

## Privacy Policy

### 1 About this Policy

This privacy statement sets out the approach of Blue Knot Foundation (ABN 49 072 260 005) (**Blue Knot, us, we, our**) to privacy, including how we collect use and disclose the personal information of people who use our website or access our services (**you**).

The *Privacy Act 1988* (Cth) (**Privacy Act**) details Australian Privacy Principles (**APPs**) that set minimum standards for how private sector organisations such as us should collect, use, disclose, store, provide access to and correct of Personal Information. In addition, many States and Territories have their own privacy laws relating to the ways private sector entities handle privacy and personal information, including:

- (a) *Health Records and Information Privacy Act 2002 (NSW)*
- (b) *Health Records Act 2001 (VIC)*
- (c) *Health Records (Privacy and Access) Act 1997 (ACT)*

We are committed to protecting your privacy and personal information. When you interact with us, you are trusting us with your personal information - we take this responsibility seriously.

We encourage you to review our Privacy Policy regularly, as this Privacy Policy may change from time to time. Where possible, we will notify you of any changes to this Privacy Policy by updating our Privacy Policy on our website.

By using the Blue Knot website or our services you accept that we will collect, use and disclose your personal information in accordance with this Privacy Policy.

### 2 What is personal information?

Personal information means information or an opinion that can be reasonably used to identify that individual, whether or not the information or opinion is true or recorded in a material form.

Personal information includes sensitive information such as health information, credit information and tax file number information.

### **3 Collection of personal information**

#### **3.1 When we may collect your personal information**

We will only collect your personal information, including sensitive and health information, using fair and lawful means and where we have your permission to do so to provide you with our services, or where this collection is permitted by law.

The circumstances in which we might collect your personal information include:

- (a) as part of providing you with our services, such as trauma counselling, information and referrals as needed by phone, webchat and video;
- (b) in order to interact with you, such as answering any questions or queries you have made through our website or by contacting us;
- (c) where we are required by law to collect certain information; and
- (d) where we have your consent to collect your personal information.

We generally rely on the collection of certain personal information in order to provide you our services. You are generally not required to provide us with any personal information, and you may contact us at any time to request that we do not collect your personal information. However, if you choose not to provide your personal information to us, we may be limited in the ways we can interact with you and we may not be able to offer our full range of services to you.

There may also be some circumstances where we are legally required to collect your personal information. Subject to applicable laws, we will inform you of these circumstances when they arise.

Where we are collecting your personal information, we will use our best endeavours to make sure you are notified of this collection.

### **3.2 Sensitive information**

We will not collect sensitive information about you unless this is reasonably necessary to provide you with our services, and:

- (a) we obtain your consent to collect and use it; or
- (b) the collection is required or authorised by law.

### **3.3 Types of information that we may collect**

In the course of providing our services to you, the types of personal information we may collect or request include:

- (a) name;
- (b) residential or work address;
- (c) email address;
- (d) IP address;
- (e) telephone number;
- (f) age or birth date;
- (g) profession, occupation or job title;
- (h) your browser type;
- (i) literacy and communication barriers and preferences;
- (j) information about when and how you use our website or services;
- (k) information about your past internet usage, such as other websites you visit before coming to our website;
- (l) device and connection information, such as browser, operating system, mobile platform and unique device and other technical identifiers;
- (m) URL click stream data, including date and time, and content you viewed or searched for;

- (n) details of the services you have accessed or enquired about, together with any additional information necessary to safely and appropriately deliver those services to you and to respond to your enquiries;
- (o) any additional information that you provide to us directly through our websites or indirectly through use of our websites or online presence, through our staff, representatives or otherwise; and
- (p) information you provide to us through client surveys.

When you contact our counselling services by phone, we record these calls for internal training purposes only. All calls are automatically deleted 3 months after they occur. If you do not want your call to be recorded, you have the right to request that the counsellor not record the call.

When you contact us using webchat, we do not record those interactions, but we do take a transcript of the webchat session for quality assurance purposes. You may request a copy of this transcript. If you do not want the transcript to be kept, you have the right to request that the counsellor destroy the record.

The type of Sensitive Information we may collect generally includes:

- (a) your physical, mental or psychological health;
- (b) whether you are living with a disability;
- (c) information regarding whether you are from an Aboriginal and/or Torres Strait Islander background or from a culturally and linguistically diverse background;
- (d) responsible institutions if applying to the National Redress Scheme;
- (e) your sexual preference(s); and/or
- (f) your gender identity.

We may also collect some information that is not personal information, because it does not identify you, or anyone else. For example, we may collect anonymous answers to surveys or information about the use of our website.

We also keep a record of communications and documents that we are required to retain, by law.

## **4 How we collect your information**

Where possible, we will use our best endeavours to ensure that the personal information we collect about you comes directly from you. There may be some circumstances, however, where this is impractical or impossible, in which case we may collect personal information about you from a third party or by using publicly available information.

In this section, we have set out some of the main ways in which we may use the personal information we collect or hold about you. In addition to these categories, we may also use your personal information for purposes reasonably related to those set out here, or if we are otherwise required or authorised by law.

If we need to use your personal information in other ways, we will provide specific notice at the time of collection and obtain your consent where required by applicable law.

### **4.1 Information collected from you**

Generally, we will collect personal information about you, directly from you. This includes:

- (a) when you register for an account with us, request information or services from us;
- (b) when you visit our website;
- (c) during telephone, video or online chat conversations;
- (d) through written correspondence (including email);
- (e) through Redress Support Service applications you lodge with us;
- (f) when you attend an event conducted by us; or
- (g) when you complete a survey or enter a promotion or competition conducted by us or on our behalf.

## **4.2 Third parties**

We will only collect your personal information from sources other than you if it is unreasonable or impracticable to collect that personal information from you, or where we have your consent to this collection. This may include:

- (a) from our other service providers or business partners that help us provide our services.
- (b) using our third party partners or publicly available information sources to verify information that you have given us
- (c) where you have given us consent to collect your personal information from another source; and
- (d) from a publicly maintained record or other publicly available sources of information including social media and similar websites.

## **4.3 Unsolicited personal information**

From time to time, we may receive unsolicited personal information about an individual. When this occurs, we will review the information received and determine if that information is reasonably required by us to conduct our business or services.

If we determine that the information is not required, the information will be either securely destroyed or de-identified.

## **5 How we may use personal information**

### **5.1 Generally**

In general, we only use and disclose your personal information in order to allow us to offer our services to you and in pursuit of our purpose as a charitable organisation. The reasons we may use your personal information might include to:

- (a) conduct the business and charitable purpose of our organisation;
- (b) provide our services to you;

- (c) communicate with you;
- (d) help us manage and enhance our service standards;
- (e) understand your needs and establish an account for you;
- (f) respond to and assist you with your requests, inquiries or complaints;
- (g) contact you regarding our services or other services from third parties;
- (h) invite you to participate in surveys;
- (i) manage our website;
- (j) analyse data, perform audits, evaluate and report;
- (k) prevent and detect security threats, fraud or other malicious activity;
- (l) comply with our legal obligations, resolve disputes, and enforce our agreements; and
- (m) improve your online experience with us.

We may also use and disclose your personal information to:

- (a) identify service demand and trends;
- (b) comply with our legal and funding obligations;
- (c) provide you with the service which best meets your needs; and
- (d) inform our continuous quality improvement processes.

If you are a frontline worker, an employee of Blue Knot or another service provider, or otherwise a medical or related professional we may use your information to:

- (a) process your request to join our referral database;
- (b) process your request to list your service; and
- (c) respond to your feedback or email enquiry.

We may also use your personal information for a purpose which is directly related to any of the above purposes, where we have your express consent for an additional use or disclosure, or where use or disclosure is required or permitted by law.

We will delete, destroy or completely anonymise any personal information we hold when it is no longer relevant or necessary for the purposes which we collected it.

Our systems may assign a unique identifier to personal information so that we can securely store it and report on it in a de-identified way.

## **6 Privacy relating to our specific services**

If you engage with the National Counselling and Referral Service, Blue Knot Helpline or the Redress Support Service (by any means including, but not limited to, by telephone, online chat, video) you will be:

- (a) informed that notes from your interaction with us will be digitally recorded and electronically stored by us, which may include the collection of your personal information;
- (b) informed that personal information you provide is subject to the terms of this Privacy Policy, and you will either be provided with access to this Privacy Policy or informed of where you can read this Privacy Policy; and
- (c) provided with the opportunity to consent or not consent to these Privacy Policy terms and the specific collection and use of your personal information.

If you do not consent to these Policy terms, we may be limited in how we can assist you, including being restricted in our ability to provide you with our services.

## **7 How we may disclose your personal information**

### **7.1 Disclosures generally**

We may disclose your personal information to another person, entity, government authority or a court in some circumstances. This may include when:



- (a) we have obtained your consent;
- (b) in order to provide our services and for quality assurance purposes;
- (c) we are required or permitted to do so by law, court order or by the direction of a government authority;
- (d) there is an immediate or imminent risk of serious harm to the individual, an identified third party or the general public;
- (e) we are made aware of engagement or suspected engagement in an unlawful activity or serious misconduct.

Where possible, personal information which we disclose will be in a de-identified form (although this may not always be possible).

When disclosing your information, we will take all reasonable steps in the circumstances to ensure that the recipient of your information understands that they are receiving personal information, and that the recipient has in place suitable and adequate privacy policies and procedures that reflect relevant obligations under Australian law.

In the following sections, we provide information about the types of persons or entities we may disclose information about you to.

## **7.2 Connected to our charitable purpose**

As part of our charitable purpose and in providing the services to the broader community, we may disclose personal information (but not health information) as follows:

- (a) to our funders, including to a government authority which has provided us with grant funding, where this is required to meet our contractual obligations and service agreements;
- (b) to our trusted partners to help us perform statistical analysis, send you email or post information, provide customer support, or arrange for deliveries.

### **7.3 Overseas disclosures of your personal information**

Blue Knot is unlikely to disclose any personal information to overseas recipients. However, if for whatever reason we become likely to disclose personal information to any recipients located overseas, we will update this Privacy Policy regarding the likely disclosures (including, if it is practicable to do so, listing the countries in which such overseas recipients are likely to be located).

We will at all times take reasonable steps in the circumstances to ensure that any such overseas recipients hold, use or disclose your personal information in a way that is consistent with the Privacy Act and the Australian Privacy Principles.

## **8 Marketing**

In addition to the purposes set out above in this Privacy Policy, we may use the personal information (other than health information) we collect about you in order to:

- (a) provide you with information about our products and services;
- (b) seek your feedback on our products or services;
- (c) inform you of events, services, promotions or offerings which might be of interest to you; or
- (d) contact you on behalf of external business partners about a particular offering that may be of interest to you, based on our interactions with you.

As part of this, we also disclose your personal information to our external business partners for the purpose of the other entity contacting you about any events, services, promotions or offerings we might offer.

If you do not wish to receive any of this correspondence, or do not consent to our use of your personal information in this way, you can opt-out or withdraw / amend your consent at any time, by:

- (a) following the instructions on how to opt-out included within the material that is sent to you (such as the 'opt-out' or 'unsubscribe' link provided in an email correspondence); or

- (b) contacting us and requesting we stop using your personal information in this way.

## **9 How we store and secure your personal information**

We use a number of measures to protect your personal information from misuse, loss, unauthorised access, modification and improper disclosure. These measures include:

- (a) placing privacy and confidentiality requirements on employees via contracts and policies;
- (b) retaining your personal information for no longer than it is reasonably required to service a policy or continue to provide any products and services to you, unless we are required by law or any contractual obligation to retain it for longer;
- (c) restricting access to private and personal information including with electronic and physical access controls and network firewalls;
- (d) ensuring systems and methods of storage are secure utilising appropriate technology and best practice processes; and
- (e) continuous review and assessment of policies, practices, and systems.

All employees, contractors, agents and volunteers of Blue Knot (our **Staff**) are required to abide by the privacy policies and procedures in place at Blue Knot. Additionally, our Staff are required to participate in appropriate training when instructed, to maintain their knowledge of privacy practices and to ensure that they seek support or advice when they are not certain.

## **10 Anonymity and pseudonymity**

### **10.1 Anonymous information**

You may request to engage with us using a pseudonym or whilst remaining completely anonymous.

Where possible, we will honour this request and endeavour to provide you with our services as much as possible. However, we may not always be able to provide you with certain services without your personal

information, and we may be limited in how we can interact with you without your personal information.

There may also be circumstances where we are required by law, court order or the direction of a government authority to obtain your personal information (such as by verifying your identity).

If you are applying for the National Redress Scheme, you will need to provide your full name and identifying details.

If you are accessing either the Blue Knot Helpline or the National Counselling and Referral Service, you can use the service anonymously or choose a pseudonym. This is your choice.

If you are in a closed institution such as a Correctional Centre, you will need to provide your full name and certain identifying details.

## **11 Your rights**

### **11.1 Accessing and correcting your personal information**

We take reasonable steps in the circumstances to ensure that any personal information we hold is accurate, up-to-date, complete, relevant and not misleading.

Under the Privacy Act, you have a right to seek access to and correction of your personal information that is collected and held by us. If at any time you would like to exercise this right (or want more information about this right) you may contact us for this purpose. We will grant access to the extent required or authorised by the Privacy Act or other law and take steps reasonable in the circumstances to correct personal information where necessary and appropriate.

### **11.2 Informed consent**

At various times when you interact with us using our website, through our services or when you call us or otherwise contact us, we may seek your consent in relation to our privacy practices and your personal information.

In order to provide us with consent at any given time, you must have 'capacity' to give consent, meaning generally that you understand what

you are being asked to consent to and the associated consequences, and are capable of communicating to us your decision.

There may be certain circumstances where we have reason to doubt your capacity to provide us with consent, such as if we know or suspect:

- (a) you have a limited understanding of English (such as if you are culturally and linguistically diverse);
- (b) you have a physical or mental disability impacting your ability to provide informed consent; or
- (c) that you are temporarily incapacitated (for example, if you are having a psychotic episode, you are suffering from a temporary psychiatric illness, you are in severe distress or you are suffering from dementia).

In these circumstances, we may take steps to confirm your capacity to provide informed consent, which may include offering you support in the form of providing you with an interpreter, or contacting any person with authority to act on your behalf (such as a guardian, enduring power of attorney, or any other person you have previously nominated in writing).

Whether or not you have capacity to consent, as far as is practical and lawful, we will endeavour to involve you in any decision made regarding your capacity or consent.

Where our handling, use or disclosure of your personal information is based on your previously given consent, you have the right to withdraw this consent (in whole or in part) at any time, and you can exercise this right by contacting us at any time.

If you are under the age of 18 and unable to understand what you are consenting to, we may need to obtain the consent of your parent or guardian to collect, use and disclose your personal information.

### **11.3 How to exercise these rights**

If you would like to withdraw or amend your consent, or would like to exercise your right to access or amend the personal information we hold in relation to you, please contact us using the information set out below in this Privacy Policy.

In order for us to facilitate such a request:

- (a) you will be asked to provide proof of identity that matches our records from your correspondence with Blue Knot, to ensure that personal information is provided only to the correct individual(s) and that the privacy of others is protected;
- (b) we ask that you be reasonably specific about the information you require or the request you are making, or that you answer our reasonable queries to assist us to better understand your request; and
- (c) in relation to a request for access) we may charge you a reasonable administration fee, which reflects and will not exceed the cost to Blue Knot for providing you with certain access to your personal information in accordance with your request.

We will endeavour to respond to your request within a reasonable time or within the time required by law of our receipt of your request.

If we do not provide access we will provide written reasons.

We may not be able to facilitate (or respond to) certain requests if we no longer hold any personal information in relation to you.

Any person acting on behalf of another will need to provide evidence they have permission to access the information e.g., a letter from the individual authorising access and the provision of three forms of identification that match the records provided by the individual during their connection with our organisation's services.

## **12 Use of cookies**

Our website uses cookies and other technologies to function effectively. A cookie is a text file that is placed on your hard disk by a webpage server. Cookies cannot be used to run programs or deliver viruses to your computer. Cookies are uniquely assigned to you and can only be read by a web server in the domain that issued the cookie to you.

### 13 Contacting us and complaints

Should you wish to request access to your information and/or correct your personal information, you can do so by contacting Blue Knot via any of the following methods:

**Email:**

- For NCRS related privacy matters: [drcladership@ncrs.org.au](mailto:drcladership@ncrs.org.au)
- For Helpline and Redress privacy matters: [helpline@blueknot.org.au](mailto:helpline@blueknot.org.au)
- For any other privacy matters not relating to NCRS or Helpline and Redress: [privacy@blueknot.org.au](mailto:privacy@blueknot.org.au)

**Online Form:** If you prefer, you may instead contact us using our online form: [Compliments, Feedback and Complaints](#).

Depending on the nature of your correspondence, your request may require your communication to be shared with another Blue Knot staff member or senior management.

#### 13.1 Complaints

Should you wish to make a complaint, please refer to our complaints process outlined here: <https://blueknot.org.au/about-us/compliments-feedback-complaints/>

### 14. Document Details and Review

This policy will be reviewed at a minimum of every three years.

Date issued:	12 July 2023	Approved by:	President
Review date:			