

Privacy Policy

Purpose

Foyer Foundation (or “the Organisation”) is committed to protecting the privacy of all personal and sensitive information it collects, holds, and processes. This policy establishes a clear framework for handling personal information in compliance with the Privacy Act 1988 (Cth) and the Australian Privacy Principles (APPs).

The purpose of this policy is to:

- Ensure personal and sensitive information is collected, stored, used, and disclosed in compliance with legal, ethical, and regulatory standards.
- Provide individuals with transparency over how their personal data is handled.
- Establish accountability measures to ensure compliance with privacy laws and safeguard against unauthorised access or misuse.

Scope

This Policy applies to all Foyer Foundation employees (including temporary, permanent and contract), volunteers, contractors, consultants, and visitors. This policy applies to any location where duties are performed by individuals undertaking activities associated with the Foyer Foundation.

Policy

The Foyer Foundation collects, stores, and processes a range of personal and sensitive information to support the growth and development of the Australian Foyer Movement. The organisation is committed to protecting the privacy of all individuals whose data it collects, ensuring compliance with the Privacy Act 1988 (Cth) and the Australian Privacy Principles (APPs).

The types of personal information collected may include:

- Personal details (e.g., name, date of birth, contact information).
- Employment records (e.g., position, work history, performance data).
- Health and wellbeing information (e.g., medical conditions, disability status, mental health details – where applicable).
- Financial information (e.g., payroll details, funding applications).
- Case management records (where relevant to Foyer Foundation programs).

The Foyer Foundation is committed to ensuring individuals' personal information is handled lawfully, fairly, and transparently. Personal and sensitive information will only be collected where it is necessary for the organisation's operations, employment relationships, service provision, or legal compliance.

The Organisation recognises the right of individuals to have their data protected while also ensuring reasonable access to their own personal information. Security measures are in place to prevent unauthorised access, use, or disclosure of sensitive data, particularly employee and client information.

Table of Contents

1. Responsibilities	4
1.1 Chief Executive Officer (CEO) Responsibilities	4
1.2 Privacy Officer	4
1.3 Leadership Responsibilities	4
1.4 Employee Responsibilities	4
2. Privacy Principles	5
3. Collection of Information	5
3.1 Types of information we collect and hold	5
3.2 How we collect personal information	6
3.3 Unsolicited Information	7
3.4 Sensitive Information	7
4. Use and Disclosure	8
4.1 General Purposes	8
4.3 Unlawful Activity	9
4.4 Storage of Information	9
4.5 Data breach	10
5. Access and Correction	10
5.1 Withhold Access to Information	11
6. Making a Complaint	11
7. Contact Us	12
8. Summary	13
Associated external documents.	13
Referenced internal documents.	14
Accessibility	14

1. Responsibilities

1.1 Chief Executive Officer (CEO) Responsibilities

- Foyer Foundation's CEO is responsible for developing, adopting and reviewing this policy, ensuring it aligns with the overall strategic direction and the Organisation's vision and goals;
- overseeing the development, implementation, and enforcement of this policy;
- ensuring compliance with legal, governance and regulatory standards; and
- monitoring changes in privacy legislation, and advising on the need to review or revise this policy when the need arises.

1.2 Privacy Officer

- Ensuring this policy is reviewed regularly and remains compliant with relevant privacy laws and regulations.
- Acting as the primary contact for privacy-related queries, complaints, and data subject access requests.
- Overseeing privacy compliance, including monitoring adherence to data protection principles.
- Providing privacy training and awareness programs for employees, volunteers, and contractors.
- Conducting Privacy Impact Assessments (PIAs) when implementing new programs or systems involving personal data.
- Escalating serious privacy risks, breaches, or non-compliance issues to the CEO and Board.

1.3 Leadership Responsibilities

- Implementing and enforcing this policy within their department and team;
- ensuring team members understand and adhere to this policy;
- provide guidance and clarification on this policy to the department and team;
- monitor and manage compliance with this policy in daily operations;
- address any policy violations and where necessary, report up to the CEO; and
- contribute to the policy review and provide feedback based on team and operational insights.

1.4 Employee Responsibilities

- Ensure an understanding of all company policies relevant to their role and as a member of the organisation;
- seek clarification on this policy when needed;
- comply with the standards outlined in this policy;
- report any policy violations or concerns to their Direct Manager or the appropriate department;
- participate in policy training and updates as required; and
- contribute to a safe and respectful work environment in line with all company policies, including this policy.

2. Privacy Principles

Foyer Foundation is bound by laws that impose specific obligations when it comes to the collection, use, storage, disclosure and otherwise handling of personal information. The Foyer Foundation has adopted the following principles contained as minimum standards in relation to handling personal information:

- Collect only information that the Organisation requires to conduct our primary activities and functions;
- ensure that individuals are informed as to why we collect the information and how we administer the information gathered;
- use and disclose personal information only for our primary functions or a directly related purpose, or for another purpose with the person's consent;
- store all confidential, sensitive, or personal information securely, protecting it from unauthorised access;
- access to systems, applications, and data shall be granted based on the principle of least privilege, which means providing users with the minimum levels of access—or permissions—needed to perform their job functions.
- provide individuals with access to their own information, and the right to seek its correction; and
- take reasonable steps to ensure the information Foyer Foundation collects is accurate, complete, up-to-date, and relevant to the functions we perform.

3. Collection of Information

3.1 Types of information we collect and hold

We collect and hold a range of personal information necessary to conduct our primary activities and functions. The kinds of information we collect, and hold will depend on the purpose and nature of our relationship with the individual.

The personal information we typically collect includes:

- personal details (such as your name, age, date of birth, gender);
- contact details (such as your phone number, email address, postal address, postcode);
- your image (such as photos and video recordings); and
- other personal information that you provide to us (such as when you respond to an invitation to attend an event).

For our employees and volunteers, we may collect additional relevant information including:

- information contained in resumes;
- educational details, academic and other transcripts, employment history, skills, and background checks;
- references from past employers and referees;
- information collected during the interview or assessment process; and

- Personal information required to make payments, such as bank account details, tax file number and superannuation details.

If you are an employee, contractor or representative of an organisation or institution that we deal with, we may also collect:

- your job title or details of your role within the organisation;
- your contact details at the organisation (such as your office phone number or email address); and
- Any other information necessary to manage and administer our relationship with you as a representative of your organisation or institution.

3.2 How we collect personal information

The Foyer Foundation collects personal information directly from individuals wherever possible. In accordance with the Privacy Act 1988 (Cth) and APP 3, we ensure that all personal data is collected lawfully, fairly, and transparently.

When collecting personal information, we will:

- notify you about why we collect the information and how it is administered;
- collect personal information from the person themselves wherever possible; and
- If collecting personal information from a third party, be able to advise the person whom the information concerns, from whom their personal information has been collected.

We will usually collect personal information when you:

- access and use our website or social media platforms;
- communicate with us through correspondence, email, chat, or other online forms;
- register for any of our events or workshops;
- if you provide us with your business card at an event or otherwise provide your personal information to us in person; or
- participate in research or evaluation discussions, interviews or focus groups that we run.

Sometimes we will collect personal information about you from a third party, these third parties may include:

- your Foyer operator;
- your employer or another representative of your organisation;
- your guardian
- service providers;
- government agencies;
- law enforcement bodies;
- publicly available records;
- recruitment agencies; and
- social media (such as Twitter, Facebook, YouTube, Instagram).

3.3 Unsolicited Information

When unsolicited information is received, the Foyer Foundation will determine whether the personal information could have been collected in alignment with correct legislative practice. If it was not, it must be destroyed, and the person whose personal information has been destroyed will be notified about the receipt and destruction of their personal information.

Secure destruction and notification:

- Unsolicited personal information that cannot be retained will be securely destroyed following internal data security protocols.
- Where applicable, the individual may be notified that their information has been received and destroyed. However, notification is not required in all cases under APP 4.
- Logs confirming the secure destruction of data will be maintained as part of compliance records.
- Personal information will not be stored in backups for longer than 30 days after its destruction. All backup data must be verified as permanently deleted within this timeframe.

3.4 Sensitive Information

Sensitive information includes data about an individual's racial or ethnic origin, political opinions, religious beliefs, sexual orientation, health information, or criminal record. The Foyer Foundation recognises the additional legal protections that apply to sensitive data under the Privacy Act 1988 (Cth) and APP 3.3.

The Foyer Foundation will only collect sensitive information:

- With the individual's explicit consent; or
- Where required or authorised by law (e.g., for safeguarding or compliance purposes).

Sensitive data we may collect includes:

- Health information, such as medical conditions, medication requirements, and emergency health plans.
- Demographic data, such as gender identity, sexual orientation, or ethnic background (collected for program evaluation or funding requirements).
- Criminal background checks, where legally required for employment or volunteer positions.

How we protect sensitive data:

- Sensitive information will be stored in encrypted systems with restricted access.
- Only authorised personnel will have access to sensitive information based on their role.
- Confidentiality obligations apply to all employees and contractors handling sensitive data.

4. Use and Disclosure

Foyer Foundation will only use or disclose information for the primary purpose for which it was collected or a directly related secondary purpose. For other uses, the Foyer Foundation will obtain your consent.

4.1 General Purposes

We collect, hold, use and disclose personal information for the purposes for which it was collected, related purposes, and other purposes including:

- maintaining, managing, and developing our relationship with government entities, partners, sponsors, stakeholders, other not-for-profit organisations and other young people;
- organising, marketing, and running our programs, workshops, and events (including competitions and promotions run by us);
- to enable you to use our websites and social media channels;
- assessing and considering applications from prospective employees, contractors, volunteers, and service providers;
- developing and managing relationships with our employees, contractors, volunteers, and service providers;
- contracting out some of our functions to external service providers and suppliers (such as IT, mailing and couriers, research, event management, accommodation, travel, professional advisors, and recruitment); and
- complying with our legal and regulatory obligations.

4.2 Marketing purposes

We like to keep our supporters informed about the work we do. If you provide your contact details to us, we will add you to our mailing list and let you know about upcoming events and workshops. These communications may be sent in various forms, including mail, email, and social media content.

We will only send you these communications if you would reasonably expect to receive them or you have consented. You may opt out of receiving communications from us at any time by contacting us or by using the opt-out (unsubscribe) mechanism provided in the communication.

4.3 Unlawful Activity

If Foyer Foundation has sufficient reasons to believe that an unlawful activity has been, is being or may be engaged in, and the disclosure of personal information becomes a necessary part of its investigation of the matter or in reporting its concerns to relevant persons or authorities, the organisation may make such disclosures.

Foyer Foundation may further disclose personal information if its disclosure is mandated by an enforcement body or is required for the following:

- 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;

- 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.

4.4 Storage of Information

Foyer Foundation takes reasonable steps to protect information from misuse, loss, unauthorised access, modification, and disclosure. These steps include but are not limited to:

- undertaking training and providing direction to all Foyer Foundation employees who handle this information;
- ensuring that all Foyer Foundation employees who handle information have current Police checks and Working With Children Checks;
- storing personal information in a customised, cloud-based, secure database that meets Australian IRAP standards.
- information is accessed on a 'need-only' basis commensurate with the purpose and employee level of authority, and is handled in a sensitive and secure way, taking reasonable steps to protect this information from misuse, interference, loss, and unauthorised access, modification, or disclosure;
- Third-party data storage providers are required to protect personal information in accordance with applicable laws and take appropriate technical and organisational measures against unauthorised or unlawful use of personal information or its accidental loss, destruction, or damage.
- Destruction or de-identifying personal and sensitive information when the Foyer Foundation no longer requires the information for business purposes; and
- archiving financial information in a secure location in accordance with the requirements of the Australian Taxation Office.

4.5 Data breach

A data breach occurs when personal information held by us is lost or subjected to unauthorised access, modification, disclosure, or other misuse or interference. Examples of a data breach are when a device containing the personal information of clients is lost or stolen, when a database containing personal information is hacked or if we mistakenly provide personal information to the wrong person.

Under the Privacy Amendment (Notifiable Data Breaches) Act 2017, we have an obligation to assess within 30 days whether a data breach amounts to an 'eligible data breach' if we become aware that there are reasonable grounds to suspect that a data breach may have occurred.

If we form the view that the data breach would likely result in serious harm to any of the individuals to whom the information relates despite any remedial action taken by us, then the data breach will constitute an 'eligible data breach'. If an eligible data breach occurs, we have an obligation to notify you and the Office of the Australian Information Commissioner of the details of the eligible data breach.

Please see "Suspected Data Breach Response Action Plan" for a detailed process.

5. Access and Correction

The Foyer Foundation takes reasonable steps to ensure that the personal information it collects, holds, and uses is accurate, up-to-date, complete, and relevant, in compliance with Australian Privacy Principle (APP) 12 and 13.

Individuals have the right to request access to personal information held about them. Requests should be submitted via email, post, or phone using the contact details provided under 'Contacting Us'. Before processing a request, we will:

- Verify your identity to ensure the security of the information.
- Respond within 30 days of receiving a valid request.
- Provide access in a structured, commonly used format, unless an exemption applies (see 5.1).

Correcting Your Personal Information:

If you believe any personal information we hold about you is incorrect, incomplete, misleading, or outdated, you may request a correction. We will:

- Review and verify the requested changes.
- Update the information where appropriate and inform you once corrected.
- If we are unable to correct the information, we will provide reasons in writing and note your request.

Deletion Requests:

Individuals may request the deletion of personal information. We will take reasonable steps to delete information unless we are required to retain it under legal, tax, or record-keeping obligations. Where deletion is not possible, we will:

- De-identify the data where feasible.
- Explain the reasons for retaining the information.

5.1 Withhold Access to Information

Foyer Foundation can withhold the access of an individual to their information if:

- providing access would pose a serious and imminent threat to the life or health of any individual; or
- providing access would have an unreasonable impact on the privacy of other individuals; or
- the request for access is frivolous or vexatious; or
- the information relates to existing or anticipated legal proceedings between the organisation and the individual, and the information would not be accessible by the process of discovery in those proceedings; or
- providing access would reveal the intentions of the organisation in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
- providing access would be unlawful; or
- providing access would be likely to prejudice an investigation of possible unlawful activity; or

- an enforcement body performing a lawful security function asks Foyer Foundation not to provide access to the information on the basis that providing access would be likely to cause damage to the security of Australia.

Where providing access would reveal evaluative information generated within the organisation in connection with a commercially sensitive decision-making process, Foyer Foundation may give the individual an explanation for the commercially sensitive decision rather than direct access to the information. Foyer Foundation will provide to the individual its reasons for denial of access or a refusal to correct personal information.

6. Making a Complaint

If you have a complaint about how The Foyer Foundation has collected or handled your personal information, please contact our office using the details provided under the heading 'Contacting Us.'

How We Handle Complaints:

- We will acknowledge receipt of your complaint within 5 business days.
- We will investigate and provide a response within 30 days.
- If further time is required, we will notify you of the delay.
- All complaints will be treated confidentially, and we will work towards a fair resolution.

External Escalation:

If you are unsatisfied with our response, you may escalate your complaint to the relevant privacy regulator:

- Office of the Australian Information Commissioner (OAIC) – For privacy complaints under the Privacy Act 1988 (Cth).
- NSW Privacy Commissioner – If your complaint relates to Foyer Foundation services in NSW.
- Victorian Privacy Commissioner – If your complaint relates to Foyer Foundation services operating in Victoria.
- Victorian Health Services Commissioner – If your complaint relates to health information collected by a Foyer service in Victoria.
- Where possible, complaints can be submitted anonymously. However, anonymous complaints may limit our ability to fully investigate and resolve the issue.

7. Contact Us

Privacy Officer name: Pete Zwiers
Privacy Officer email: pete.zwiers@foyer.org.au

If you do not wish to send your comments using email you can send them in writing to the following postal address:

Privacy Officer
Foyer Foundation
262 Liverpool St
DARLINGHURST NSW 2010

8. Summary

All employees of the Foyer Foundation must take their obligations under the Privacy Act seriously. This means handling any and all personal information in accordance with the Privacy Act and this policy. Breaches of this policy are taken seriously and disciplinary action, including but not limited to termination, may be taken for such breaches.

If you are an employee and have any questions about this policy or would like further information, please contact the Privacy Officer.

If you are external to the organisation and have any questions or concerns about the way in which we have handled your personal information, or if you believe that we have not complied with our obligations under the Privacy Act, please contact pete.zwiers@foyer.org.au.

Definitions

Classification	Description
Health Information	Includes all personal information relating to an individual's physical or mental health, disability or services provided to them to support them in managing their health
Personal Information	Includes information or an opinion about an identified individual, or a reasonably identifiable individual: whether the information or opinion is true or not; and whether the information or opinion is recorded in a material form or not

Sensitive Information	Sensitive information is defined under the Privacy Act and includes information about an individual's racial or ethnic origin, political opinions, professional or political or religious affiliations or memberships, sexual orientation or practices, criminal record, health, genetics and/or biometrics.
Unsolicited Information	Includes information that has been received by the organisation where the organisation has taken no active steps to collect the information

References

Accessibility

This document can be accessed by:

Locations
<ul style="list-style-type: none"> • Employment Hero > Compliance > Policies

Associated external documents.

- [The Privacy Act 1988](#)

Associated internal documents.

- Foyer Foundation Code of Conduct
- Suspected Data Breach Response Action Plan