



## PRIVACY POLICY

### Details

<b>Policy &amp; Procedure Owner</b>	ERF Board	
<b>Approved by</b>	ERF Board of Directors	
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### Abbreviations

ACFID	Australian Council for International Development
APPs	Australian Privacy Principles
ERF	Edmund Rice Foundation
PCI DSS	Payment Card Industry Data Security Standards

### Definitions

ACFID Member	A not-for-profit organisation that has obtained accreditation with ACFID
Board Members	Voluntary directors of ERF's Board
Donor	Members of the public including individuals or organisations who contribute to ERF in cash or in-kind
Partner	Any organisation which has an MOU or contract with ERF
Primary Stakeholder (beneficiary)	Children and adults who participate in and are directly impacted by ERF partner projects
Program	Programs are overarching development approaches and initiatives that set priorities and guide project outcomes, results and activities. Programs can comprise ministries or entities
Project	Projects are the development activities of a Program
Staff	Employees, contractors, subcontractors, outworkers, apprentices and trainees, work experience students, volunteers and any other person who performs work for ERF or ERFK
Stakeholder	Anyone who interacts with ERF/ERFK and its Partners including but not limited to suppliers, contractors, volunteers, donors, etc.

### Contact information

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## 1.0 Introduction

Edmund Rice Foundation is committed to protecting the privacy of all of its stakeholders, including Staff, Board members, Partners, Project Beneficiaries, Donors and any other Associates who otherwise interact with ERF or its programs. We ensure that our methods of private information management are transparent at all stages of the information collection, usage and storage process. The information contained within this policy is in accordance with the Australian Privacy Act (1988) and the Australian Privacy Principles (APPs) enclosed within the Act. This policy indicates sections where conditions of one of the 13 APPs are satisfied.

## 2.0 Purpose

The purpose of this policy is to provide a framework for ERF in dealing with privacy considerations. ERF's Privacy Policy is based on the principles of free, prior and informed consent.

### 2.1 Free, prior and informed consent

ERF's definition of consent:

- **Free:** the contributor experiences no coercion or manipulation in providing consent for the collection, storage and disclosure of their personal information. The most appropriate form of consent (i.e., written, vocal) commensurate to the context is solicited from the contributor. The contributor is in a position to comprehend the process and understand their rights in approving or refusing consent. If consent is being provided by a guardian on behalf of a contributor, the guardian can be reasonably deemed as having the contributor's safety and wellbeing at heart.
- **Prior:** consent is sought sufficiently in advance of authorisations or disclosures of personal information. Sufficient time is provided between a contributor providing their consent and the disclosure of their personal information to allow them to withdraw their consent.
- **Informed:** the contributor is provided with all information relevant to their disclosure. They are not deceived by the information collector either deliberately or by omitting pertinent information. The contributor is informed of their ability to remain anonymous if they prefer. The contributor is provided with a reasonable account of the purposes of disclosing their personal information. The contributor is provided with a reasonable account of the audience profile who may be privy to their personal information.

## 3.0 Scope

This policy makes a distinction between ERF's stakeholder categories of: Staff, Board Members, Partners, Program Beneficiaries and Donors. The organisational relationship that ERF maintains with its Staff, Board Members and Partners, including matters of information collection and privacy protection, is made explicit to them. The information collected from these stakeholders is critical to the functioning of a secure and honest workplace; as such, Staff, Board Members and Partners are unable to refuse the collection of certain personal information such as criminal record checks and employment history. Details of the organisation-employee relationship are further enclosed within ERF's Human Resources Policy.

Project Beneficiaries represent ERF's most vulnerable stakeholder category. Hence, extra precautions are taken to secure their personal information: they are entitled to refuse the collection of their personal information of any kind. The information collected from a select few of these stakeholders is typically of a statistical nature, used to provide insight into the impact of ERF's programs, or of an anecdotal nature, used for marketing communications.

Compared to other stakeholders, Donors maintain a more customer-oriented relationship with ERF; as such, donors might interact with ERF without knowledge of our organisation's specific privacy policies.

## **4.0 Collection and usage of information**

### **4.1 Soliciting of personal information**

ERF collects solicited personal information directly from our stakeholders when they make contact with us through various channels, including in-person, online, over the phone or in written form. As part of these channels stakeholders acknowledge that their information is being solicited, collected, used and stored in accordance with this Privacy Policy ([APP 3](#)).

ERF takes reasonable steps to ensure that stakeholders are informed when their information is being collected ([APP 5](#)). In these instances stakeholders are provided with the following information from ERF:

- ERF's contact details;
- the nature of the information and the manner in which it was collected;
- whether ERF's collection of information is authorised by law;
- the reasons ERF collected personal information;
- the consequences for ERF if personal information is not collected;
- ERF's usual disclosure procedures of collected information;
- reference to ERF's Privacy Policy; and
- whether ERF is likely to disclose personal information to overseas recipients.

#### **4.1.1 ERF Clause for Collection of Personal Information**

Such information is consolidated into a clause visible on the ERF website by navigating through the pages: [About] – [Company Policies] – [Privacy Policies]. The clause is included below:

"Edmund Rice Foundation (Australia) is committed to the lawful collection of personal information under the Australian Privacy Act (1988). We collect personal information for marketing and communications purposes. Without such information we are unable to conduct stakeholder engagement and fundraising activities to the best of our ability. By visiting our website, making a donation, signing up to our newsletter, filling out a survey, applying for employment, or providing us with your information by any other means, you agree to the collection, usage, disclosure and storage of, and access to your personal information, as contained in our Privacy Policy. ERF does not disclose personal information to any overseas recipients. For further enquiries regarding our privacy measures or to update your personal information please contact us at +61 7 3621 9649 or [info@erf.org.au](mailto:info@erf.org.au)."

#### **4.1.2 Shortened ERF Clause for Collection of Personal Information**

A shortened version of this clause, including a link to ERF's full Privacy Policy, is included within all communications distributed to stakeholders where it is reasonable to do so, such as within online and written communications. The shortened clause is provided below:

"Edmund Rice Foundation (Australia) is committed to the lawful collection of personal information under the Australian Privacy Act (1988). For further enquiries regarding our privacy measures or to update your personal information please see our Privacy Policy or contact us at +61 7 3621 9649 or [info@erf.org.au](mailto:info@erf.org.au)"

Stakeholders who contact an ERF representative in-person or over the phone will be directed to ERF's Privacy Policy webpage if they have enquiries relating to the collection of personal information.

### **4.2 Staff, Board Members and Partners**

Personal information that ERF may collect from Staff, Board Members and Partners includes:

- personal details such as name, signature, or date of birth;
- contact details; and
- employment history, educational qualifications, tax file numbers and volunteering history – with respect to prospective employees and volunteers.

Such information is reasonably necessary for ERF to liaise with and to assess the employment credentials of its Staff, Board Members and Partners. ERF does not collect sensitive information from any of its stakeholders, excepting Staff, Board Members and Partners who are subject to a criminal record check ([APP 3](#)). All Staff, Board Members and Partners are asked for their consent before conducting a criminal record check ([APP 3](#)). Parties that refuse to the collection of this information will not be permitted to work for or alongside ERF. ERF maintains separate policies that pertain to the collection and security of the personal information of our Staff, Board Members and Partners, as contained in our Human Resources Policy.

#### **4.3 Project Beneficiaries**

Personal information that ERF may collect from Project Beneficiaries includes:

- personal details such as name;
- on a limited basis, contact details such as phone number or email address;
- the location and nature of the ERF-affiliated project the beneficiary is engaged in;
- images and video footage of project beneficiaries;
- 'stories': personal accounts of a project beneficiary's experience with an ERF-affiliated project; and
- sensitive information such as a Beneficiary's health status. ERF ensures that the express consent of a Beneficiary is obtained when collecting such sensitive information ([APP 3](#)).

Such information is reasonably necessary for ERF to conduct impact reporting and fundraising activities. Impact reports are necessary to monitor the success of ERF projects. On occasion, surveys of Project Beneficiaries are necessary to gauge the reception of our projects and identify areas for improvement. Likewise, impact reports are critical to communicate our efforts to Donors and maintain transparency. In particular, anecdotal impact evaluations, the type we obtain by collecting images of and individual 'stories' from our Project Beneficiaries, are the most successful at spurring Donor engagement.

A child or their guardian must give their free, prior and informed consent for ERF to collect and publish their personal information and identifying images for communications purposes. They can do this by either:

- signing a locally-translated copy of ERF's Story & Image Use Consent Form which permits ERF to use their personal information (unless consent is withdrawn) and without compensation.

When soliciting consent to use a Beneficiary's image, video or story, details should be provided as to how and where their image, video or story might be used, such as in social media posts, supporter newsletters, quarterly impact publications and annual impact publications. The Beneficiary must also be informed of their ability to decline consent without negative impacts and use a pseudonym when filling out surveys, providing a 'story' or otherwise engaging us in one-off correspondence.

#### **4.4 Donors**

Personal information that ERF may collect from donors includes:

- personal details such as name, signature, or date of birth;
- contact details;
- payment details; and
- donation history.

Such information is reasonably necessary for ERF to process donations and to send relevant information to donors such as tax-deductible receipts and remittance advices. ERF has limited access to donors' payment details, restricted to information necessary for identification purposes, such as the last 4 digits of a donor's payment card; the remainder of a donor's payment details are

encrypted. ERF maintains a register of the personal, contact and payment details of its historical donors. Donors have the option to deal with ERF on an anonymous basis or to use a pseudonym when making a donation or otherwise engaging us in one-off correspondence ([APP 2](#)). Donors are entitled to decline the collection of their personal information by contacting ERF directly. ERF's contact details are clearly displayed in the ERF Clause for Collection of Personal Information (see section 4.1.1). However, donors that wish to initiate an ongoing relationship with ERF, or to receive payment information such as tax-deductible receipts may have to provide us with their personal details. ERF does not collect sensitive information from any of its donors ([APP 3](#)).

#### **4.4.1 Direct marketing**

Such information is also reasonably necessary for ERF to perform fundraising and direct marketing activities ([APP 3](#)). ERF uses donor's personal information to conduct direct marketing ([APP 7](#)). Direct marketing may include contacting our stakeholders via email, postage or phone call. For example, ERF may wish to send newsletters, publications and event communications to donors. Donors are able to opt out of receiving direct marketing communications at any time by contacting ERF on +61 7 3621 9649 or [info@erf.org.au](mailto:info@erf.org.au) ([APP 7](#)).

#### **4.5 Website visitors**

Personal information that ERF may collect from website visitors includes:

- Personal details such as name, signature, or date of birth
- Contact details
- Statistical data such as IP address, web browser, or website pages visited

ERF tracks the traffic patterns of all website visitors through the URL registered to us. By navigating our website, website visitors' basic data can be tracked through the use of Cookies. Cookies sent to the ERF website do not enable us to view a visitor's personal information. Rather, cookies provide useful aggregate diagnostics such as total website visitors and the most visited pages. Such information is reasonably necessary for ERF to perform marketing and communications operations effectively and to continue to optimise our site for the benefit of our stakeholders. We may provide such information to third parties, but are not permitted to disclose visitors' personal information without first obtaining their consent (see section 2.1). Visitors are able to disable their web browser from accepting cookies, however certain functions of the ERF website might become unavailable as a result.

#### **4.6 Immersion participants**

Personal information that ERF may collect from its immersion participants includes:

- personal details such as name, signature, or date of birth;
- contact details; and
- sensitive information such as passport details. ERF ensures that the express consent of immersion participants is obtained when collecting such sensitive information ([APP 3](#)).

ERF occasionally conducts immersions to our overseas programs. To handle the booking details of and ensure the security of immersion participants, ERF will collect and disclose their passport details to the Australian Government's SmartTraveller website and to our registered insurance company.

#### **4.7 Collection of unsolicited information**

In the event that an ERF representative receives personal information that was not solicited by the entity that it concerns, and that information could not otherwise have been collected in a solicited manner in accordance with ERF's Privacy Policy, the representative will either lawfully destroy of said information or de-identify it as soon as is reasonably possible ([APP 4](#)).

## 5.0 Disclosure of information

ERF does not disclose personal information about its stakeholders to any other entity except in the following circumstances ([APP 6](#)):

- to disclose a Staff or Board member's name, contact or employment details on official ERF correspondence;
- to disclose a project beneficiary's name, image, or story to ERF's network of donors for the purposes of marketing and communications material; and
- to disclose a donor's payment details to their bank or financial institution.

In each of these instances consent to disclose private information is either explicitly, or when reasonable to do so, implicitly obtained from the stakeholder in question.

ERF may disclose personal information about its stakeholders, including sensitive information, in the following exceptional circumstances ([APP 6](#)):

- When it is permitted or required to do so by law such as to avoid an imminent threat to a person's life or to public safety.
- When ERF reasonably believes that the use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

In these instances, an ERF representative must make a written note of the use or disclosure of personal information.

### 5.1 Disclosure of information to an overseas entity

ERF will not send personal information about an individual to any location outside Australia without first obtaining the consent of the individual ([APP 8](#)).

### 5.2 Disclosure of government-related identifiers

ERF will not use or adopt the government related identifiers of its stakeholders to refer to them. ERF will not disclose the government related identifiers of its stakeholders, such as Medicare numbers, Australian Passport numbers or driver license numbers, to any entity ([APP 9](#)).

## 6.0 Access

### 6.1 Ensuring the quality of personal information

ERF takes reasonable steps to ensure that the personal information it collects, uses and discloses is accurate, up-to-date, complete and relevant. Information quality verifications are made at the time information is first collected ([APP 10, 13](#)).

### 6.2 Allowing stakeholders to access their personal information

ERF maintains an Open Information Policy and will take all necessary steps to respond to stakeholder's requests for information. Stakeholders have a right to access the personal information that ERF holds about them and to advise ERF of any perceived inaccuracy. To gain access to their information a stakeholder must verify their identity to an ERF stakeholder (exceptions where ERF is entitled to refuse a stakeholder access to their personal information is outlined in [APP 12 under section 12.34](#)). When a stakeholder advises an ERF representative of a perceived inaccuracy in their stored personal information, ERF will correct its records as soon as is practically possible. A small fee may be charged to cover the cost of verifying applications and locating, retrieving, reviewing and copying material requested. Cases where ERF is entitled to charge for the cost of information retrieval are outlined in [APP 12 under section 12.78](#).

ERF's Database Coordinator will be the first point of contact for inquiries about privacy issues for individuals wishing to make an inquiry or complaint regarding privacy.

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

### **7.1 Storage of personal information**

ERF does not hold personal information longer than necessary: the point when ERF no longer has reasonable cause to use or disclose that information. When this point is reached an ERF representative will take steps to either lawfully destroy or de-identify it as soon as is reasonably possible. ERF destroys hard-copy information by shredding it. ERF destroys electronic information by deleting it from its databases in a way that is irretrievable ([APP 11](#)).

### **7.2 Security of personal information**

ERF holds personal information securely through physical and electronic means and will take all reasonable steps to ensure that personal information is protected from misuse, interference and loss, and from unauthorised access, modification and disclosure. Physical means to secure personal information include locked storage of paper records. Electronic means to secure personal information include password access rights to electronic records. ERF stores electronic data in its online database, which is a secure file sharing and transfer service for business. Staff members are granted permission by ERF's administrator to access files according to their individual clearance levels. ERF Staff are required to respect the confidentiality of personal information and the privacy of stakeholders. Such requirements are communicated to ERF Staff in Staff training ([APP 11](#)).

### **7.3 Responding to data breaches**

In accordance with the Privacy Act (1988), ERF has various strategies in place to respond to a data breach of the personal information of its stakeholders. A data breach occurs when personal information that an entity holds is subject to unauthorised access or disclosure, or is lost. By maintaining compliance to all 13 of the APPs ERF systematically reduces the risk of a data breach.

Complying with the Notifiable Data Breach (NDB) scheme as contained in Part IIIC of the Privacy Act (1988), ERF will notify the individuals affected and the Commission in the event of certain instances of a data breach:

- There is unauthorised access to or disclosure of personal information held by an entity (or information is lost in circumstances where unauthorised access or disclosure is likely to occur).
- This is likely to result in serious harm to any of the individuals to whom the information relates.
- The entity has been unable to prevent the likely risk of serious harm with remedial action.

In the event of uncertainty whether an eligible instance of data breach has occurred, ERF will conduct an internal assessment to determine whether the steps of the NDB scheme need be followed.

## **8.0 Transparency**

### **8.1 Disclosing information to the public**

ERF maintains a commitment to transparency in the information it discloses to the public. As a not-for-profit organisation that funds its projects through the benevolent donations of its donor network, and that carries out operations in diverse countries to assist vulnerable communities of beneficiaries, ERF's stakeholders have a right to access information regarding ERF's impact and operations. Information that ERF publicly discloses to its stakeholders and the wider public include the following regular publications: the Annual Report, the Annual Financial Report, the Impact Report (annual) and a biannually printed newsletter. These (and historical publications) are accessible from the ERF [website](#).

ERF also disseminates information pertaining to its operations in monthly email newsletters, press releases and through its website and social media channels. Within these publications and content updates ERF makes regular use of the 'stories' provided to it by project beneficiaries (see section 5.3). Only when the stipulations set out in this Privacy Policy have been met is the personal



information regarding one of ERF's project beneficiaries used and disclosed (see sections 5.3).

## **8.2 Inviting feedback from the public**

To aid in its commitment to transparency and an Open Information Policy ERF actively seeks feedback from its stakeholders. ERF recognises the value in all types of feedback from its stakeholders. All of ERF's physical publications include organisational contact details for stakeholders to use if they wish to submit feedback. Depending on the nature of the feedback submitted and the organisational departments it relates to, an ERF representative will strive to respond to the stakeholder as soon as is reasonably possible. For further details regarding ERF's handling of complaints, see ERF's [Complaints Handling Policy](#).

## **9.0 Payment card security**

ERF is committed to the ongoing security of cardholder data. ERF takes every step to be compliant with the Payment Card Industry Data Security Standards (PCI DSS). Contained below are some recommendations for maintaining PCI DSS compliance.

### **9.1 Develop program, policy and procedures**

ERF uses a payment gateway, Payments2Us, to process virtual credit card information. When a donor makes a contribution to ERF their credit card information is transferred from the payment gateway to ERF's designated bank, Commonwealth Bank of Australia. All of this data is encrypted and cannot be accessed by ERF employees. The privacy policy of Payments2Us can be viewed from: <https://www.payments2us.com/privacy/>.

### **9.2 Assign ownership for coordinating security activities**

ERF's Database Coordinator is the sole person permitted to coordinate data security activities. The Database Coordinator's responsibilities include updating the personal information of donors and contacting donors in the event of a failed payment. Donors' personal information that the Database Coordinator has access to includes personal details such as name, signature and date of birth, contact details, payment details and donation history (See Section 4.4 Donors).

### **9.3 Detect and respond to control failures**

In the event of an unsecure payment the Database Coordinator will receive an automated notification from Payments2Us via ERF's designated CRM, Salesforce. To solve the issue the Database Coordinator will review the notification and notify the relevant parties, including the donor themselves and Payments2Us. To contact the donor directly the Database Coordinator Contact will access the donor's personal information, such as their contact information. The only payment details that the Database Coordinator has access to includes those necessary for identification purposes, such as the last 4 digits of a donor's payment card; the remainder are encrypted (See Section 4.4 Donors).

### **9.4 Evolve the compliance program to address changes**

ERF's Privacy Policy will be reviewed every two years. ERF Board will manage the review and evaluate the relevance and quality of ERF's data security measures. Changes to data security will be implemented where ERF no longer complies with the PCI DSS.

## **10.0 Data Breach Response Plan**

A data breach can take many forms and have many causes. Depending on the circumstances, the extent of interference with personal information will vary, as will the harm suffered by the individuals affected by the interference. ERF's notification obligations can also vary.

**Refer to the Notifiable Data Breach Response Plan at Appendix 1 of this Policy to manage suspected or known data breaches.**

## **11.0 Related Documents/Policies**

### **11.1 Related policies**

- Child Protection Policy
- Complaints Handling Policy
- Human Resources Policy

### **10.2 Related documents**

- Notifiable Data Breach Response Plan
- Image & Story Use Consent Form
- Program Story Form
- Questionnaire Forms
- ERF Clauses for Collection of Personal Information