff** refers to any person employed as staff or engaged as a volunteer and/or contractor (and includes staff engaged as **Personal Assistants**).

1. Purpose of the policy

1.1 The purpose of this policy is to:

- (a) set out My Place's responsibilities;
- (b) ensure your right to privacy, dignity and confidentiality is recognised and respected; and
- (c) provide information on how you can request access to, or correction of, your personal information held by My Place, or raise a concern about how your personal information has been handled.

1.2 This policy is My Place's way of being transparent about how your personal information is handled, so you can feel confident and secure when engaging with My Place.

1.3 You consent to My Place collecting, holding, using and disclosing your personal information in accordance with this policy.

2. Meaning of “privacy”

- 2.1 Privacy refers to your right to have your personal information kept safe and protected from unauthorised access. Privacy laws require that My Place respect and uphold this right.
- 2.2 The right to privacy is different from the rights related to **confidential information**. Confidential information refers to information that must be kept secure because it is secret in nature. It may include personal information but also includes valuable business information.

3. Meaning of “personal information”

- 3.1 When My Place refers to “personal information” it means any information or an opinion that can identify you. The information or opinion that are:

- (a) factually true **or** false; or
- (b) is available by way of spoken word or recorded in writing **or** any other format.

Some examples of personal information include a person’s name, home address, email address, date of birth or bank account details.



- 3.2 Certain types of personal information are given a higher level of protection under privacy laws, this is called “**sensitive information**”. Some examples of sensitive information are information about a person’s health, ethnic origin, religious beliefs or criminal record.



4. The “personal information” that is not covered by this policy

- 4.1 This policy does not apply to personal information about the employment of current or former My Place staff.
- 4.2 Privacy laws do not relate to employment information, allowing My Place to handle personal information and records related to current or former employment relationships in a manner that is not subject to the same privacy obligations as other personal information covered by this policy.
- 4.3 Current or former My Place staff should refer to their individual contract of employment or their direct report for more information or other relevant My Place policy.

5. Contacting My Place

- 5.1 If you have any questions about this policy, please contact My Place by:

 Email	Emailed to: myplace@myplace.org.au
 Post	Addressed to: Privacy Officer My Place WA Ltd PO Box 869, Subiaco WA 6904

 Telephone	Dial: (08) 6380 2927
 In person	See receptionist at My Place: 17 York Street, Subiaco, WA

6. Policy responsibility

- 6.1 This policy will be managed by My Place's privacy officer.
- 6.2 Any questions, requests and complaints about this policy or the way My Place handles personal information will be directed to My Place's privacy officer to provide a response.

7. Why My Place collects, holds, uses and discloses personal information

- 7.1 It is necessary for My Place to collect, hold, use and disclose personal information to provide My Place's supports and services and fulfill My Place's functions and activities.
- 7.2 My Place's functions and activities arise under law (such as, NDIS laws, fair work laws) and contract (such as, service agreements with consumers, service agreements with contractors or professional advisors).
- 7.3 My Place may collect, hold, use and disclose personal information for reasons, such as:
- (a) providing consumers with supports and services, including supporting the consumer or their delegate to be an employer;
 - (b) responding to enquiries about My Place's services or business generally;
 - (c) contacting you and otherwise managing My Place's relationship with you;
 - (d) planning or improving My Place's current services or developing new services;
 - (e) marketing or promotional activities;
 - (f) undertaking general business functions (such as, billing, managing properties, reporting, engaging staff and service providers);
 - (g) investigating complaints or concerns; or
 - (h) complying with My Place's legal obligations and assisting government and law enforcement agencies or regulators.

8. Personal information My Place collects and holds

- 8.1 Generally, My Place collects personal information about My Place's consumers and their delegates and personnel, people enquiring about My Place's services, website users, job applicants, staff and volunteers.

- 8.2 The types of personal information My Place collects about you will depend on the nature and purpose of My Place's interaction with you. This may include:
- (a) contact details (e.g. name, address, telephone number, email address);
 - (b) identity details (e.g. date of birth, gender/gender identity, pronoun preference);
 - (c) service-related information (e.g. service or transaction history, service agreements, information about your activities, information about involvement in other programs you participate in, accident and incident information);
 - (d) government identifiers (e.g. Medicare reference numbers, drivers' licence);
 - (e) financial information (e.g. payment/billing information, bank account);
 - (f) employment information (e.g. employment history, qualifications, licences); or
 - (g) digital or technical details (e.g. IP address, device attributes, browser type, language and operating system).
- 8.3 My Place will only collect and store your sensitive information with your written consent.
- 8.4 The types of personal information My Place collects about you may include:
- (a) health information (e.g. clinical information, hospital admissions, medication, pathology results, x-rays, assessments and monitoring charts);
 - (b) health, disability and lifestyle services (e.g. NDIS plans and supports, medical and allied health information, service needs, progress notes);
 - (c) nationality, race or ethnicity (including the languages you speak);
 - (d) religion and religious practices;
 - (e) sexual orientation; or
 - (f) criminal history.
- 8.5 My Place may also obtain photos, video and other visual/audio recordings where necessary to monitor your health or service needs or maintain your safety and security or that of clients, staff and visitors of My Place. But you will be notified of such recordings either directly or through clear signage indicating that you are being recorded.

9. How My Place collects personal information

- 9.1 Generally, My Place collects your personal information directly from you (e.g. when you call or email us). This ensures that you have control over what personal information My Place is collecting from you.
- 9.2 My Place will only collect your sensitive information where:
- (a) you have agreed and the information is necessary for or related to My Place's services or other business activities;
 - (b) to keep you or other people safe and healthy; or

(c) to comply with law or to assist the government.

9.3 My Place may also collect your personal information from other people or organisations, where permitted by law and:

- (a) the information is necessary for or related to My Place's services or other business activities;
- (b) you have agreed; or
- (c) it is unreasonable or impractical to collect the information directly from you.

10. Personal information collected when you access My Place's website

10.1 My Place does not collect personal information or any information that identifies you purely from your access to or use of My Place's website, unless you specifically provide it through an online form or other communication.

10.2 However, when you use My Place's website, certain technical data will be collected (e.g. your computer address and web client). This information is collected by My Place's use of:

- (a) tracking tools (including cookies); and
- (b) internet service provider.

10.3 A "cookie" is a small file stored on your computer's browser which assist in managing customised settings of the website and delivery content. You can stop cookies collecting your personal information by selecting the appropriate settings on your browser. However, if you do this, you may not be able to use the full functionality of My Place's website. Please refer to My Place's website terms and conditions for more information about using My Place's website.

10.4 My Place may also collect your personal information if you engage with My Place via social media platforms (e.g. Facebook). As these platforms are operated by third-party platforms, My Place are not in control and will not be responsible for the collection and use of your personal information by the relevant third parties. My Place encourages you to read any terms and conditions and privacy policies that relate to those third-party platforms to ensure you understand and agree to the way your personal information will be handled by those third parties.

11. Provision to My Place of personal information about someone else

11.1 If you intend to provide My Place with personal information about another person (e.g. your delegates or other persons living at your house), please make sure that you tell them about this policy and obtain their consent before providing My Place with their information.

11.2 My Place will only communicate with your delegates in relation to your personal information if you have authorised My Place to do so or if all of the following apply:

- (a) you are a current consumer of My Place;
- (b) you are unable to give or communicate your consent to My Place;

- (c) a qualified health professional providing a health service to you believes My Place communicating with your delegate is needed to provide appropriate care or is made for compassionate reasons;
 - (d) the communication does not go against any wishes you clearly expressed before becoming unable to consent; and
 - (e) only the information reasonably necessary is shared.
- 11.3 If My Place receives personal information which it did not request, My Place will consider whether it is appropriate for My Place to keep the information in accordance with this policy. If My Place does not consider that it is appropriate to collect that personal information, My Place will, as soon as practicable, destroy the information or ensure that it is permanently de-identified (in accordance with My Place retention and destruction policy).

12. If you do not want to give My Place your personal information

- 12.1 You are in control of who you share your personal information with. However, there are potential consequences of not allowing My Place to collect and hold the personal information My Place requires. For example, My Place may not be able to:
- (a) provide you with My Place's services or meet your support requirements;
 - (b) communicate with you or respond to your enquiries; or
 - (c) offer employment to a job candidate or engage with contractors or volunteers.
- 12.2 Upon request, My Place will offer you the option of not identifying yourself, or of using a pseudonym, provided it is lawful and practicable to do so.

13. Ownership of your personal information

- 13.1 Any records created by My Place are owned by My Place. But you have the right to choose who you share your personal information with, and how much of your personal information you want to share.

14. How and why My Place can use and/or share your personal information

- 14.1 My Place will only use or share your information with other people or organisations:
- (a) if you have agreed;
 - (b) where you would expect My Place to use or share it for purposes which are directly related to one of My Place's functions or activities;
 - (c) to keep you or other people safe and healthy; and
 - (d) to comply with law or to assist the government.
- 14.2 If you are unable to provide consent, My Place will obtain consent (in writing where possible) from your delegates.
- 14.3 Some examples of the way My Place may use your personal information include:
- (a) to provide you with My Place's services;

- (b) to manage My Place's services to consumers;
- (c) to manage business and commercial operations (e.g. service delivery planning, billing, investigating complaints/incidents);
- (d) to send you information about services My Place believe you might be interested in;
- (e) for quality assurance, training, and compliance purposes; and
- (f) to improve user experience, and functionality of, My Place's website.

15. Who My Place can share your personal information with

- 15.1 In the normal course of business, My Place may share your personal information with:
- (a) My Place's staff so that they may perform services for or on behalf of My Place;
 - (b) your delegates or your health care team where necessary to engage them in your NDIS supports or other services;
 - (c) service providers engaged for the purpose of running My Place's business operations; and
 - (d) suppliers and other third parties with whom My Place have commercial relationships for business purposes or to assist My Place to comply with law.
- 15.2 My Place may transfer or disclose your personal information to My Place's related or associated corporations.
- 15.3 If the ownership or control of all or part of My Place's services change, My Place may transfer your personal information to the new owner, subject to legal requirements.
- 15.4 My Place does not disclose your personal information to recipients that are located outside Australia. My Place only uses cloud services that retain data within Australian borders.

16. Use of your personal information for My Place marketing

- 16.1 My Place will only use or disclose your personal information (excluding sensitive information) for marketing communications, where:
- (a) My Place collected the information directly from you (or your delegate);
 - (b) you have consented to, or would reasonably expect My Place to, use or disclose the information for that purpose; and
 - (c) you have not opted-out of receiving marketing communications from My Place.
- 16.2 Please contact My Place if you do not want to receive marketing communications, or follow the "opt-out" instructions which will be clearly marked in each communication. If you previously agreed to receive marketing communications from My Place, you can change your mind at any time.

17. Storage of your personal information by My Place

- 17.1 My Place has systems and safeguards in place to protect the personal information My Place holds from misuse, interference and loss and from unauthorised access, modification or disclosure.
- 17.2 My Place stores most information in computer systems and databases operated by My Place or My Place's external service providers. Some information is recorded in paper files which My Place ensures is stored securely.
- 17.3 The current security processes and measures include:
- (a) premises and systems which hold personal information are locked and access is limited to authorised staff who require the information for the purpose of carrying out their duties;
 - (b) storing hardcopy information on secure premises only accessible by authorised staff;
 - (c) requiring all staff to comply with internal information security policies;
 - (d) ensuring all external email communications sent from My Place are encrypted;
 - (e) using cyber-security protections for My Place computer systems;
 - (f) monitoring and regularly reviewing My Place's third-party providers (including cloud computing) to ensure compliance with privacy law;
 - (g) ensuring My Place's staff and contractors are bound by non-disclosure agreements regarding the protection of personal information; and
 - (h) monitoring and regularly reviewing My Place's practice against policies and against industry practice.

18. Personal information becomes the subject to a data breach

- 18.1 In the event personal information held by My Place has been accessed, disclosed without authorisation, or is lost, My Place will take immediate action to contain, assess and remediate the incident in accordance with My Place's data breach response procedure.
- 18.2 If a data breach is likely to cause serious harm to a person, My Place will contact the person and any relevant regulators as soon as possible to let them know about the breach (unless the law requires or authorises otherwise).

19. Personal information no longer needed by My Place

- 19.1 My Place keeps will only keep personal information until it is no longer required for the purpose it was collected, or otherwise as permitted or authorised by law.
- 19.2 My Place will take all reasonable steps to destroy, delete or permanently de-identify personal information it no longer needs, it in line with My Place's retention and destruction policy and applicable law.
- 19.3 Please note, some laws require My Place to retain certain records indefinitely.

20. Collection of relevant and accurate personal information

- 20.1 To ensure My Place only collects personal information that is relevant and accurate, My Place staff will ask questions to check:
- (a) your personal information has been recorded accurately; and
 - (b) whether is necessary for My Place to collect and record the personal information.
- 20.2 From time to time, My Place will also take steps to check the personal information held in My Place's records is accurate, current, complete and relevant by, for example, asking you to confirm your personal information when My Place engages with you.

21. Changing or accessing the personal information My Place holds about you

- 21.1 You may submit a request to change or access the personal information that My Place holds about you.
- 21.2 It is helpful (and sometimes necessary) for you to provide My Place with the following information with your request:
- (a) your name;
 - (b) your preferred contact details;
 - (c) relevant personal information and the action you would like My Place to take;
 - (d) the manner of which you would like to receive the requested information (e.g. by email, by phone, in person, hard copy or electronic record); and
 - (e) any supporting information.
- 21.3 Your request can be submitted in whatever manner is best for you (e.g. by calling My Place's receptionist, by sending My Place an email or by speaking to My Place staff in person). To deal with a request, My Place will need to verify your identity.
- 21.4 There is no fee or charge connected to a request to change or access your personal information. However, where a request to access personal information (as opposed to just requesting a correction be made) is approved, you may be required to pay any reasonable costs incurred by My Place in providing you with access (e.g. staff time collating the information, photocopying costs, postage costs).
- 21.5 My Place will endeavour to respond to your request within 30 days (or such other time as agreed) and in the manner you have requested (provided it is reasonable and practicable).
- 21.6 My Place will either approve or refuse your request, based on privacy law.
- 21.7 Under privacy law, My Place may refuse a request to access personal information. My Place will take the following considerations into account to determine whether to grant a request for access to personal information held in My Place's records:
- (a) **privacy rights of others:** where giving you access unreasonably impacts on the privacy of another person;

- (b) **health or safety risks:** where giving you access would cause a serious threat to your life, health or safety, or that of another person/people;
- (c) **unreasonable or ill-intended:** where your request is frivolous or vexatious;
- (d) **legal proceedings:** where there are existing legal proceedings between you and My Place or My Place expected such legal proceedings;
- (e) **restrictions apply under law:** where My Place is required or authorised by law or a court order to withhold the information;
- (f) **cause detriment to negotiations:** where giving you access would reveal the intentions of My Place's negotiations with you;
- (g) **unlawful:** where providing you access would be unlawful;
- (h) **cause detriment to investigations:** where My Place suspects unlawful activity or serious misconduct and giving access would affect My Place's investigations or administration of the matter;
- (i) **impose on official enforcement activities:** giving access would affect enforcement activities carried out by, or for, an enforcement body (such as the police);
- (j) **reveal confidential commercial information:** where giving you access would reveal commercially sensitive decision-making information.

21.8 My Place may also refuse a request to access personal information where:

- (a) My Place does not hold or have access to the requested information;
- (b) the request is too broad or vague (unless and until more specific information is provided with the request which enables My Place to identify the relevant personal information); or
- (c) the requested information is an employee record relating to your current or former employment with My Place.

21.9 If My Place refuses a request, you will be provided with information about:

- (a) the reasons for the refusal (where appropriate); and
- (b) how you can complain about My Place's decision to refuse access.



21.10 If My Place refuses a request to change the personal information, My Place may also offer to attach a note to the relevant information to record that your request was made and any reasons you consider the information to be inaccurate, out-of-date, incomplete, irrelevant or misleading.



22. Complaints and feedback

22.1 If you have a complaint about the way in which My Place has handled your personal information, please let My Place know by:

- (a) contacting My Place's Privacy Officer (on the details set out above in section 5); or

- (b) if you are a consumer, by contacting your My Place Co-ordinator.
- 22.2 Your request can be submitted in whatever manner is best for you (e.g. by calling My Place's reception desk, by sending My Place an email or by speaking to My Place staff in person).
- 22.3 It is helpful (and sometimes necessary) for you to provide My Place with the following information with your request:
- (a) your name;
 - (b) your preferred contact details;
 - (c) a description of your concern/complaint;
 - (d) the action you would like My Place to take; and
 - (e) any supporting information.
- 22.4 Once My Place has received your complaint, My Place will consider the issues you have raised and, where appropriate, undertake an investigation into your complaint.
- 22.5 My Place will endeavour to respond to your request:
- (a) in the manner you have requested that My Place communicate with you; and
 - (b) within 30 days (or such other time as agreed).
- 22.6 My Place's response will explain:
- (a) the outcome of the investigation;
 - (b) the action is proposed to prevent similar complaints in the future (where applicable); and
 - (c) how you can lodge a complaint with external organisations if you consider the outcome of My Place's investigation to be unsatisfactory.
- 22.7 If you are unhappy with the way My Place has handled your complaint, you may approach an independent adviser or contact the Office of the Australian Information Commissioner for guidance on alternative courses of action that may be available.
- 22.8 The Office of the Australian Information Commissioner can be contacted by:

 Email	Emailed to: enquiries@oaic.gov.au
 Post	Addressed to: Office of the Australian Information Commissioner GPO Box 5218 Sydney NSW 2001

 Telephone	Dial: 1300 363 992
 Online form	Available at: www.oaic.gov.au/privacy/privacy-complaints

23. Policy version

- 23.1 From time to time, My Place may change or update this policy to ensure it reflects any changes to:
- (a) the way My Place handles your personal information;
 - (b) the types of personal information that My Place collects; or
 - (c) the law that applies to the way My Place handles your personal information.
- 23.2 You can obtain a copy of My Place's most up-to-date policy from My Place's website or by contacting My Place at the contact details above.

ENDS

Version 2.0, May 2025