



Privacy Policy

1 Introduction

- (a) SPELD NSW Inc. (ABN 27 508 090 871) (**SPELD NSW**) of Suite 2, Level 1, 52 O'Connell Street, Parramatta NSW 2150 Australia, is committed to protecting the privacy of Personal Information we collect and handle. This Privacy Policy explains how we handle Personal Information we collect from individuals from time to time.
- (b) We are bound by the Australian Privacy Principles in the *Privacy Act 1988* (Cth), and the Health Privacy Principles in the *Health Records and Information Privacy Act 2002* (NSW) (**Privacy Laws**).
- (c) We may modify or amend this Privacy Policy as our organisational requirements or the law changes. We will display a notice on our website <https://speldnsw.org.au/> (**Website**) indicating when any such revisions have been made. This Privacy Policy was last updated on 2 October 2018.

2 Definitions

In this policy the expressions "**we**", "**us**" and "**our**" are a reference to SPELD NSW. The expressions "**you**" and "**your**" refer to each individual whose Personal Information we may handle from time to time where we are required to comply with Privacy Laws in respect of such Personal Information.

Personal Information is information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether true or not and whether recorded in material form or not.

Privacy Policy means this document as amended from time to time.

Related Organisation means any body corporate, trust, partnership or association that is a related body corporate of SPELD NSW, AUSPELD (the Australian Federation of SPELD Associations), or is otherwise permitted to use the SPELD name or trade mark in its activities.

Sensitive Information means information or an opinion about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices or criminal record that is also personal information, health information, genetic information, biometric information or biometric templates.

Spam Act means the *Spam Act 2003* (Cth).

3 What Personal Information do we collect?

- (a) We only collect Personal Information to the extent that this is reasonably necessary for one or more of our functions or activities.
- (b) We may collect Personal Information from you when you:
 - (i) become a member or friend of SPELD NSW (make an **Application**);
 - (ii) make a donation to SPELD NSW;
 - (iii) apply to be included on, or make use of, the SPELD NSW referral database;



- (iv) participate in an educational or psychological assessment;
 - (v) register for our professional development days or workshops;
 - (vi) buy teaching aids and resources from us; or
 - (vii) contact us by any method, such as telephone, email, post, facsimile, through our website or in person.
- (c) The type of Personal Information we collect may include:
- (i) details such as your name, phone number, address, email address, credit card number, expiry date and bank details (to the extent necessary to provide our services to you);
 - (ii) if you apply to be listed on our professional referral database, your professional qualifications, employment history and Working with Children Check number;
 - (iii) for the purpose of conducting psychological educational assessments or providing our referral service, we may also collect Sensitive Information such as health records, psychological or other professional assessments, educational and employment history and details of an individual's learning difficulties.
- (d) When collecting Sensitive Information from you, we will obtain your consent, or the consent of a parent or guardian, to such collection, except where otherwise permitted under the Privacy Laws.
- (e) As well as collecting information directly from you, there may be occasions when we collect information about you from a third party. For example, we may collect reports from a child's school, tutor or treating doctor where required for the purpose of assessing the child's learning difficulties. We will only collect information from a third party where it is unreasonable or impractical to collect that information from the individual directly.

4 Purpose of collection of your Personal Information

- (a) We may use and disclose your Personal Information for the primary purpose for which we collected your Personal Information, for reasonably (or directly, if the Personal Information is Sensitive Information) related secondary purposes within your reasonable expectations and where required or authorised by law.
- (b) The purposes for which we collect, use and disclose Personal Information include the following:
- (i) for the provision of our products and services or conduct of our business activities;
 - (ii) if you use our Website or Facebook page, to track your usage and to evaluate the performance of our Website;
 - (iii) to communicate with you, and provide you with information, in relation to the products and services we provide;
 - (iv) for dealing with related parties, including psychologists, treating doctors, tutors and teachers;
 - (v) to provide the names, contact numbers and other details of professionals and tutors on our referral database;



- (vi) to respond to your questions or suggestions;
 - (vii) to improve the quality of our products or services; and
 - (viii) to improve the quality of your visit to our Website or Facebook page.
- (c) If you do not provide us with the Personal Information listed above, we may be unable to provide our services to you.

5 Communication from us

- (a) We do not use Sensitive Information for marketing purposes.
- (b) We may use and disclose your Personal Information (other than Sensitive Information) to provide you with information on offers, products and services offered by us and you consent to us doing so.
- (c) If at any time you no longer wish to receive any direct marketing from us or do not want your information disclosed for direct marketing, contact our Privacy Officer using the details in paragraph 11 or use any unsubscribe facility we provide for that purpose. Please note that even if you have requested not to receive further direct marketing communications, we may nevertheless continue to provide you with information about changes to our terms and conditions for the supply of goods or services and other factual information as permitted under the Privacy Act and Spam Act.

6 Disclosure of your Personal Information

- (a) We do not sell, rent or trade Personal Information to or with any other third parties.
- (b) At present we are not likely to disclose Personal Information to overseas recipients. From time to time we may share your Personal Information with a third party in an Australian State or Territory other than New South Wales, or with a Commonwealth agency. We will only transfer your Personal Information outside of New South Wales if:
 - (i) you (or your authorised representative, as appropriate) has consented to the transfer;
 - (ii) we reasonably believe that the recipient of the information is subject to equivalent or substantially similar obligations for the protection of your Personal Information that we are; or
 - (iii) we are otherwise permitted or authorised by law to transfer your Personal Information.
- (c) We typically disclose Personal Information to third parties in the following circumstances:
 - (i) that third party is the seller of a product you have purchased;
 - (ii) that third party is a contractor engaged to provide goods or services to us (including goods or services that assist us in providing our Website). Our agreements with such contractors require that they keep your Personal Information confidential, and that they only use or disclose your Personal Information for the purposes of providing those goods or services to us;
 - (iii) that third party is a psychologist or healthcare professional who assists to deliver our services;



- (iv) that third party is an employee, contractor, subcontractor, or consultant of one of our Related Organisations who assist to deliver and improve our services;
- (v) you have consented for us to share the information for this purpose; or
- (vi) the disclosure is authorised by Privacy Laws including:
 - (A) to lessen or prevent a serious threat to life, health or public safety;
 - (B) if authorised or required by law;
 - (C) if we have reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to our functions has been, is being or may be engaged in;
 - (D) if we believe it is reasonably necessary to assist in locating a missing person;
 - (E) to establish, exercise or defend a legal or equitable claim;
 - (F) if we believe it is reasonably necessary for an enforcement related activity conduct by, or on behalf of, an enforcement body; or
 - (G) you would reasonably expect or we have told you that your Personal Information is usually used or disclosed to third parties in this way.

7 Access and correction of your Personal Information

- (a) We will, on request, provide you with access to the Personal Information we hold about you, including for the purpose of correcting or updating that information, unless there is an exception to such disclosure which applies under Privacy Laws.
- (b) If you require access to your Personal Information, please [email enquiries@speldnsw.org.au](mailto:email.enquiries@speldnsw.org.au). Before we provide you with access to your Personal Information we require some proof of identity. For most requests, your information will be provided free of charge, however, we may charge a reasonable fee if actually providing you with access requires a substantial effort on our part.
- (c) If we refuse to provide you with access to the information, we will provide you with reasons for the refusal and inform you of any exceptions relied upon under the Privacy Laws, including the Australian Privacy Principles (unless it would be unreasonable to do so).
- (d) We take such steps as are reasonable in the circumstances to ensure that your Personal Information is accurate, complete, and up-to-date whenever we collect or use it. If the Personal Information we hold about you is inaccurate, incomplete, irrelevant, misleading or out-of-date, please contact us (details provided below) and we will take reasonable steps to either correct this information, or if necessary, discuss alternative action with you.
- (e) We will respond to all requests for access within a reasonable time.

8 Security and retention of Personal Information

- (a) The security of your Personal Information is important to us. We take such steps as are reasonable in the circumstances to protect your information from misuse, interference or loss, and from unauthorised access, use, modification or disclosure. This includes the use of



technologies and processes such as access control procedures and physical security to protect the privacy of your Personal Information.

- (b) We will retain your Personal Information for no longer than is necessary for the purpose of collection. Once we no longer require your Personal Information for the provision of services or another purpose of collection, we take such steps as are reasonable in the circumstances to destroy in a secure manner or permanently de-identify your Personal Information.
- (c) However, when using our Website you should be aware that no data transmission over the Internet can be guaranteed as totally secure. Although we strive to protect such information, we do not warrant the security of any information that you provide to us over the Internet and you do so at your own risk.
- (d) The steps we take to protect Personal Information include:
 - (i) password protecting your Personal Information on our systems; and
 - (ii) using an encrypted payment processing method to protect your payment data.

9 Links to other websites

Sometimes our Website contains links to other websites or we may provide links to third party websites as a service to you. Those links are provided for convenience only and may not remain current or be maintained. When you access a website other than our Website, we are not responsible for the content or privacy practices of that site. We recommend that you review and understand the privacy policies of each website you visit before providing any information to them.

10 Complaints

If you wish to make a complaint about an alleged breach of Privacy Laws, we ask that you send us your complaint in writing to the email address listed above. We endeavour to respond to complaints within a reasonable period, and in any event, acknowledge your complaint within 30 days. If you are not satisfied with how we manage your complaint, you may contact:

- (a) the Office of the Australian Information Commissioner by phoning 1300 363 992 or by email at enquiries@oaic.gov.au; or
- (b) the NSW Information and Privacy Commission by phoning 1800 472 679 or by email at ipcinfo@ipc.nsw.gov.au.

11 How to contact us

If you have any queries or complaints with regard to our collection, use or management of your Personal Information, please contact:

A: SPELD NSW Inc.
Suite 2, Level 1
52 O'Connell Street
Parramatta NSW 2150

E: enquiries@speldnsw.org.au

T: (02) 9739 6277