

***SUNSHINE/ST. ALBANS RENTAL  
HOUSING CO-OPERATIVE LTD***

**PRIVACY AND INFORMATION SHARING POLICY (VHR)**

**Purpose**

The policy sets out how Sunshine/St. Albans Rental Housing Co-operative Ltd (SUNRHC) collects, uses and discloses your personal information.

**Scope**

This policy applies to anyone who uses Sunshine/St. Albans Rental Housing Co-operative Ltd's services.

SUNRHC staff, contractors, board members and volunteers must all follow this policy.

This policy does not apply to:

- the personal information belonging to people who work or volunteer at SUNRHC
- Personal information collected from people who are not using SUNRHC's services

If you have applied for social housing under the Victorian Housing Register (VHR), this policy also summarises how SUNRHC shares your personal information with other VHR agencies.

**POLICY STATEMENT**

SUNRHC collects personal information from tenants, applicants and others, so that SUNRHC can provide housing and services.

Commonwealth and Victorian laws set out how we must manage your personal information to protect your privacy. Our detailed obligations are set out in:

- the Australian Privacy Principles in the Privacy Act 1988 (C/wlth)
- the Information Privacy Principles in the Privacy and Data Protection Act 2014 (Vic);
- where your personal information is also health information, the Health Privacy Principles in the Health Records Act 2001 (Vic)
- Residential Tenancies Amendment Act 2018 and Residential Tenancy Regulations 2021

In addition, SUNRHC takes part in the Victorian Housing Register (VHR). The Housing Act 1983 (Vic) allows us in some circumstances to share personal information of applicants for social housing with other VHR agencies.

We want our privacy practices to be open and transparent. To achieve this, our privacy policy is written in simple language and is publicly available upon request.

### **Collecting your personal information**

Generally we ask for, and collect personal information about you to help us provide a service to you – for example:

- the SUNRHC application and interview process;
- to sign you up as a renter in one of our properties;
- to manage your tenancy, for example to calculate your rent; and
- when you contact us, for example to ask for information, or report a tenancy issue (such as repairs needed on your home), or lodge a complaint with us

In these situations, we ask you for details about yourself and any other members of your household so that we can provide you with a service that meets your household's needs. This information usually includes the following information about members of your household:

- identity (name, date of birth) and copies of identification documents;
- contact details (address, phone, email etc.)
- your residency status;
- evidence of your household income and assets;
- information about your housing needs;
- demographic information (such as language spoken at home and country of birth);
- records of conversations and communication between you and our staff
- personal information recorded in notes, recommendations and decisions made by our staff.

If you do not give us this information, this can limit our ability to:

- make an offer of housing to you;
- provide you with an affordable rent; or
- act on your request or complaint

SUNRHC only ask for and collect the personal information we need for the particular function or activity we are carrying out.

### **Collecting sensitive information and health information**

We generally only collect *sensitive information* (such as about racial or ethnic origin) and *health information* (such as about a person's disability or mental health condition) for the purpose to comply with government reporting requirements.

You do not have to provide this sensitive information or health information to us, but if you do not tell us about your current circumstances or your health condition or disability, we may be unable to:

- look at your application to be housed by SUNRHC;
- offer you housing that suits your specific needs;
- provide services that are appropriate to you needs; or
- make the modifications to your home that may be required;

### **Indirect collection**

SUNRHC only collects your personal information directly from you. However, there are some situations where we collect personal information from other sources, for example:

- when you are a member of a household of a renter or an applicant, we may need to collect personal information about you from another member of the household;
- when you authorise us to ask for and collect personal information about you from another source, such as Centrelink (to enable us to calculate your rent) or your support worker (to help us match you with suitable housing or to help you to sustain your tenancy with us); or
- if we are given personal information about you as part of the complaint brought by another person

If you have applied for housing under the VHR, then the VHR can also include your personal information that has been collected by other VHR agencies that you have dealt with.

### **Anonymity**

To effectively carry out other functions and activities we will need your name and contact information and enough information about the particular matter to enable us to properly handle your enquiry, request, complaint, or to act on your report.

### **Using and disclosing your personal information**

We use your personal information to help us provide you with appropriate housing and services or relevant information about this housing and services, or to deal effectively with your request or complaint.

We also use personal information (including some sensitive information) to generate statistical data for reporting to government bodies and to plan for improvement to our services. We take care to ensure that our statistical data and reports cannot be used to identify you.

“Disclosing” personal information means giving your information to someone else or allowing someone else to have access to it. We take care to protect your personal information and only disclose it when it is necessary and when we have the right to do so.

We only use or disclose your personal information for the primary use it was collected. In some situations we disclose your personal information for a different (“secondary”) purpose.

Situations in which we may disclose information for a secondary purpose may include:

- to update the VHR about the status of a successful applicant;
- Information required resulting from a court order;

### **Sustaining your tenancy**

If you have authorised us to discuss your tenancy or personal information with your support worker, case manager, carer, guardian, legal representative, health professional or other nominated advocate. We will only disclose to them the information that is necessary for us to assist with your support needs.

### **Arranging for repairs to your home**

If repairs to your home require a tradesperson to attend, we give the tradesperson your name and phone number so they can call you to make arrangement directly with you for gaining access.

### **Taking legal action**

If we take legal action against you (for example, under the Residential Tenancies Act), we will only disclose to the Tribunal or Court the personal information (including sensitive information) that is necessary for us to apply for a hearing or to present our case.

### **Handling your complaint**

It may be necessary to disclose your personal information to a government agency or other party if we are asked to respond or to investigate a complaint you lodge. We will not make any disclosure without your consent, but if you don't consent, we may be unable to process your complaint.

### **Reporting to government**

In most situations we de-identify your personal information before we provide it to a government department or agency.

When you apply for housing under the VHR, personal information you provided with your application may be used to provide statistical data to government departments to help us and them to understand the kinds of people that need housing.

In some limited circumstances it may be necessary to disclose your personal information to a government agency to satisfy our regulatory contractual requirements.

### **Meeting our broader obligations**

We will disclose your personal information if we are required to by law (for example, by a court order). We can also disclose your personal information if this is necessary to lessen or prevent a serious threat to someone's life, health or safety or to take action on suspected unlawful activity or serious misconduct. If it necessary for us to use or disclose your personal information for such reasons, we will make a written note of this.

### **Disclosure of personal information overseas**

There would normally be no situation in which we would disclose your personal information to an overseas recipient. The only likely exception is where you have provided an overseas contact for your next of kin in case of emergency.

### **Quality of personal information**

To ensure that the personal information we collect is accurate, up-to-date and complete, we record information in a consistent format, we promptly add updated or new personal information to existing records, and we regularly audit our data to check for inconsistencies.

We also review the quality of personal information before we use or disclose it.

### **Storage and security of personal information**

We take steps to protect the security of the personal information we hold. Personal information in electronic form is stored on a secure computer server within our office, and is only accessible by SUNRHC staff using our password protected

network. Most personal information is recorded in a customised software program that requires an additional password to access.

Tenant and applicant paper files are kept in lockable filing cabinets that can only be accessed by SUNRHC personnel who have the right to do so. Files are only removed from the cabinet when staff are currently working on them.

We destroy personal information in a secure manner when we no longer need it.

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

You have the right to ask for access to personal information that we hold about you, and to ask that we correct any errors in that personal information. You can ask for access or correction by contacting us, and we will respond within 30 days.

There are some situations where we have the right reject your request, or to give access but not in the way or to the extent that you have asked for – for example, if your request is frivolous or vexatious; or giving access that would seriously threaten someone else’s health or safety or have an unreasonable impact on their privacy; or there is a law that requires us not to.

We will ask you to prove your identity before we give you access to your information or correct it, and we will try to make the process as simple as possible. If we refuse to give you access to, or correct, your personal information, we must notify you in writing setting out the reasons.

If we make correction and we have disclosed the incorrect information to others, you can ask us to tell them about the correction. We must do so unless there is a valid reason not to.

### **How to make a privacy complaint**

If you want to complain to us about the way we have handled your personal information, you should give us your privacy complaint in writing (by letter or email). If you need help lodging a complaint, you can contact us.

If we receive a privacy complaint from you, we will decide what (if any) action we should take to resolve your complaint. We will promptly let you know that we have received your privacy complaint, and we will respond to your complaint within 30 days.

If you disagree with our response you can ask for a formal review by SUNRHC’s Committee of Management. The Committee of Management will then make a decision and you will be advised of such. If you remain unsatisfied with our

response, you can refer your complaint to the Commonwealth or Victorian government agency responsible for privacy law:

Office of the Australian Information Commissioner

Phone: 1300 363 992  
Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)  
Fax: +61 2 9284 9666  
Post: GPO Box 5218, Sydney NSW 2001

Commissioner for Privacy and Data Protection

Phone: 1300 666 444  
Email: [privacy@cpdp.vic.gov.au](mailto:privacy@cpdp.vic.gov.au)  
Post: PO Box 24014, Melbourne VIC 3001

**How to contact us**

You can contact the SUNRHC as follows:

Email: [sunrhc@bigpond.com](mailto:sunrhc@bigpond.com)  
Telephone: (03) 9363 7514  
By mail: PO Box 436, Sunshine VIC 3020

**Definitions**

In this policy:

<b>Applicant</b>	A person who SUNRHC assists to apply for social housing
<b>Consent</b>	includes express consent (given explicitly, either orally or in writing) and implicit consent (where in the circumstances it can reasonably be inferred). It requires four key elements: <ul style="list-style-type: none"><li>• the individual is adequately informed before giving consent</li><li>• the individual gives consent voluntarily</li><li>• the consent is current and specific, and</li><li>• the individual has the capacity to understand and communicate their consent</li></ul>
<b>DFFH</b>	The Victorian Department of Families, Fairness and Housing

**Health information** includes personal information about a person’s current and previous health or disability, or about their expressed wishes for future provision of health services to them, or about a health service provided or to be provided to them

**Personal information** means information or an opinion about an identified person, or a person who is reasonably identifiable, whether the information or opinion is true or not; and whether the information or opinion is recorded in a material form or not

**Sensitive information** includes: health information (as defined); personal information about a person’s race or ethnicity, political opinions or affiliation, religious beliefs or affiliation, membership of a trade union or professional association, sexual orientation or practices, or genetic or biometric information

**Social Housing** Both public housing (housing owned and managed by the Director of Housing) and housing owned, controlled or managed by participating registered agencies (that is, registered housing agencies that participate in the VHR)

**VHR** The Victorian Housing Register, the state wide common application for people seeking social housing, which can be accessed via SUNRHC, DFFH, the mygov portal or designated support providers

**VHR Agency** Means:

- a registered housing agency under the Housing Act 1983 (Vic);
- DFFH; and
- A designated service provider (as defined in the Housing Act 1983)

**Related policies**

- Complaints and Appeals Policy (VHR)



## **Legislation and standards**

This policy implements SUNRHC's obligations under:

- Privacy Act 1988 (Cwlth)
- Privacy and Data Protection Act 2014 (Vic)
- Health Records Act 1983 (Vic) Part VIIIA-Social Housing
- Performance Standards for Registered Housing Agencies
- DFFH Victorian Housing Register Operational Guidelines
- Residential Tenancies Amendment Act 2018 and Residential Tenancy Regulations 2021

## **PRIVACY STATEMENT**

### **Scope**

SUNRHC collects, holds, uses and discloses personal information to enable us to provide housing and other services for our tenants and applicants. This statement is a summary of how we handle personal information. Our Privacy Policy provides more detail on how we comply with privacy laws.

### **Collecting your personal information**

Generally we collect personal information about you to help us provide a housing or related service to you. We try only to ask and collect the information we need. If you don't give us this information, we may not be able to provide you with the service you want.

We generally only collect sensitive information about you when we have your consent.

We try to only collect your personal information directly from you, but in some situations we collect your personal information from another source to enable us to carry out our legal duties.

### **Using and disclosing your personal information**

We use your information to help us provide you with appropriate and affordable housing services, or to deal effectively with your request or complaint, or to generate de-identified data for internal or government reporting.

We only disclose personal information when it is necessary and we have the right to do so.

We generally use or disclose your personal information only for the primary purpose it was collected for. In some situations we disclose your personal information for a different ("secondary") purpose. Our main privacy policy explains these situations.

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

You can ask for access or correction by contacting us, and we will respond within 30 days. We will take reasonable steps to correct information we agree is incorrect.

## **How to make a privacy complaint**

If you make a written complaint to us about how we have handled your personal information, we will respond within 30 days to explain what action we will take. If you disagree with our response, you can ask for a formal review by the Committee of Management, or you can appeal to the Office of the Australian Information Commissioner.