



# Kids with Cancer Foundation

## Privacy Policy - Volunteers

This notice explains how KWCF (A.B.N 99 095 779 114) collect, store, and use information about individuals (personal or sensitive information). By continuing to use our website, you provide your consent to the terms of our Privacy Policy.

### Scope of Policy and Source of Obligation

During Kids with Cancer Foundation's activities, we manage and protect personal information in accordance with the Privacy Act 1988 (Commonwealth) (Privacy Act) and the 13 Australian Privacy Principles (APPs), as well as the requirements of the Health Records and Information Privacy Act 2002 (NSW), Health Records Act (Vic).

This policy outlines the circumstances in which we obtain personal information, how we use and disclose that information and how we manage requests to access and/or change that information.

Personal information is information or an opinion about an individual from which they can be reasonably identified. Depending on the circumstances, we may collect personal information from the individual in their capacity as a recipient of our services, a member of a service recipient's family or household, contractor, volunteer, stakeholder, job applicant, service provider, visitors or others that encounter Kids with Cancer Foundation.

### While providing services, we may collect and hold:

- **Personal Information** including names, addresses and other contact details; dates of birth; next of kin details; photographic images; attendance records and financial information.
- **Sensitive Information** particularly in relation to providing appropriate services and records in relation to young people and their families, as well as our work health and safety obligations including where relevant, religious beliefs, nationality, country of birth, languages spoken at home, family court orders and criminal records.
- **Health Information** (particularly in relation to children and young persons' and parent records) including medical records, counselling records, disabilities, immunisation details, psychological reports, individual health care plans, and counselling reports.

As part of our recruitment processes for employees, contractors, and volunteers, we collect and hold:

- **Personal Information** including names, addresses and other contact details, dates of birth, financial information, citizenship, employment references, positions held, forms submitted, username/password, payment details, survey responses, and enquiry/complaint details, posts and other submissions to our Online Services, regulatory accreditation, media, directorships, property ownership and driver's licence information.
- **Sensitive Information** including government identifiers (such as TFN), nationality, country of birth, professional memberships, family court orders and criminal records.
- **Health Information** (particularly in relation to prospective staff, volunteers and for the provision of particular services we provide) including medical records, disabilities, immunisation details and psychological reports.

Generally, we will seek consent from the individual in writing before we collect their sensitive information (including health information and photographs).

It is noted that employee records are not covered by the APPs where they relate to current or former employment relations between Kids with Cancer Foundation and the employee.

However, current or former employee's health records in Victoria are covered by the Victorian Health Privacy Principles.

The collection of personal information depends on the circumstances in which Kids with Cancer Foundation is collecting it. If it is reasonable and practical to do so, we collect personal information directly from the individual, or in the case of minors from their parent/s or primary carer.

### **Solicited Information**

When you visit our website, we request that you provide Personal Information about yourself, and we collect Navigational Information. However, you are free to explore our website without providing any personal information about yourself, and you can disable the collection and use of your location data through browser, operating system, or device-level settings.

Kids with Cancer Foundation has, where possible, attempted to standardise the collection of personal information by using specifically designed forms (e.g. an application form or Health Information Disclosure Form, subscribing to our newsletter, signing up for an event etc).

However, given the nature of our operations we also receive personal information by email, letters, notes, via our website, over the telephone, in face-to-face meetings, through financial transactions and through surveillance activities such as email monitoring.

We also collect personal information from other people (e.g. a third-party service provider, referees for prospective employees) or independent sources. However, we will only do so where it is not reasonable and practical to collect the personal information from the individual directly.

**Information collected from our website.** We collect information based on how individuals use our website and social media. We use "cookies" and other data collection methods to collect navigational information on website activity such as the number of visitors, the number of pages viewed, your IP address, geographical location, browser type, and resources downloaded, length of visit and the internet advertisements which bring visitors to our website.

This information is collected to analyse and improve our website, marketing campaigns and to record statistics on web traffic and to provide you with better support when you interact with Kids with Cancer Foundation.

We also use navigational information alone or in combination with personal information to provide you with personalised information about Kids with Cancer Foundation.

### **Unsolicited information**

Kids with Cancer Foundation may be provided with personal information without having sought it through our normal means of collection. This is known as “unsolicited information” and is often collected by:

- Misdirected postal mail – Letter, Notes, Documents
- Misdirected electronic mail – Emails, Electronic Messages
- Employment applications sent to us that are not in response to an advertised vacancy.
- Additional information provided to us which was not requested.

Unsolicited information obtained by Kids with Cancer Foundation will only be held, used and or disclosed if it is considered as personal information that could have been collected by normal means. If that unsolicited information could not have been collected by normal means, then we will destroy, permanently delete or de-identify the personal information as appropriate. Complaints about individuals are considered to be unsolicited information.

### **We only collect sensitive information if it is:**

- reasonably necessary for one or more of these functions or activities, and we have the individual’s consent
- necessary to lessen or prevent a serious threat to life, health or safety
- another permitted general situation
- another permitted health situation.

Kids with Cancer Foundation only uses personal information that is reasonably necessary for one or more of our functions or activities (the primary purpose) or for a related secondary purpose that would be reasonably expected by you, or for an activity or purpose to which you have consented.

### **Our primary uses of personal information include, but are not limited to:**

- providing, administering, promoting and developing our programs, services and fundraising activities;
- satisfying our legal obligations including our duty of care and child protection obligations
- keeping young people and parents informed as to Kids with Cancer Foundation and related subject matters through correspondence, newsletters, blogs and social media
- marketing, promotional and fundraising activities
- supporting community-based causes and activities, charities and other causes in connection with Kids with Cancer Foundation’s functions or activities
- processing payments and refunds
- conducting health and social research
- protecting our lawful interests
- dealing with enquiries and disputes
- helping us to improve our day-to-day operations including training our staff
- systems development; developing new programs and services; undertaking planning, research and statistical analysis using de-identified information wherever practicable
- administration of Kids with Cancer Foundation including for insurance purposes
- the employment of staff
- engagement of service providers and contractors
- the engagement of volunteers.

Kids with Cancer Foundation does not on-sell any supporter's contact details. To enable us to reach more donors, so more families facing their child's cancer receive the support they need occasionally we might provide your contact details to third party service providers to contact you with information (on our behalf) that may be of interest. Wherever we propose to disclose your personal information to a third party not outlined above, we will provide you with a collection notice which explains the circumstances in which we might disclose your personal information.

We will only use or disclose sensitive or health information for a secondary purpose if you would reasonably expect us to use or disclose the information and the secondary purpose is directly related to the primary purpose.

If you'd prefer not to receive updates or invitations, let us know at any time by contacting 1800 255 522 or 02 9680 7444, or [support@kidswithcancer.org.au](mailto:support@kidswithcancer.org.au) asking to be taken off a mailing list won't affect your eligibility to future support in any way and you will still receive donation receipts.

Kids with Cancer Foundation stores Personal Information in a variety of formats including, but not limited to:

- databases
- hard copy files
- personal devices, including laptop computers
- third party storage providers such as cloud storage facilities

Kids with Cancer Foundation takes all reasonable steps to protect the personal information we hold from misuse, loss, unauthorised access, modification or disclosure. These steps include, but are not limited to:

- Restricting access and user privilege of information by staff depending on their role and responsibilities.
- Ensuring staff do not share personal passwords.
- Ensuring hard copy files are stored in lockable filing cabinets and staff access is on a need to know basis.
- Ensuring Kids with Cancer Foundation's premises are secured at all times, with local back-to-base monitoring.
- Implementing physical security measures around the premises to prevent break-ins.
- Ensuring our IT and cyber security systems, policies and procedures are implemented and up to date.
- Ensuring staff comply with internal policies and procedures when handling the information.
- Undertaking due diligence with respect to third party service providers who may have access to personal information, including fundraising or donation providers and cloud service providers, to ensure as far as practicable that they are compliant with the APPs or a similar privacy regime. Third party service providers may be required to sign confidentiality and privacy undertakings where practicable.
- The destruction, deletion or de-identification of personal information we hold that is no longer needed or required to be retained by any other laws.

Our public website can contain links to other third-party websites outside of Kids with Cancer Foundation. Kids with Cancer Foundation is not responsible for the information stored, accessed, used or disclosed on such websites and we cannot comment on their privacy policies.

Kids with Cancer Foundation will take appropriate, prompt action if we have reasonable grounds to believe that a data breach may have, or is suspected to have occurred. Depending on the type of data breach, this may include a review of our internal security procedures, taking remedial internal action, notifying affected individuals and the Office of the Australian Information Commissioner (OAIC).

If we are unable to notify individuals, we will publish a statement on our website and take reasonable steps to publicise the contents of this statement.

Personal information is used for the purposes for which it was given to Kids with Cancer Foundation, or for purposes which are directly related to one or more of our functions or activities.

Personal information may be disclosed to government agencies, other young persons, parents, schools, recipients of our publications and social media, counsellors, donors, our services providers, agents, contractors, business partners, related entities and other recipients from time to time, if the individual:

- Has given consent; or
- Would reasonably expect the personal information to be disclosed in that manner.

Kids with Cancer Foundation may disclose personal information without consent or in a manner which an individual would reasonably expect if:

- We are required to do so by law.
- The disclosure will lessen or prevent a serious threat to the life, health or safety of an individual or to public safety.
- Another permitted general situation applies.
- Disclosure is reasonably necessary for a law enforcement related activity.
- Another permitted health situation exists.

Personal information about an individual may be disclosed to an overseas organisation in the course of providing our services. For example, when storing information with a “cloud service provider” which stores data outside of Australia. As a result, your personal information may be transferred to, and stored at destinations outside Australia, including but not limited to United States.

It is Kids with Cancer Foundation’s practice to seek confirmation from service providers on a periodic basis as to where they store our data, and to update the Privacy Policy accordingly.

We will take all reasonable steps not to disclose an individual’s personal information to overseas recipients unless:

- we have the individual’s consent (which may be implied);
- we have satisfied ourselves that the overseas recipient is compliant with the Privacy Act, or a similar privacy regime;
- we form the opinion that the disclosure will lessen or prevent a serious threat to the life, health or safety of an individual or to public safety; or
- we are taking appropriate action in relation to suspected unlawful activity or serious misconduct.

The Privacy Act does not differentiate between adults and children and does not specify an age after which individuals can make their own decisions with respect to their personal information.

At Kids with Cancer Foundation we take a common-sense approach to dealing with a child or young person’s personal information and generally will refer any requests for personal information to their parents/carers. We will treat notices provided to parents/carers as notices provided to children or young persons and we will treat consents provided by parents/carers as consents provided by the child or young person.

We are however cognisant of the fact that children do have rights under the Privacy Act, and that in certain circumstances (especially when dealing with older children and especially when dealing with sensitive information), it will be appropriate to seek and obtain consents directly from the young person. We also

acknowledge that there may be occasions where a young person may give or withhold consent with respect to the use of their personal information independently from their parents/carers.

There may also be occasions where parents/carers are denied access to information with respect to their children, because to provide such information would have an unreasonable impact on the privacy of others, or result in a breach of Kids with Cancer Foundation's duty of care to the young person.

We take all reasonable steps to ensure the personal information we hold, use and disclose is accurate, complete and up-to-date, including at the time of using or disclosing the information.

If Kids with Cancer Foundation becomes aware that the personal information is incorrect or out of date, we will take reasonable steps to rectify the incorrect or out of date information.

Please contact us if any of the details you have provided change. You should also contact us if you believe that the information, we have about you is not accurate, complete, or up to date.

You may submit a request to us to access the personal information we hold, or request that we change the personal information. Upon receiving such a request, we will take steps to verify your identity before granting access or correcting the information.

If we reject the request, you will be notified accordingly. Where appropriate, we will provide the reason/s for our decision. If the rejection relates to a request to change personal information, an individual may make a statement about the requested change, and we will attach this to their record.

You can make a complaint about how Kids with Cancer Foundation manages personal information, including a breach of the APPs or the Health Privacy Principles, by notifying us in writing as soon as possible. We will respond to the complaint within a reasonable time (usually no longer than 30 days) and we may seek further information in order to provide a full and complete response.

Kids with Cancer Foundation does not charge a fee for the handling of complaints.

If you are not satisfied with our response, you may refer the complaint to the OAIC. A complaint can be made using the OAIC online Privacy Complaint Form or by mail, fax or email.

A referral to OAIC should be a last resort once all other avenues of resolution have been exhausted.

Kids with Cancer Foundation can be contacted about this Privacy Policy or about personal information generally, by:

- Emailing: [support@kidswithcancer.org.au](mailto:support@kidswithcancer.org.au)
- Writing to our Privacy Officer (CEO) at:  
PO Box 7000  
Baulkham Hills BC  
NSW 2153

If practical, you can contact us anonymously (i.e. without identifying yourself) or by using a pseudonym. However, if you choose not to identify yourself, we may not be able to give you the information or provide the assistance you might otherwise receive if it is not practical to do so.

This Privacy Policy is subject to change at any time. Please check this page regularly for any changes. This Privacy Policy was last reviewed: June 2023