

PRIVACY POLICY

Kids Thrive Inc

ABN 55 761 065 774

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1. Overview

- 1.1 Introduction: The Board of Kids Thrive is committed to protecting the privacy of personal information which the organisation collects, holds, and administers. Personal information is information which directly or indirectly identifies a person.
- 1.2 Purpose: The purpose of this document is to provide a framework for Kids Thrive in dealing with privacy considerations
- 1.3 Responsibilities:
 - 1.3.1 The Kids Thrive Board is responsible for developing, adopting and reviewing this policy.
 - 1.3.2 The Kids Thrive CEO is responsible for the implementation of this policy, for monitoring changes in Privacy legislation, and for advising on the need to review or revise this policy as and when the need arises.

2. How We Collect Information:

- 2.1 Kids Thrive will:
 - 2.1.1 Only collect information that is necessary for the performance of the organisation.
 - 2.1.2 Collect personal information only by lawful and fair means and not in an unreasonably intrusive way.
 - 2.1.3 Notify stakeholders about why we collect the information and how it is administered.
 - 2.1.4 Notify stakeholders that this information is accessible to them.
 - 2.1.5 Collect personal information from the person themselves wherever possible.
 - 2.1.6 If collecting personal information from a third party, be able to advise the person whom the information concerns, from whom their personal information has been collected.
 - 2.1.7 Collect sensitive information only with the person's explicit consent or if required by law. (Sensitive information includes health information and information about religious beliefs, race, gender and others).
- 2.2 Kids Thrive will also collect sensitive information about an individual if such collection is necessary to prevent or lessen a serious and imminent threat to the life or health of any individual, where the individual whom the information concerns:
 - is physically or legally incapable of giving consent to the collection; or physically cannot communicate consent to the collection
- 2.3 As a non-profit organisation, if Kids Thrive collects information, the following conditions must be satisfied:

- the information relates solely to the members of the organisation or to individuals who have regular contact with it in connection with its activities;
- at or before the time of collecting the information, Kids Thrive will inform the individual whom the information concerns that it will not disclose the information without the individual's consent; and
- the collection must be necessary for the establishment, exercise or defence of a legal or equitable claim.

3. How We Use Information

3.1 Kids Thrive will:

- 3.1.1 Only use or disclose information for the primary purpose for which it was collected or a directly related secondary purpose.
- 3.1.2 For other uses, Kids Thrive will obtain consent from the affected person.
- 3.1.3 In relation to a secondary purpose, use or disclose the personal information only where:
 - a secondary purpose is related to the primary purpose and the individual would reasonably have expected us to use it for purposes; or
 - the person has consented; or
 - certain other legal reasons exist, or disclosure is required to prevent serious and imminent threat to life, health or safety.

3.2 In relation to personal information which has been collected from a person, use the personal information for direct marketing, where that person would reasonably expect it to be used for this purpose, and Kids Thrive has provided an opt out and the opt out has not been taken up.

3.3 In relation to personal information which has been collected other than from the person themselves, only use the personal information for direct marketing if the person whose personal information has been collected has consented (and they have not taken up the opt-out).

3.4 In each direct marketing communication with the individual, Kids Thrive draws to the individual's attention, or prominently displays a notice, that he or she may express a wish not to receive any further direct marketing communications.

3.5 Where possible, Kids Thrive will disclose when information is sent overseas and will, where possible, ensure that any overseas providers of services are as compliant with privacy standards as Kids Thrive is required to be.

3.6 Such disclosures will only be made if:

- the overseas recipient of the information is subject to a law, binding scheme or contract which effectively upholds principles



for fair handling of the information that are substantially like the National Privacy Principles; or

- the individual consents to the transfer; or
- the transfer is necessary for the performance of a contract between the individual and the organisation, or for the
- implementation of pre contractual measures taken in response to the individual's request; or
- the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the individual between the organisation and a third party; or
- the organisation has taken reasonable steps to ensure that the information which it has transferred will not be held, used or disclosed by the recipient of the information inconsistently with the National Privacy Principles

3.7 In relation to the overseas transfer of personal information, if it is impractical for Kids Thrive to receive the person's consent to that transfer, Kids Thrive must have sufficient reasons to believe that the person would likely give consent could they be contacted.

3.8 Provide all individuals access to their personal information on request, except where it is a threat to life or health or it is authorized by law to refuse and, if a person is able to establish that their personal information is not accurate, then Kids Thrive must take steps to correct it. Kids Thrive may allow a person to attach a statement to their information if Kids Thrive disagrees it is inaccurate.

3.9 Where for a legal or other reason we are not required to provide a person with access to their information, consider whether a mutually agreed intermediary would allow sufficient access to meet the needs of both parties.

3.10 Make no charge for making a request for personal information, correcting the information or associating a statement regarding accuracy with the personal information.

3.11 Each written direct marketing communication with the individual must set out Kids Thrive's business address and telephone number and, if the communication with the individual is made by fax, telex or other electronic means, a number or address at which the organisation can be directly contacted electronically.

3.12 If the disclosure of sensitive information is necessary for research, or the compilation or analysis of statistics, relevant to public health or public safety and it is impracticable for Kids Thrive to seek the individual's consent before the use or disclosure and the use or disclosure is conducted in accordance with guidelines approved by the Commissioner under section 95A, the organisation may make such a disclosure.

3.13 If Kids Thrive has sufficient reasons to believe that an unlawful activity has been, is being or may be engaged in, and the disclosure of personal



information becomes a necessary part of its investigation of the matter or in reporting its concerns to relevant persons or authorities, the organisation may make such disclosures.

3.14 Kids Thrive may further disclose personal information if its disclosure is mandated by an enforcement body or is required for the following:

3.15 the prevention, detection, investigation, prosecution or punishment of criminal offences, breaches of a law imposing a penalty or sanction or breaches of a prescribed law;

- the enforcement of laws relating to the confiscation of the proceeds of crime;
- the protection of the public revenue;
- the prevention, detection, investigation or remedying of seriously improper conduct or prescribed conduct;
- the preparation for, or conduct of, proceedings before any court or tribunal, or implementation of the orders of a court or tribunal.
- For the purpose of this clause, Kids Thrive must make a written note of the use or disclosure for internal reference.

4. How We Store Information

4.1 Kids Thrive will:

- 4.1.1 Implement and maintain steps to ensure that personal information is protected from misuse and loss, unauthorized access, interference, unauthorized modification or disclosure.
- 4.1.2 Before Kids Thrive discloses any personal information to an overseas recipient including a provider of IT services such as servers or cloud services, establish that they are privacy compliant. Kids Thrive will have systems which provide sufficient security.
- 4.1.3 Ensure that Kids Thrives data is up to date, accurate and complete.

5. How We De-Identify and Destroy Information

5.1 Kids Thrive will:

- 5.1.1 Destroy personal information once it is not required to be kept for the purpose for which it was collected, including from decommissioned laptops and mobile phones.
- 5.1.2 Change information to a pseudonym or treat it anonymously if required by the person whose information Kids Thrive holds and will not use any government related identifiers unless they are reasonably necessary for our functions.

6. Quality Assurance

6.1 Kids Thrive will:

- 6.1.1 Take reasonable steps to ensure the information Kids Thrive collects is accurate, complete, up to date, and relevant to the functions we perform.

7. Data Security and Retention

7.1 Kids Thrive will:

- 7.1.1 Only destroy records in accordance with Australian Privacy Law and Practice (ALRC Report 108).

8. Accessing and Correcting Your Personal Information

8.1 Kids Thrive will:

- 8.1.1 Ensure individuals have a right to seek access to information held about them and to correct it if it is inaccurate, incomplete, misleading, or not up to date.
- 8.1.2 If the individual and Kids Thrive disagree about whether the information is accurate, complete and up to date, and the individual asks Kids Thrive to associate with the information a statement claiming that the information is not accurate, complete or up to date, Kids Thrive will take reasonable steps to do so.
- 8.1.3 Kids Thrive will provide to the individual its reasons for denial of access or a refusal to correct personal information.
- 8.1.4 Kids Thrive can withhold the access of an individual to their information if:
 - providing access would pose a serious and imminent threat to the life or health of any individual; or
 - providing access would have an unreasonable impact upon the privacy of other individuals; or
 - the request for access is frivolous or vexatious; or
 - the information relates to existing or anticipated legal proceedings between the organisation and the individual, and the information would not be accessible by the process of discovery in those proceedings; or
 - providing access would reveal the intentions of the organisation in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
 - providing access would be unlawful; or
 - providing access would be likely to prejudice an investigation of possible unlawful activity; or
 - an enforcement body performing a lawful security function asks Kids Thrive not to provide access to the information on the basis that providing access would be likely to cause damage to the security of Australia.

8.2 Where providing access would reveal evaluative information generated within the organisation in connection with a commercially sensitive decision-making process, Kids Thrive may give the individual an explanation for the commercially sensitive decision rather than direct access to the information.

8.3 If Kids Thrive decides not to provide the individual with access to the information on the basis of the above-mentioned reasons, Kids Thrive will consider whether the use of mutually agreed intermediaries would allow sufficient access to meet the needs of both parties.

8.4 Kids Thrive will make no charge for providing access to personal information.

9. Identifiers

9.1 Kids Thrive will not adopt as its own identifier of an individual, an identifier that has been assigned by any third party. It may however adopt a prescribed identifier by a prescribed organisation in prescribed circumstances

9.2 Kids Thrive will not use or disclose the identifier assigned to an individual by a third party unless:

- the use or disclosure is necessary for the organisation to fulfil its obligations to the agency; or
- the use or disclosure is by a prescribed organisation of a prescribed identifier in prescribed circumstances.

10. Anonymity

10.1 Kids Thrive will:

10.1.1 Allow people from whom the personal information is being collected to not identify themselves or use a pseudonym unless it is impracticable to deal with them on this basis.

11. Making Information Available to Others

11.1 Kids Thrive can:

11.1.1 Release information to third parties where it is requested by the individual concerned. This request must be provided to Kids Thrive in writing.

12. Related Documents

