

Privacy and data protection policy

Aspect is committed to protecting every person's right to privacy, dignity and confidentiality, and operates in accordance with the Australian Privacy Principles (APPs) under the *Privacy Act 1988 (Cth)*, and where applicable, privacy and confidentiality requirements under the *National Disability Insurance Scheme Act 2013 (Cth)*. 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.

This Policy applies to:

- Board Members
- All staff, volunteers and contractors
- All activities, programmes, locations and business units across Aspect.

Aspect is committed to:

- Taking reasonable steps to put practices, procedures and systems in place to ensure that it complies with the *Privacy Act and APPs* and that it is able to deal with enquiries and complaints from individuals about its compliance with the APPs.
- Aspect takes steps to ensure that reviews of these processes are periodically undertaken to ensure their ongoing effectiveness.

Collection of personal information

Aspect will only collect your personal information where the collection is reasonably necessary for one or more of Aspect's functions or activities. Where Aspect can perform a function or activity without collecting certain personal information, then it will not collect that information.

Aspect will only collect as much personal or sensitive information as is reasonably necessary for one or more of its functions or activities.

Aspect collects personal information from people who are connected to its operations and activities, including but not limited to staff, participants, students and family members.

Aspect may collect personal information that is directly relevant to the service being provided. This may include:

- Contact information such as full name,
- Email address, current postal address and phone numbers,
- Date of birth,
- Employment details, including but not limited to job title, training and skills
- Financial details
- Opinions via surveys and questionnaires, if applicable,
- Details relating to services provided by Aspect and other service providers,
- Usernames and passwords for Aspect accounts,
- Health information and other relevant sensitive information.

Aspect may need to collect sensitive information about you where it is necessary to deliver certain services to you or to evaluate the performance of Aspect's services.

Aspect will only collect your sensitive information with your consent, unless such collection is required or authorised by law, or where it relates to unlawful activity or serious misconduct, legal action or confidential dispute resolution.

You may choose to deal with us anonymously or under a pseudonym provided that it is lawful and practicable to do so. Where this will render us unable to conduct business with you or provide you with Aspect services, we may request that you identify yourself.

How aspect collects personal information

Where possible, Aspect will collect personal information directly from you. Information may be collected through various means, including telephone and face-to-face, by post, email, SMS, paper forms, or via online form or portal.

Where collection directly from you would be impractical or unreasonable, or where you have given specific consent, personal information may be collected from third parties such as contractors, service providers, vendors, health professionals, government agencies, social and community workers, referees, family members or your representatives. Where your personal information is collected from a third party, Aspect will take reasonable steps to ensure that you are aware of the collection.

Use or disclosure of personal information

We may disclose the personal information we collect about you to third parties engaged by us to assist with the carrying out of our business activities. These third parties may include contractors, government agencies, financial institutions, verification services, as well as any third parties that you have directly authorised to receive your personal information.

Where we provide NDIS supports and services, we may also disclose personal information where required or authorised under NDIS law, including the NDIS Quality and Safeguards Commission (NDIS Commission) and to auditors or other persons appointed to conduct audits, reviews or monitoring activities in relation to NDIS compliance.

Cross border disclosures

Aspect may use data hosting facilities or enter into contractual arrangements with third party service providers to assist with providing our services.

As a result, personal information provided to Aspect may be transferred to, and stored at, a destination outside Australia, including but not limited to New Zealand, Canada, the United States of America and all countries in the European economic zone.

Aspect will take reasonable steps through our contract and agreement arrangements to make sure they are compliant with APPs and the *Privacy Act*. By providing Aspect with your personal information, you give consent to us disclosing your information to entities located outside Australia when permitted by law.

Quality of personal information

We take reasonable steps to ensure that the personal information we collect, store, use and disclose is accurate, complete and up to date. You are encouraged to help us keep your



personal information accurate, complete and up to date by contacting us and informing us of any changes in your details.

Unsolicited personal information

Where you provide personal information that has not been requested by Aspect, and that could not have been lawfully collected if it was solicited by Aspect, it will be destroyed as soon as reasonably practicable. Information that could have been lawfully obtained if it had been solicited by Aspect will be managed in accordance with this Policy.

Data protection and security

Aspect is committed to ensuring your personal information is safe and secure and takes the following steps to protect the information that it holds from misuse, interference, loss and unauthorised access:

- Making sure that personal information is accurate, complete and up to date
- Protecting personal information from misuse, loss, unauthorised access, modification or disclosure both physically and through computer security methods
- Taking reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for any authorised purpose.

While Aspect has implemented controls to reasonably secure personal information, in the event of a suspected data breach, Aspect will assess the situation and, where appropriate, act in accordance with the *Privacy Act*, the Notifiable Data Breaches Scheme and Aspect's Privacy Incident and Notifiable Data Breach Procedure.

Electronic Records

Aspect takes reasonable steps to ensure that electronic records and documentation are handled with appropriate IT security measures, in accordance with its internal policies and procedures.

Physical Records

Aspect takes reasonable steps to prevent unauthorised access to documentation containing personal information.

Website privacy and security

Aspect may log certain statistics about users who visit our websites, for example user domains and browser types. This information does not specifically identify an individual and is used for statistical, reporting and website administration.

When you access Aspect's main website and any other websites under the control of Aspect, Aspect may use software embedded in its website and may use 'cookies'. A cookie is a small piece of data sent from a website and stored in a user's web browser. Cookies help Aspect to maintain the continuity of your browsing session and remember your details and preferences when you return.

In addition, we use social media platforms. Any content or information you disclose on these sites may be viewed, collected and used by other users. Aspect is not responsible for the privacy practices or data collection methods used by these sites. Please refer to each platform's privacy statements.



Access to and correction of your personal information

If you wish to access or correct your personal information that is held by Aspect, in the first instance, please speak to the Aspect staff member who is your usual contact, who will outline options regarding your request.

Alternatively, you may contact Aspect's Privacy Officer in writing on the details below:

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

Email: privacy@aspect.org.au

Aspect will respond to your request to access or correct personal information within a reasonable period of time after the request being received and may charge a reasonable fee for access to personal information.

You may need to verify your identity before access to your personal information is granted.

Aspect will take all reasonable steps to ensure that the personal information that we hold about you remains accurate, up to date, complete, relevant and not misleading.

School students and privacy rights

Where we provide education services, we recognise and support the privacy rights of students, families and carers, and prospective students. Aspect is committed to collecting, using, storing and disclosing personal information in a lawful manner that supports student wellbeing and safety. These rights align with the Independent Schools Australia Privacy Compliance Manual.

NDIS participants and privacy rights

Where we provide NDIS supports and services, we recognise and support NDIS participant rights to privacy and confidentiality. These rights align with the NDIS Practice Standards and include:

- To have personal information collected, used and shared respectfully and only for appropriate purposes (including service delivery, safety, quality and legal compliance)
- To be informed about what personal information we collect and why, and to be supported to understand and make decisions (supported decision making where required)
- To give, refuse or withdraw consent (where consent is required) and to have a nominee or authorised representative involved where applicable
- To access and request correction of personal information we hold about them
- To make a complaint about privacy or confidentiality concerns and have it managed fairly, promptly and without fear of reprisal

We support these rights through our governance processes, training, confidentiality practices, incident management and complaint handling.

Donors and direct marketing

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.

AI and automated decision-making

Aspect is committed to responsible use of AI as outlined in the Responsible use of Artificial Intelligence Framework. Staff are only permitted to use AI tools approved by Aspect, in accordance with the Framework.

Aspect does not use AI tools or Automated Decision-Making tools to make or assist in making, decisions that affect an individual's rights, or access to service.

When personal information is included in Aspect's approved AI tools, Aspect takes reasonable steps to ensure that data is managed in line with the *Privacy Act*, the APPs and Aspect's internal governance processes.

How to make a privacy complaint

If you have an enquiry or complaint concerning collection, use or management of your personal information, please direct your enquiry to the staff member who is your usual contact, who will outline options regarding how your enquiry or complaint may be resolved.

Alternatively, you may contact the Aspect Privacy Officer, in writing on the details below:

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

Email: privacy@aspect.org.au

We will consider your complaint and determine whether it requires further investigation. We will notify you of the outcome of the investigation and any subsequent internal investigation.

If you remain unsatisfied with the way in which we have handled a privacy issue, you may approach an independent advisor or contact the Office of the Australian Information Commissioner (OAIC) (www.oaic.gov.au) for guidance on alternative course of action that may be available.

Breach and consequences

Non-compliance with this Policy could result in Aspect breaching legislation or regulations, including the *Privacy Act 1988 (Cth)*, and could result in financial penalties, reputational risk and/or other impacts on Aspect's operations which may impact delivery of Aspect services.



Deliberate non-compliance by staff may result in disciplinary action and will be managed in accordance Aspect's People Policy.

Definitions

Term	Definition
APPs	Australian Privacy Principles, as set out in the <i>Privacy Act 1988 (Cth)</i> .
Cross Border Disclosure	A disclosure of personal information to an entity that is located outside Australia
Disclosure	A release of that personal information from the effective control of Aspect, including but not limited to: (a) an automatic release, to a person or body that Aspect knows has a general authority to access that personal information; or (b) in response to a specific request. Storage of personal information in the cloud may or may not constitute disclosure. Where the cloud solution is infrastructure-as-a-service (IAAS), the personal information stays in the effective control of Aspect and there is therefore no disclosure. Where the cloud solution is software-as-a-service (SAAS), a disclosure is likely to have occurred. If unsure, consult IT
Personal information	Information or an opinion about an identified individual, or an individual who is reasonably identifiable: (a) whether the information or opinion is true or not; and (b) whether the information or opinion is recorded in a material form or not.
Sensitive information	A subset of personal information, which is information or opinion about an individual's racial or ethnic origin, political opinions, membership of a political organisation, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, health information genetic information, biometric information and biometric templates.
Use	Any accessing by Aspect of personal information in its control, including searching records for any reason, using personal information in a record to make a decision and passing a record from one part of Aspect to another part.

Relevant Legislation and Guidelines

- Privacy Act 1988 (Cth)
- Privacy and Other Legislation Amendment Act 2024 (Cth)
- Australian Privacy Principles Schedule 1, Privacy Act 1988 (Cth)
- Notifiable Data Breaches Scheme Part IIIC of the Privacy Act 1988 (Cth)
- NDIS Act 2013



- Independent Schools Australia Privacy Compliance Manual

