

## Purpose

*Foodbank SA & NT (Foodbank) respects the privacy of all stakeholders. This Policy sets out how Foodbank manages its privacy obligations according to the 13 Australian Privacy Principles (APPs) in the Privacy Act 1988 (Cth) as amended (the Act) and other privacy related legislation.*

*This Policy sets out how Foodbank collects, holds, uses and discloses personal information including sensitive information as an APP entity under the Act.*

## Policy Statement

*Foodbank is committed to managing personal information in an appropriate way. Foodbank will adhere to the APPs set out in the Act and other privacy related legislative obligations.*

## Definitions

*The definition of all terms used in this policy are as per the Act and Regulations.*

## Policy

### Application of Policy

1. *Subject to clause 1, this Policy applies to all personal information and sensitive information collected and held by Foodbank.*
2. *Despite clause 1, any act done or practice engaged in by Foodbank directly related to:*
  - 2.1. *a current or former employment relationship between Foodbank and an individual, and*
  - 2.2. *a current or historical employee record held by Foodbank relating to an individual**are exempt from this Policy in accordance with the Act and the APPs.*
3. *Foodbank respects the privacy of employees and whilst employee records are exempt from this policy, the organisation will take all reasonable steps to protect the privacy of these records.*

1

|                         |             |                           |                            |
|-------------------------|-------------|---------------------------|----------------------------|
| <b>Effective Date</b>   | 26 Aug 2025 | <b>Functional Owner</b>   | General Manager – Strategy |
| <b>Previous Reviews</b> | Jan 2024    | <b>Approved Authority</b> | Chief Executive Officer    |
| <b>Next Review Date</b> | 26 Aug 2027 | <b>Reference Number</b>   | ADM-01                     |

## Privacy Policy

### 4. Personal Information

- 4.1. Foodbank collects personal information for the purposes of Foodbank's functions and activities as outlined in clause 6.1. It collects personal information about employees, donors, volunteers and other individuals who have dealings with Foodbank for administrative need, to conduct its business, for legislative compliance or for marketing, fundraising and research purposes.
- 4.2. The personal information collected and held includes but is not limited to:
  - Name
  - Residence and contact details
  - Date of birth
  - Details of next of kin
  - Identifying information including photographs
  - Qualifications
  - Financial information and tax file number
  - Donation information.
- 4.3. Foodbank only collects sensitive information with the individual's consent unless the collection is required or authorised by law. Sensitive information collected and held includes but is not limited to:
  - Health information
  - Records of injuries
  - Membership of political association
  - Criminal checks.

### 5. Collection and Holding of Information

- 5.1. Foodbank collects and holds personal information from numerous sources. Where reasonably practicable, Foodbank will only collect information from the individual to whom it relates. Information will primarily be collected through official Foodbank processes, including email, letters, forms, surveys or other methods of communication. Foodbank may also collect your personal information in other ways, for example through the purchase of commercial lists, and from publicly available sources such as the telephone directory. When we use this information for direct marketing, we will advise you of the source of the information if you ask us for it.
- 5.2. Foodbank holds personal information in both paper and electronic forms, including databases and online software systems.
- 5.3. When an individual accesses the Foodbank website, log files ("cookies") are created by the web server that contain certain information including the Internet Protocol (IP) address of the individual, the previous site visited (that is, how they have arrived at the Foodbank website), the time and date of access and pages visited and material downloaded. Cookies allow a website, such as the Foodbank website, to temporarily store information on an individual's machine for later use. Foodbank's website uses cookies to identify unique visitors to the site.
- 5.4. In order to improve Foodbank's services and assist the user, Foodbank stores information about users of its website to create a digital profile and provide them with information specific to them.
- 5.5. Foodbank uses web analytics to obtain statistics about how its website is accessed. The information generated by the cookie about an individual's use of the Foodbank website is transmitted to and stored by web analytic service providers on servers

located within and outside Australia, but it does not include any personally identifying information.

- 5.6. Individual users generally have the option of accepting or rejecting cookies by adjusting the settings in their web browsers. However, rejecting cookies may impact upon the functionality of the Foodbank website.
- 5.7. The Foodbank website may contain links to other websites. Foodbank cannot control the privacy controls of third party websites. Third party sites are not subject to Foodbank's Privacy Policy or Procedures.
- 5.8. When Foodbank collects personal information, it will advise the individual how it collects and uses the information from the individual or someone other than the individual, whether the collection is required or authorised by law and the consequences for the individual if the information is not collected. It will also provide information about Foodbank's Privacy Policy and about the right of individuals to access and correct personal information. If Foodbank collects personal information in circumstances where the individual may not be aware of the collection it will seek to advise the individual of the collection.
- 5.9. When Foodbank receives unsolicited personal information, it assesses whether it is information it may lawfully and reasonably collect. If it is, Foodbank will treat the information in accordance with this policy. If not, Foodbank will destroy or de-identify the information as soon as practicable.
- 5.10. Individuals have the right to remain anonymous or to use a pseudonym when dealing with Foodbank. Services available through Foodbank may be restricted in the event an individual chooses to remain anonymous or use a pseudonym.

## 6. Use and Disclose of Information

- 6.1. Foodbank collects and uses personal information for a variety of different purposes relating to its functions and activities including:
  - Service delivery
  - Fundraising and marketing
  - Maintaining contact with stakeholders in the community
  - Community engagement
  - Government and other reporting
  - Commercial application of its intellectual property and professional expertise
  - Undertaking staff and volunteer recruitment activities
  - Insurance
  - Undertaking research
  - Handling complaints
  - Conducting its business and improving the way in which it conducts its business
  - Purposes directly related to the above.
- 6.2. Foodbank does not use or disclose personal information for purposes other than the purpose for which it was collected (the primary purpose) unless:
  - 6.2.1. the individual has consented, or
  - 6.2.2. the individual would reasonably expect the use or disclosure for the secondary purpose and the secondary use or disclosure is:
    - 6.2.2.1. related to the primary purpose if the information is not sensitive information or
    - 6.2.2.2. is directly related to the primary purpose if the information is sensitive information, or
  - 6.2.3. it is otherwise required or authorised by or under an Australian law or a court/tribunal order, or

6.2.4. a permitted general situation exists (as described in the Act), or

6.2.5. Foodbank reasonably believes that it is necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

6.3. With the individual's consent and in accordance with privacy laws, Foodbank may allow other organisations to contact donors with information that may be of interest to them. These organisations usually allow us to do the same and this way we can reach more people with vital information.

6.4. Foodbank will only use personal information for direct marketing with the individual's consent or when authorised by law. Foodbank will change any information that someone has previously provided us, or opt out of future communications where requested by the individual that has initially provided us with the data in line with the Access to and Correction of Personal Information.

6.5. Foodbank may disclose information to third parties

- to provide services
- for purposes of research to improve its operations and services
- to promote its activities
- if permitted or required by law, or
- otherwise with the consent of the individual.

6.6. Where Foodbank discloses personal information to third parties it will require restrictions on the collection and use of personal information equivalent to those required of Foodbank by the Privacy Act 1988.

6.7. Foodbank may disclose personal information to overseas recipients.

6.7.1. Foodbank will only do this at the request of, or with the specific approval of, the individual whose personal information it is.

6.7.2. Foodbank may also disclose personal information to overseas recipients who are service providers for research or other purposes, including data storage. Australian law may not apply to those recipients.

6.7.3. Foodbank will ensure that appropriate data handling and security arrangements are in place. Disclosure of personal information to overseas recipients may also be required or authorised by law.

## 7. Security

7.1. Foodbank utilises physical and information and communications technology (ICT) security systems measures to protect against loss, misuse and alteration of personal information.

7.2. In relation to electronic records, personal information is stored via Foodbank's systems including web-based systems. Where necessary, Foodbank also uses multi-factor authentication, encryption and other technology to protect certain information and transactions.

7.3. Foodbank ensures employees and volunteers only have access to personal information on an as needs basis and those individuals are aware of the organisation's privacy obligations and how to protect the information they access and use.

## 8. Access and Correction of Information

8.1. Subject to clause 2, individuals have a right under the Act to access personal information that Foodbank holds about them. Access to personal information is governed by the Access to and Correction of Personal Information Procedure.

8.2. Subject to clause 2, individuals have a right under the Act to request corrections to any personal information that Foodbank holds about them if they think that the information is inaccurate, out of date, incomplete, irrelevant or misleading. Correction of personal

*information is governed by the Access to and Correction of Personal Information Procedure.*

9. *Destruction of Information*

- 9.1. *Foodbank takes reasonable steps to destroy or de-identify personal information when it is no longer needed and it is lawfully able to do so.*

10. *Complaint Management*

- 10.1. *Subject to clause 2, individuals may complain about a breach of an APP by Foodbank. Complaints should be made in accordance with the Complaints Procedure.*
- 10.2. *Foodbank will deal with complaints about breaches of the APPs in accordance with the Complaints Procedure.*

11. *Data Breach*

- 11.1. *A data breach occurs when personal information held by Foodbank is subject to unauthorised access or disclosure or is lost.*
- 11.2. *Foodbank will manage the process of dealing with an actual or suspected breach in accordance with the Data Breach Procedure and Response Plan.*
- 11.3. *In the event of an eligible data breach, Foodbank will comply the requirements of the Notifiable Data Breach Scheme under the Act and any other applicable obligations.*

12. *Further Assistance*

- 12.1. *Access to this Policy in alternative formats (e.g. hard copy) is available through the Privacy Officer.*
- 12.2. *Contact for all matters related to privacy, including:*
- *general inquiries*
  - *accessing personal information held about you*
  - *requests to correct personal information held about you, and*
  - *complaints about breaches of privacy*
- should be directed as follows:*

**Privacy Officer**

E: [privacy@foodbanksa.org.au](mailto:privacy@foodbanksa.org.au)

T: 08 8351 1136

P: PO Box 40, Edwardstown

13. *Policy Review*

- 13.1. *Foodbank will review this Policy and associated procedures regularly. It may amend these documents from time to time to ensure their currency with respect to relevant legislation and to improve the general effectiveness and operation of the Policy and Procedures.*
- 13.2. *This Policy is scheduled for review every two (2) years, or sooner in the event that the Approval Authority determines that a review is warranted or changes to the Act.*
- 13.3. *Unless otherwise indicated, this Policy will still apply beyond the review date.*

## Related Legislation

*Do Not Call Register Act 2006 (Cth)*

*Privacy Act 1988 (Cth)*

# Policy Privacy



*Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth)*

*Privacy Amendment (Notifiable Data Breaches) Act 2017*

*Spam Act 2003 (Cth)*

## **Related Documents**

*Access to and Correction of Personal Information Procedure*

*Privacy Inquiries and Complaints Procedure*

*Data Breach Procedure and Response Plan*