

Privacy Policy

1. Purpose

Compass Housing Services Co Limited (Compass) and its related bodies incorporated (Compass Group) will collect, manage, store, use and disclose [personal information](#) about a number of individuals where it is reasonably necessary for one or more of our functions or activities and to meet the requirements of the Australian Commonwealth and State Government and New Zealand Government contractual agreements. including:

- tenants, applicants, residents, and participants collectively referred to as customers in this Policy,
- Directors, Committee and Advisory Group Members as defined in the Definitions section of this Policy, and
- Employees as defined in the Definitions section of this Policy.

In Australia when we collect, manage, store, use and disclose [personal information](#) Compass is bound by the Privacy Act (1988), including the Australian Privacy Principles (APP) and applicable state based legislation relating to the holding and sharing of personal information in connection with the performance of contracts between Compass and the applicable State based agency.

Under the Privacy Act, the APP’s and Health Privacy Principles do not apply to employee records however Compass recognises HR may collect personal and sensitive information about an employee and this Policy includes information about Compass HR practices for handling employee personal information.

Independent contractors include privacy and confidentiality clauses in their contracts with Compass with information about how Compass manage privacy and privacy complaints related to their information.

The purpose of the Compass Privacy Policy is to identify how [personal information](#) is collected, stored, managed, disclosed and used to promote the protection of the privacy of individuals, to promote the responsible and transparent handling of [personal information](#) and to provide individuals with a means to complain about an alleged interference with their privacy for the Compass Group’s Australian operations.

It also provides guidance to employees on how Compass collect, store, manage, disclose, and use personal information contained in employee records.

2. Scope

The policy applies to all [personal information](#), including [sensitive information](#), collected, used, stored and disclosed by Compass, including information about applicants for social housing, tenants and residents living in properties managed by the Compass Group through contractual agreements on

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behalf of Commonwealth and State government agencies, not-for-profit and for-profit organisations and private landlords or their delegated agents in Australia.

It also includes the personal information of applicants for housing through common access wait lists for social housing where Compass facilitate the application process through contractual agreement with State government agencies and other customers participating in the functions and activities of the Compass Group.

The Compass Housing Services Co (New Zealand) Ltd Privacy Policy contains this information as it relates to the Compass Group New Zealand operations.

3. Policy Statement

This policy outlines the approach by Compass to the collection, management, storage, disclosure and reporting of [personal information in Australia](#). It explains when personal information will be collected, the type of personal information that will be collected, how personal information will be used, stored and disclosed and how the quality and security of the personal information will be maintained. In addition it provides information on how individuals can access their [personal information](#), how to opt out of marketing or promotions and how to make a privacy complaint if an individual feels there has been a breach of their privacy relating to Compass use and disclosure of their [personal information](#).

Compass will use unique identifiers when disclosing information about properties and tenancies to protect the confidentiality of [personal information](#) for reporting and disclosure unless required to disclose names and / or property addresses by law.

Human Resources (HR) Personal Information Handling Practices

Under the Privacy Act, the APP’s and Health Privacy Principles do not apply to an employee record however Compass recognises HR may collect personal and sensitive information about an employee and will collect, use, store, disclose and report personal information in accordance with the privacy standards set out in this policy.

The types of Employee Personal Information Compass may collect from employees includes but is not limited to, the following:

- names and addresses;
- details regarding gender and marital status;
- dates of birth and phone numbers;
- email details;
- remuneration details;
- superannuation details;
- tax information;
- job qualifications and history;
- any additional information relating to your employment that you provide to us directly.

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Employee personal information is managed and held using an integrated HR platform, Employment Hero who provide additional products and services and may also hold additional personal information collected from your use of Employment Hero including, without limitation:

- group certificates, payslips, and other income or earnings information;
- proof of identity documentation, such as passports, drivers’ licenses, and birth certificates;
- financial information, including but not limited to, home loans, credit cards, vehicle loans and personal loans;
- utility bills including internet services;
- health and life insurance policy statements;
- information relevant to your lifestyle options including but not limited to, health and fitness information, entertainment services and mobile services.
- information relevant to your financial needs and objectives;
- information relevant to your assets and liabilities, income, and expenses;
- information relevant to your investment preferences and attitude or tolerance to risk;
- any other information provided for the purposes of providing additional products and services.

Compass has a services agreement with Employment Hero and their privacy policy applies to employee records held on this platform. Their policy complies with the Privacy Act and the APP’s and is available from their website <https://employmenthero.com/privacy-policy/>.

Access to all employee records collected, stored, and managed by Compass is restricted to Compass Group Managing Director, the employees direct Supervisor, the Executive Manager Corporate and Human Services and HR employees. Other employees have restricted access to employee personal information including:

- The Group Chief Financial Officer, payroll officer, Senior Accountant, Financial Accountant, Assistant Accountants have access to personal information required to perform payroll functions and activities. All Executive Managers have access payroll information about employees within their areas of responsibility for the purpose of recruitment, training and to set and manage budgets.
- ISS employees may have access to Directors, Committee and Advisory Group Members and employee personal information for system administration purposes and where required to manage and maintain ICT Assets that support HR and payroll functions.
- Directors, Committee and Advisory Group Members are required to provide Personal Information relevant to their appointment and the payment of remuneration. The type of personal information collected is the same as for employees and will be managed in accordance with Compass HR personal information handling practices. In addition to the above employees Compass Parent Board, Company Secretary, Executive Assistant to the Company Secretary and the Group Chief Governance Officer have access to this personal information to meet governance reporting and compliance obligations and prepare, approve,

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and submit remuneration information.

- Internal and external auditors may have access to restricted personal information for the purpose of performing audit functions.
- The Group Managing Director or person acting in that position may authorise access to other employee records and personal information where required for a legitimate business purpose including (but not limited to) internal workplace investigations related to staff grievances, misconduct, security breaches or fraud incidents.

An employee delegated to have access to employee record information held by Compass is bound by the requirements of Compass Code of Conduct and Employee Confidentiality Agreement.

Sharing personal information

Compass will only share personal information with external parties where there is a legal obligation or business purpose to do so. Consent will be obtained where required.

Where possible all employees providing personal information to stakeholders are responsible for providing de-identified / redacted personal information unless there is a legal obligation or specific business need for the information to be identifiable.

For external reporting to the Statistical Linkage Key (SLK) uses an industry standard to formulate customer record IDs and provides a means of compiling a fuller picture of the assistance being provided to customers to better target services. This is a standard system and is used by Compass to report to de-identified personal information to government agencies for reporting de-identified .

The general standard for the formulation of an SLK is: S2 + S3 + S5 + + G2 + G3 + dd + mm+ yyyy + Sex, where:

- Family name (2nd, 3rd, and 5th letters of the surname) S2, S3 & S5
- Given name (2nd and 3rd letters of given name) G2 & G3
- Date of birth by day, month and four-digit year
- Sex (1= male, 2 = female)

For more information please see this link:

<http://meteor.aihw.gov.au/content/index.phtml/itemId/349510>

Risk Appetite

Adequate controls and processes support the collection, management, storage, disclosure and use of [personal information](#) of our tenants, applicants and other customers and assist to prevent a breach of Compass compliance with the Privacy Act (1988) and / or the APP’s and applicable state based legislation relating to the holding and sharing of personal information in connection with the performance of contracts between Compass and the applicable State based agency.

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Compass has a low risk appetite for the inappropriate use of and unauthorised access, disclosure, modification, destruction or loss of [personal information](#) and implements practices that provide guidelines and set standards to ensure appropriate use of and protection and retention of [personal information](#) and use monitoring practices to manage the risk of inappropriate and/ or unlawful use of these assets.

Principles

Compass will collect, manage, store, and disclose [personal information](#) and deal with inquiries about our compliance with the Australian Privacy Principles in accordance with the requirements of the Privacy Act (1988) and the Australian Privacy Principles (APP) and any registered APP code, if applicable that may bind us from time to time.

Consideration of [Personal Information](#) Privacy

APP1 Open and transparent management of [personal information](#)

Compass is committed to managing [personal information](#) in an open and transparent way. Our Privacy Policy is publicly available from the Compass website, or alternatively an electronic copy will be provided free of charge on email request to corporateservices@compasshousing.org or by contacting our Head Office Reception.

APP2 Anonymity and pseudonymity

Compass will provide individuals accessing our services with the option of not identifying themselves or using a pseudonym unless we are lawfully required or authorised to collect this information or where it is impracticable for us to deal with individuals who have not identified themselves or who have used a pseudonym.

Collection of [personal information](#)

APP 3 – Collection of solicited [personal information](#)

Why we collect personal information

Compass will only collect [personal information](#) about an individual for a proper and lawful purpose and where it is reasonably necessary for us to do so in order for the individual to access or participate in one or more of our functions or activities.

How we collect personal information

[Personal information](#) will only be collected using lawful and fair means and not in an unreasonably intrusive manner and it will only be collected from the individual unless it is unreasonable or impracticable to do so.

Compass will generally collect the personal information of an individual by way of forms filled out directly by the individual, face-to-face meetings and interviews, emails, and telephone calls. Compass may also collect personal information through technology and the online environment. Examples of such collection include CCTV footage recorded by cameras at Compass offices or located in common

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areas of complexes under management, the use of Cookies on our website and personal information submitted directly through our website or through social media accounts operated by us.

Compass may also generate personal information from other data which it holds – such as the creation of audit logs, incident reports and other records relating to customers.

Examples of situations in which we may collect personal information about an individual from a third party include:

- Referees;
- previous real estate agents and landlords;
- your financial and legal advisers;
- our service providers;
- information provided to Compass from law enforcement agencies;
- information sent to us in emails from third parties;
- publicly available sources such as social media; and
- operators of residential tenancy databases.

What personal information we collect

Compass may collect personal information from and about a range of individuals, including customers - tenants, applicants, members, and potential employees.

The types of personal information we collect from individuals includes:

- Name
- Address
- DOB
- Telephone number/s
- Email address
- Fax number/s
- Family circumstances and household composition
- Financial situation and income information
- Rental history
- Information from enquiries, complaints or appeals the individual has made
- Communications between Compass and the individual
- Demographic information relating to a function or activity
- Information that we reasonably believe we need to enable individuals to participate in one or more of our functions or activities

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Compass will ordinarily maintain on tenant files the following information:

- completed application for housing (generally) except when processed through Housing Pathways for placement on the NSW Housing Register
- signed Residential Tenancy Agreement
- signed copy of initial property condition report
- signed copy of additional information collected during the lease sign up
- signed Centrelink authorities
- copies of all property inspection report
- copies of all correspondence in relation to the tenancy
- copies of all complaints made by or about the tenant and the results of the investigation of these complaints
- copies of all verification of income details
- copies of any legal documentation in relation to the tenant or tenancy
- written requests and responses for any change or alteration to the premises
- copy of any rehousing application
- details of any support agencies involved
- copy of risk assessment on tenant and any incident reports
- copy of risk assessment in relation to the property
- copies of tenancy plans and / or support plans related to sustaining the tenancy
- correspondence, notes on conversations with or about the tenant as appropriate

Documentation and [personal information](#) handed to Compass by an applicant for Housing Pathways will have them returned either in person or by post. Compass will not retain any written documents that pertain to that person’s application for housing.

Documentation and [personal information](#) handed to Compass by an applicant for housing that is **NOT** related to Housing Pathways will be retained in applicant files pertaining to that person’s application for housing.

Compass may also collect [sensitive information](#) about an individual:

- if the individual consents to the collection and the information is reasonably necessary for one or more of Compass' functions or activities;
- if required or authorised by or under an Australian law or a court/tribunal order;
- if the information relates to Compass' activities and the information relates solely to our members, or to individuals who have regular contact with us in connection with our activities;

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or

- when a [permitted general situation](#) or [permitted health situation](#) exists.

APP 4 – Dealing with unsolicited personal information

Where Compass receives unsolicited [personal information](#) about an individual we will only keep it if it is information that we could have collected under APP3. If it is kept APP 5 to 13 will apply to the use, storage and security of the information. If the information is of a type that Compass could not have collected under APP3, then unless the information is contained in a Commonwealth record, we will destroy or de-identify it as soon as practicable provided that it is lawful and reasonable to do so.

APP 5 – Notification of the collection of personal information

At or before the time of collecting [personal information](#), or if that is not practicable, as soon as practicable after, Compass will take reasonable steps to ensure an individual is notified:

- of the contact details of Compass;
- the circumstances of the collection and the purpose for which we have collected the information;
- if the information is required or authorised to be collected under an Australian law or a court/tribunal order;
- the main consequences (if any) for the individual if all or part of the information is not provided;
- how they can access [personal information](#) collected by Compass, and if necessary, how they can seek correction if they believe the information is inaccurate;
- when and to whom Compass usually discloses [personal information](#) to; and
- how the individual can lodge a privacy complaint.

If Compass collects the [personal information](#) from someone other than the individual, or the individual may not be aware that Compass has collected the [personal information](#) we will take reasonable steps to notify the individual, or otherwise ensure that the individual is aware that Compass collects or has collected the information, and of the circumstances of that collection.

Dealing with [personal information](#)

APP 6 – Use and disclosure of personal information

Compass will use or disclose [personal information](#) for the primary purpose for which it was collected.

We will only use or disclose [personal information](#) for another (secondary) purpose if:

- the individual has consented;
- the individual would reasonably expect Compass to use or disclose the information for the secondary purpose and the secondary purpose relates to the primary purpose (or directly

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relates to the primary purpose in the case of [sensitive information](#);

- the use or disclosure of the information is required or authorised by or under an Australian law or a court/tribunal order;
- a permitted general or permitted health situation exists; or
- Compass believes that the use or disclosure of the information is reasonably necessary for one or more of the following by, or on behalf of an enforcement body:
 - 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; or
 - the protection of the public revenue;
 - the prevention, detection, investigation or remedying of seriously improper conduct or prescribed conduct; or
 - the preparation for, or conduct of, proceedings before any court or tribunal, or implementation of the orders of a court or tribunal.

Generally, the primary purpose for which Compass will collect, use, and disclose an individual's personal information will be to enable the individual to access or participate in one of Compass' functions or activities, which primarily include:

- intake and access – including the collection and assessment of applicants against eligibility criteria or policy guidelines;
- tenancy and asset management – including the assessment of prospective tenants' applications and management of existing tenancies;
- project management – including the acquisition, construction, and upgrade of properties;
- maintenance management – including the maintenance of existing properties.

Providing access to or participation in Compass' functions and activities may include (without limitation and as applicable):

- communicating with customers, tenants and others about matters relating to the provision of Compass' functions and activities through correspondence, newsletters, and magazines;
- administration, including collection of rent and fees;
- providing contact details to our contractors and service providers who provide us with services;
- marketing and promoting our business, products, and services;
- seeking donations and contributions to support Compass' activities;
- insurance and governance purposes;
- statistical purposes;

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- compliance with our legal obligations such as duty of care;
- assessing potential service providers and employee, including interviewing applicants; and
- administering contracts with service providers – including managing payment of fees and supervision of performance.

In order to engage in its functions and activities Compass may from time to time need to disclose personal information to other entities, including:

- related bodies corporate;
- entities who fundraise on our behalf;
- service providers and contractors;
- debt recovery agencies;
- Law enforcement agencies; and
- Commonwealth and state government entities pursuant to our reporting obligations under government contracts.

APP 7 – Direct marketing

Compass will only use or disclose [personal information](#), other than [sensitive information](#), for the purpose of direct marketing if an individual has given us consent to do so, or if one of the following APP 7 subclauses 7.2 – 7.5 apply:

- 7.2) Compass may use or disclose [personal information](#) (other than [sensitive information](#)) about an individual for the purpose of direct marketing if:
 - we have collected it from the individual; and
 - the individual would reasonably expect that we would be using or disclosing it in direct marketing; and
 - we have provided individuals with a simple means to request they not receive direct marketing; and
 - the individual has not made such a request to Compass.

- 7.3) Where it would not be reasonable for an individual to expect Compass to use or disclose their [personal information](#) (other than [sensitive information](#)) for direct marketing purposes or where the information was provided by a third party we may still be able to use or disclose it for direct marketing if:
 - the individual to who it relates has consented for us to use or disclose it for that purpose; or
 - it is impracticable to obtain their consent; and
 - we have provided the individual with notification that we have collected that information and we have given them a simple means to request they not receive direct marketing; and
 - the individual has not made such a request to Compass.

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- 7.4) Compass may only disclose [sensitive information](#) about an individual for direct marketing purposes if the individual has consented to the use or disclosure of the information for that purpose.
- 7.5) Compass may use or disclose [personal information](#) for the purpose of direct marketing where we are a contracted services provider for a Commonwealth contract and it is necessary to meet an obligation under the contract.

If Compass have used or disclosed [personal information](#) about an individual for the purpose of direct marketing for themselves or for facilitating direct marketing by a third party the individual has the right to:

- request not to receive direct marketing communications from Compass;
- request Compass not to disclose their [personal information](#) to third parties for the purposes of direct marketing; and
- request Compass to provide its source of the individual’s [personal information](#).

Compass will comply with these requests within a reasonable period and free of charge. We do not need to comply with requests to disclose the source of information if it is impracticable or unreasonable to do so.

APP7 does not apply to the extent of other Commonwealth direct marketing legislation including the *Do Not Call Register Act 2006* and the *Spam Act 2003*.

APP 8 – Cross border disclosures of [personal information](#)

Compass does not ordinarily disclose [personal information](#) to overseas recipients. However, in the unlikely event that Compass does need to disclose personal information overseas, it will only do so in accordance with the obligations in APP8. In substance this means that we will not send personal information about an individual outside Australia without any of the following applying:

- taking reasonable steps in the circumstances to ensure that the overseas recipient does not breach the Australian Privacy Principles; or
- reasonably believing that the overseas recipient is subject to a law or binding scheme which provides substantially similar protection for personal information as the Australian Privacy Principles; or
- obtaining the consent of the individual (in some cases this consent will be implied).

APP 9 – Adoption, use or disclosure of government related identifiers

Compass will not adopt, use, or disclose a government related identifier of an individual unless:

- the use or disclosure of the identifier is reasonably necessary for us to verify the identity of the individual for the purposes of our activities or functions; or
- the use or disclosure of the identifier is reasonably necessary for us to fulfil our obligations to

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an agency or as State or Territory authority; or

- the adoption, use or disclosure is required or authorised under an Australian law or a court/tribunal order; or
- Compass reasonably believe the use or disclosure is reasonably necessary for an enforcement related activity being conducted by, or on behalf of, an enforcement body.

Integrity of personal information

APP 10 – Quality of [personal information](#)

Compass will take reasonable steps to ensure that the [personal information](#) that we collect is accurate, up-to-date, and complete.

Compass will take reasonable steps to ensure that the [personal information](#) we use or disclose is accurate, up-to-date, complete, and relevant, having regard to the purpose of that use or disclosure.

If an individual has any concerns that their information is not accurate, up to date or complete, they should contact Compass at the details provided below.

APP 11 – Security of [personal information](#)

Compass will take reasonable steps to protect [personal information](#) we collect, store, and manage from:

- misuse, interference, and loss; and
- unauthorised access, modification, or disclosure.

Where Compass no longer needs an individual’s [personal information](#) for any purpose for which it was collected we will take all reasonable steps to ensure the information is destroyed or permanently de-identified providing it is not contained in a Commonwealth record, and we are not required by or under an Australian law, or a court/tribunal order, to retain the information.

Compass stores information via several different methods, including paper records, shared electronic files and web-based systems. We maintain central applicant (except applicants for Pathways), tenant and customer records databases in electronic form, which are maintained at a secure off site location and accessed by a private network.

Other personal information from our internal systems (including financial information) is linked directly to our tenant and customer databases. Personal information is also stored in our internally hosted email system.

Each of Compass' offices has in place steps to protect the personal information the office holds from misuse, interference and loss, unauthorised access, modification, or disclosure by use of various methods – including locked storage of paper records and password access rights to computerised records. Generally, access is only authorised to the extent necessary to allow it to be used for the primary or secondary purposes of its collection.

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Paper records may be archived and stored at secure off site locations operated by an external party responsible for the secure storage and archiving of paper records on behalf of Compass through a contractual arrangement. Access to these records is controlled by an electronic keypad entry system and all employees of the external provider are required to sign confidentiality agreements and may only enter areas to which they have the correct authorisation. The system also creates an audit trail of their movements and external monitoring and records are further protected by a random storage methodology utilising barcode identification and recognition.

[Access to, and correction of, Personal Information](#)

APP 12 - Access to personal information

Where an individual requests access to personal information held by Compass we will give them access except to the extent that:

- we reasonably believe that giving access would pose a serious threat to the life or health of any individual; or
- giving access would have an unreasonable impact on the privacy of other individuals; or
- access should be withheld based on a serious threat to public health or safety; or
- the request for access is frivolous or vexatious; or
- the information relates to existing or anticipated legal proceedings between Compass and the individual, and would not be accessible by the process of discovery in those proceedings; or
- giving access would reveal the intentions of Compass in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
- denying access is required or authorised by or under Australian law or a court/tribunal order; or
- giving access would be likely to prejudice an investigation of possible unlawful activity; or
- giving access would be likely to prejudice actions by or on behalf of an enforcement body in relation to unlawful activity or seriously improper conduct; or
- giving access would reveal evaluative information generated by Compass about a commercially sensitive decision-making process.

If Compass have reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to the entity’s functions or activities has been, is being or may be engaged in; and giving access to information would be likely to prejudice the taking of appropriate action in relation to the matter we are not required to give individuals access to this information.

If Compass refuses access on one of the above specified grounds of refusal, we will take reasonable steps to give access in a way that meets the needs of Compass and the individual. This could include giving access using a mutually agreed intermediary.

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If Compass refuses to give access, we will provide a written notice that outlines:

- the reasons for the refusal, unless, having regards to the grounds for the refusal, it would be unreasonable to do so;
- the complaint mechanisms available to the individual, and
- any other matters prescribed by the regulations.

If Compass levies charges for providing access to [personal information](#), those charges:

- will not be excessive; and
- will not apply to lodging a request for access.

APP 13 – Correction of [personal information](#)

If Compass is satisfied that, having regard to a purpose for which the information is held, the information is inaccurate, out-of-date, incomplete or irrelevant or misleading, or the individual to whom the [personal information](#) relates requests us to correct the information we will take reasonable steps to correct the [personal information](#) to ensure that, having regard to the purpose for which it is held, it is accurate, up-to-date, complete, relevant and not misleading.

If Compass corrects [personal information](#) about an individual that it has previously disclosed to another APP entity, we will take reasonable steps to notify the other APP entity of the correction, if requested by the individual.

If Compass refuses to correct the [personal information](#) as requested by the individual, we will provide written notice. The written notice will set out:

- the reason for our refusal (unless this would be unreasonable);
- the mechanisms available to complain about the refusal, and
- any other matter prescribed by regulation.

If Compass refuses to make a correction, and an individual request's that a statement be attached to the record stating that the information is inaccurate, out-of-date, incomplete, irrelevant, or misleading, we will associate the statement in such a way that will make the statement apparent to users of the information.

Compass will respond to a request to correct [personal information](#) within a reasonable period and will not charge the individual for making the request, for correcting the information or for associating the statement with the [personal information](#).

How to make a request to access or correct your personal information under APP 12 or 13

To make a request to access or update any personal information Compass holds about you, please contact Compass via the details provided below:

Officer: Julie Barnett, Group Chief Governance Officer

Phone: 02 4920 2600

Email: governance@compasshousing.org

Address: P O Box 58, Wickham 2293 (Level 302, 12 Stewart Avenue, Newcastle West 2302)

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Compass may require you to put your request in writing, verify your identity and specify what information you require.

Making a Privacy Complaint

A person may make a complaint if they feel their [personal information](#) has been handled inappropriately by Compass. Privacy complaints may be made in accordance with Compass External Complaints Handling Policy which is available by emailing corporateservices@compasshousing.org or by contacting your local branch and requesting a copy of this document. Information on Compass External Complaints Handling Policy and Procedures is available from the Compass website <http://www.compasshousing.org/>. Complaint forms are also available from the Compass website or by contacting Compass by telephone and requesting a form be mailed to you or by visiting your nearest branch office.

If a complainant is not satisfied with Compass response or the way Compass has dealt with the complaint, the individual may make a formal written complaint to the Office of the Australian Information Commissioner (OAIC).

If you are not satisfied with a decision the OAIC has made, you can ask the OAIC to review the decision. Alternatively, if the OAIC decide not to investigate your complaint or you think a determination by the OAIC following an investigation is not legally correct you can apply for a review of the decision or the determination by the Federal Court of Australia or the Federal Magistrates Court.

Either party may also appeal to the Administrative Appeal Tribunal for a review of any compensation amount ordered by the OAIC.

Notifiable Data Breaches

A Notifiable Data Breach Scheme (NDB) has been established in Australia through the Privacy Amendment (Notifiable Data Breaches) Act 2017.

Where personal information held by Compass is lost or accessed or disclosed without authorisation a data breach has occurred, for instance where a mobile device containing customers’ personal information is lost or stolen by a Compass worker, personal information is hacked from a Compass database or where a worker has mistakenly provided personal information to the wrong person.

Compass ICT team will carry out an assessment of suspected data breaches as soon as practical after becoming aware of the data breach to determine the individuals impacted and any likelihood of serious harm to those individuals. If the data breach is likely to result in serious harm to any of the individuals that the information relates to this becomes a ‘Notifiable Data Breach’.

Where Compass has reasonable grounds to suspect a notifiable data breach has occurred and they have assessed that individual/s may be at risk of serious harm they must notify the affected individual/s and the Office of the Australian Information Commission (OAIC) as soon as practical.

The notification must state:

- the identity and contact details of the organisation

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- a description of the data breach
- the kinds of information concerned and;
- recommendations about the step’s individuals should take in response to the data breach.

4. Responsibilities

All Compass workers have an obligation to:

- familiarise themselves with and ensure they have a clear understanding of Compass policies and procedures,
- observe and implement such policies, and associated procedures in delivering services to Compass clients,
- inform Compass clients of the impact of this policy on them and assist them to understand their rights and obligations, as required,
- identify issues that require amendment to this policy document and complete the relevant documentation to propose any amendments, and
- report breaches of Compass policies or procedures.

The relevant Group Executive Manager is ultimately responsible to:

- ensure all stakeholders within their area of responsibility are informed about Compass Policies and Procedures,
- ensure appropriate processes and controls are implemented to enable the correct application of and adherence to relevant policies and procedures, and
- ensure appropriate processes and controls are implemented to enable breaches of approved Compass Policy and Procedures to be reported and managed.

5. Implementation and Review

This policy is listed on Compass Controlled Documents Register and is a controlled document requiring approval of any changes. It may not be amended or shared outside Compass without approval.

The policy is reviewed regularly and published on Compass SharePoint intranet once approved.

Employees receive communications and training on new and reviewed policies and procedures.

Compass complies with relevant contractual compliance obligations and jurisdictional laws and regulations when implementing this policy. Confirmation of internal compliance with this policy is undertaken regularly.

It is the responsibility of Compass Group Executive Services (governance@compasshousing.org) to maintain and update the Compass Master Policy Document, Policy Directory and the Policy Review Register, administer the review and approval process and inform and distribute new and amended policies and procedures once approved (refer PROC-011 Policy and Procedure Development Approval).

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Compass Workers should refer to [SharePoint Company Documents Policy and Procedure site](#) for the latest version which takes precedent over any uncontrolled version. If this document is printed, downloaded, or saved elsewhere from this site it becomes an uncontrolled version.

For further information contact the Responsible Officer listed under Document Information.

6. Resources and related documents

Related documents and resources

- Code of Conduct Policy (POL-028-04)
- Compliance Policy (POL-004)
- Fraud and Corruption Policy (POL-005-04)
- ICT Breach Management Policy (POL-036)
- ICT Defence Policy (POL-037)
- Electronic Messaging Policy (Email) (POL-038)
- ICT Mobile Device Policy (POL-039)
- ICT Monitoring Policy (POL-040)
- ICT Use Policy (POL-041)
- ICT Web Server Standards Policy (POL-042)
- ICT Data Backup and Retention Procedure (PROC-039)
- ICT Passwords Procedure (PROC-042)
- ICT Username Procedure (PROC-043)
- ICT Voice and Video Services Acceptable Use Procedure (PROC-043)
- Video Surveillance - CCTV Policy (POL-010)
- Social Media Content Strategy and Acceptable Use Policy (POL-006)
- Workplace Relations Policy Manual (POL-028)

Legislation and Compliance

- Privacy Act 1988 (Cth)
- Privacy Amendment (Notifiable Data Breaches) Act 2017 (Cth)
- Australian Privacy Principles (APP)
- Telecommunications (Interception and Access) Act 1979 (Cth)
- Fair Work Act 2009 (Cth)
- State based legislation
 - Privacy and Personal Information Protection Act 1998 (NSW)
 - Health Records and Information Privacy Act 2002 (NSW)
 - Workplace Surveillance Act 2005 (NSW)
 - Surveillance Devices Act 2007 (NSW)
 - Freedom of Information Act 1989 (NSW)
 - Information Privacy Act 2009 (QLD)
 - Freedom of Information Act 1989 (QLD)
 - Right to Information Act 2009 (QLD)

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7. Definitions

Term	Definition
Advisory Group	means an advisory group created by resolution of and reporting to the Parent Board in accordance with Compass Constitution Clause 6 (specifically 6.1, 6.6 & 6.7).
Advisory Group Member	means a member of an Advisory Group as defined in this Policy.
Customer	Means an Applicant, Tenant, Resident, Participant, or any other person attending an activity or using services provided by Compass.
Compass	Compass Housing Services Co. Ltd, an Australian Public Company registered in Australia under the Corporations Act 2001 (Cwlth) and as a charity with the Australian Charities and Not-for-profit Commission (ACNC) .
Compass Group	The corporate structure that includes Compass (as the Parent Company) and the boards of Subsidiary Companies, Governance Committees and advisory groups as created from time to time.
Compass NZ	Compass Housing Services Co (New Zealand) Ltd, a wholly owned subsidiary of Compass registered in New Zealand under the Companies Act 1993 (NZ) and as a charity registered with Charities NZ under the Charities Act 2005 (NZ) .
Compass Qld	Compass Housing Services Co (Queensland) Ltd, a wholly owned subsidiary of Compass registered in Australia under the Corporations Act 2001 (Cwlth) and as a charity with the Australian Charities and Not-for-Profits Commission (ACNC) .
Committee	means a committee established by resolution of and reporting to the Parent Board in accordance with Compass Constitution Clause 6 (specifically 6.1, 6.8 – 6.16).
Committee member	means a member of a Committee as defined in this Policy
Complainant	Person or their representative or organisation or its representative making a complaint.

Term	Definition
Conflict of Interest	<p>The term ‘conflict of interest’ refers to situations where a conflict arises between public duty and private interest which could influence the performance of official duties and responsibilities. Such conflict generally involves opposing principles or incompatible wishes or needs.</p> <p>Conflicts of interest can be actual, perceived, or potential. A conflict of interest can be pecuniary (involving financial gain or loss) or non-pecuniary (based on enmity or amity). A conflict of interest can arise from avoiding personal losses as well as gaining personal advantage, financial or otherwise.¹</p> <p>Compass Housing Services recognises that there are instances where conflicts of interest will arise whether it is an actual, potential, or reasonably perceived conflict of interest. Some of the key issues to consider in assessing whether a conflict of interest exists include:</p> <ul style="list-style-type: none"> • The seriousness of the matter and whether it directly impacts on the rights or interests of any person or the public; • Whether the employee, management or service provider has a current or previous personal, professional, or financial relationship with an interested party and the significance of the current or past relationship (for example in acquaintance, close relationship, previous work experience, business partnership); and • Whether either party receives or may potentially receive a benefit or a detrimental effect because of a decision between the parties having an interest in each other.
Director	<p>Has the same meaning as defined in the Corporations Act 2001 Part 1.2 Division 1 Section 9 Dictionary Australia and as defined in the Companies Act 1992 Part 1 Section 2 Interpretation New Zealand.</p>
Executive Manager	<p>Many positions within Compass include the title “Executive Manager”. Regardless of whether an Executive Manager heads a Business Unit, the delegated authority of each Executive Manager depends on the functions and reporting relationship of the Business Unit for which the Executive Manager is responsible. Executive Managers should refer to the document Compass Organisational Chart in Terms of Levels of Delegated Authority for confirmation of the band of authority they hold.</p>
GMD	<p>Compass Group Managing Director.</p>
Independent contractor	<p>means a party engaged directly by Compass pursuant to a contract for services. In the context of workforce engagements, this includes sole traders, companies, or partnerships with whom Compass enters into an agreement for the provision of specified individuals to supply specific skills, services, or consultancy arrangements. It does not include individuals engaged through labour hire agencies. Independent contractors are not employees of Compass.</p>

¹ http://www.ombo.nsw.gov.au/data/assets/pdf_file/0004/3685/FS_PSA_03_Conflict_of_Interest.pdf –NSW Ombudsman – Public Sector Agencies Fact Sheet 3.

Term	Definition
ICT Assets	<p>any information, communications technology or audio-visual service, equipment of facility owned, leased, or otherwise acquired by Compass that hosts, stores, transmits or presents digital information for the business and purpose of Compass. This may include, but is not limited to:</p> <ul style="list-style-type: none"> • Software applications • Physical and virtual hardware • Email, messaging, and collaboration applications. • Any outsourced cloud or third-party services. • Interconnected devices and embedded systems that can communicate or interact with other ICT Assets. • Audio-visual systems and devices. <p>Telephony, videoconferencing and web conferencing systems, services, and applications.</p>
Information Assets	<p>Any knowledge or data (irrespective of format) that has value to Compass and all personal and sensitive information collected, stored, and managed from customers and employees that needs to be held securely and protected from unauthorised access and inappropriate and / or unlawful use.</p>
Notifiable Data Breach	<p>A data breach that is likely to result in serious harm to any individuals to whom the information relates.²</p>
Officer	<p>Has the same meaning as defined in the Corporations Act 2001 Part 1.2 Division 1 Section 9 Dictionary in Australia and as defined in the Companies Act 1992 Part 1 Section 2 Interpretation in New Zealand.</p> <p>The Corporations Act provides an officer is a person who:</p> <ul style="list-style-type: none"> • makes decisions that affect the whole or a substantial part of the business, • has the capacity to significantly affect the corporation's financial standing, • in accordance with whose instructions or wishes the Directors are accustomed to act (excluding advice given by a person in the proper performance of functions attaching to the person's professional capacity or their business relationship with the Director), or • Applies to an employee, director, member or committee or any other person or entity to whom or to which a delegation has been made by the Parent Board.
Parent Board	<p>means the current directors of Compass.</p>
Parent Company	<p>Compass Housing Services Co Ltd (Compass)</p>

² <https://www.oaic.gov.au/engage-with-us/consultations/notifiable-data-breaches/>

Term	Definition
Personal Information	<p>means information or an opinion about an identified individual, or an individual who is reasonably identifiable:</p> <ul style="list-style-type: none"> • Whether the information or opinion is true or not; and • Whether the information or opinion is recorded in a material form or not.
Permitted General Situation	<p>Permitted General Situation has the meaning given in s16A of the Privacy Act, but generally speaking it refers to circumstances in which the collection, use or disclosure of personal information is permitted provided that :</p> <ul style="list-style-type: none"> • Compass reasonably believes that the collection use or disclosure is necessary to lessen or prevent a serious threat to the life, health, or safety of any individual or to public health or safety, and it is unreasonable or impracticable to obtain the individual’s consent to the collection; • Compass has reason to suspect individual/s have been, are or may be engaged in unlawful activity, or misconduct of a serious nature relating to one or more of our functions or activities and we reasonably believe that the collection, use, or disclosure is necessary for us to take appropriate action in relation to the matter; • Compass reasonably believes that the collection is reasonably necessary to assist any APP entity, body, or person to locate a person who has been reported as missing; • the collection, use or disclosure is reasonably necessary for the establishment, exercise, or defence of a legal or equitable claim; or • the collection, use or disclosure is reasonably necessary for the purposes of a confidential alternative dispute resolution process.
Permitted Health Situation	<p>Permitted Health Situation has the meaning given in s16B of the Privacy Act, but generally speaking it refers to circumstances in which the collection, use or disclosure of health information is permitted:</p> <ul style="list-style-type: none"> • in connection with the provision of a health service to an individual, or • in relation to public health and safety.
Resident	<p>A Compass term to describe the person with disability accessing Compass services or support. This includes both NDIS participants and clients of the Commonwealth Continuity of Supports Programme, living in a Specialist Disability Accommodation dwelling managed by Compass.</p>

Term	Definition
Sensitive Information	<p>Sensitive information is a subset of personal information and includes:</p> <ul style="list-style-type: none"> • Racial or ethnic origin; • Political opinions; • Religious beliefs or affiliations; • Sexual preferences or practices; • Criminal records; or • Health information about an individual.
Stakeholder	<p>person or organisation that can affect, be affected by, or perceive themselves to be affected by a decision or activity, may also be called ‘interested party’.</p>
Subsidiary Board	<p>means the appointed board of directors of a subsidiary company Additional information:</p> <ul style="list-style-type: none"> • in accordance with Compass Constitution Clause 6 (specifically 6.1 – 6.5).
Subsidiary Company	<p>means a company in which Compass owns all or at least a majority of the shares.</p>
Tenant	<p>A person who signs the Residential Tenancy Agreement with Compass.</p>
User	<p>Any person or person acting as an agent for any business that is granted access to and uses Compass ICT or Information Assets for any purpose whatsoever.</p>
Worker	<p>a person engaged to carry out activities in any capacity for a company in the Compass Group, including work as:</p> <ul style="list-style-type: none"> • an Employee, or • an independent contractor or subcontractor, or • a worker of a contractor or subcontractor, or • a worker of a labour hire company who has been assigned to work in the person’s business or undertaking, or • an outworker, or • an apprentice or trainee, or • a student gaining work experience, or a volunteer

8. Document Information

Document Number	POL-019
Document Administration:	governance@compasshousing.org
Responsible Business Unit	Group Executive Services
Responsible Officer	Group Chief Governance Officer
Approval Authority:	Group Managing Director
Version:	6
Original issue date:	27/03/2012
Last reviewed date:	26/05/2020
Current version approval date:	26/05/2020
Next review no later than	31/05/2023

9. Version History

Version	Date	Status and Changes	Author
V1.0DRAFT	2014-03-18	Approved by CEO as Working Draft and released.	Julie Barnett – Executive Manager, Governance Administration
V1.0	2014-03-18	Submitted for Board Approval New Policy	Julie Barnett – Executive Manager, Governance Administration
V2.0	2014-04-28	Board Approved with deletion of mention of Privacy Enhancing legislation	Julie Barnett – Executive Manager, Governance Administration
V3.0	2014-10-20	Board Approved with revisions based on legal review against legislation	Julie Barnett – Chief Administrative Officer
V4.0	2017-06-07	Scheduled review and amendment to incorporate new legislation related to notifiable data breaches	Julie Barnett, Executive Manager Governance, Risk and Compliance
V5.0	20/06/2017	Approved for release	Greg Budworth, Group Managing Director
V6.0	26/04/2020	Scheduled review and updated to include employee privacy	Julie Barnett, Group Chief Governance Officer
	06/05/2020	Circulated to GMD & GEM for comment and review	Julie Barnett, Group Chief Governance Officer
	18/05/2020	Additional information on employees approved to access employee records added from GMD feedback	Julie Barnett, Group Chief Governance Officer
	26/05/2020	Authorised for release	Greg Budworth, Group Managing Director