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Preamble

This is the policy of Ozability Pty Ltd T/A Anchor Excellence, specifically for its standalone product, Impactful Leader, collectively referred to as 'Impactful Leader'.

Impactful Leader is bound by the 13 Australian Privacy Principles (APPs), as set out in the Privacy Act 1988 (amended by the Privacy Amendment (Enhancing Privacy Protection) Act 2012).

To comply with our obligations under the APPs, Impactful Leader has a Privacy Policy, which sets out how we manage privacy in our organisation. Any relevant person wishing to receive more information about the operational aspects of this policy can seek that information from the Chief Executive Officer **Cynthia Payne**, who is the Privacy Officer for Impactful Leader.

Purpose

To ensure that Impactful Leader's Privacy Policy and Procedures are clearly documented and understood by employees and contractors, and to ensure that personal information is collected, used, stored and disclosed by Impactful Leader in accordance with legal requirements.

Legislative / Compliance Obligations

Privacy Act 1988 (amended by the Privacy Amendment (Private sector) Act 2000 and the

Privacy Amendment (Enhancing Privacy Protection) Act 2012, Privacy and Personal Information Act 1988

Guardianship Act 1987, Aged Care Act 1997

Australian Privacy Principles Guidelines, Office of the Australian Information Commissioner, Privacy (Persons Reported as Missing) Rule 2014

Use and Disclosure of Genetic Information to a Patient's Genetic Relatives under s 95AA of the Privacy Act Guidelines

Tax File Number Guidelines 2011

Introduction / Background

Impactful Leader collects and holds the following types of personal information:

Employees

- Name
- Date of Birth
- Address
- Occupation
- Career history
- Application for Employment
- Immunisation records
- References
- Tax file number
- Banking details
- HR/Personnel Records
- Workers' compensation or injury information
- Working with Children Check
- Police check

Privacy Policy

- Immigration status report
- Garnishee orders
- Superannuation
- AHPRA registration
- Car registration

Clients

- Care Plans
- Progress Notes
- Programme, assessment and review notes
- Accident and incident forms
- Person responsible for the client, e.g. Next of kin, Guardianship and Power of Attorney details
- Nursing, medical and allied health information
- information that we obtain about you in the course of your interaction with our website, including your internet protocol (IP) address, the date and time of your visit to our website, the pages you have accessed, the links on which you have clicked and the type of browser that you were using
- aggregated statistical data, which is information relating to your use of our website and our services, such as traffic flow and demographics.

Policy Statement

Impactful Leader takes its obligations under the Privacy Act seriously and will take all reasonable steps in order to comply with the Act and protect the privacy of personal and sensitive information that we hold. This policy sets out how we will achieve this.

The policy applies to all persons involved in our organisation. This includes prospective candidates for employment, employees and any person who provides us with their personal information.

1. Collection

- Impactful Leader will only collect information if it is necessary for our functions and activities. When we do so, we will inform the individual about what the information will be used for. In most cases, we will only collect information directly from the individual (or the responsible person, as appropriate), and where information is collected from someone else (unless required in a permitted health situation), we will inform the individual (or the responsible person, as appropriate) if practicable.
- Information is collected by fair and lawful means and in accordance with our obligations under State and Federal legislation. Other information collected concerning employees is collected to ensure compliance with tax office obligations, immigration legislation and industrial instruments, and the like.

2. Use and Disclosure

- Impactful Leader will only use or disclose personal/health care information relating to clients or employees for the primary purpose of collection, a related purpose for which it was collected (and which would be reasonably expected) or a purpose to which the individual (or the responsible person, as appropriate) has consented.
- Personal and/or health care information may be provided to the following as part of the provision of services:
 - Other external agencies that Impactful Leader contracts with to provide services to employees and clients on our behalf. In circumstances where this is necessary, these external agencies are required to provide confirmation of their compliance with the Privacy Act 1988 (amended by the Privacy Amendment (Private sector) Act 2000 and the Privacy Amendment (Enhancing Privacy Protection) Act 2012).
 - Funding bodies and other government agencies, as required by Commonwealth and State legislation
 - The person designated by the client as the "person responsible" for giving and accessing their information
 - Personal and health care information relating to clients and employees will not be used for other purposes, such as fundraising or marketing activities, without seeking the written consent of the client, person designated as the "person responsible" for the client or employee
 - The use or disclosure is required or authorised by law

- Impactful Leader reasonably believes that the use or disclosure is necessary to lessen or prevent a serious or imminent threat to an individual's life, health or safety, or a serious threat to public health or safety
- If Impactful Leader has reason to believe that an unlawful activity has been, is being or may be engaged in

3. Quality of Information

Impactful Leader will take all reasonable steps to ensure that the personal information it collects, uses or discloses is accurate, complete and up to date and is relevant for the purpose of the collection, use or disclosure.

4. Security of Information

- Impactful Leader takes all reasonable steps to protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure. However, Impactful Leader cannot guarantee the security of any personal information transmitted to us via the Internet.
- Impactful Leader holds all personal information of clients and employees in a secure and confidential manner.
- Impactful Leader destroys all personal information it no longer requires for any purpose for which the information may be used or disclosed under Part 2 of this Policy.
- Secure disposal of electronic records will include:
 - Overwriting records before they are deleted and
 - Deleting backup files
- Secure disposal of paper-based records will include:
 - Shredding of paper files or
 - Contacting an authorised disposal company for secure disposal
- In situations where it is necessary to retain the personal information, it will be permanently de-identified by removing from the record any information by which a client/employee may be identified.

5. Openness

- This Privacy Policy clearly expresses Impactful Leader's management of personal information, and this Policy is available to any person who requests a copy.
- On written request, Impactful Leader will take all reasonable steps to explain generally what sort of personal information it holds, for what purposes, and how it collects, holds, uses and discloses that information.

6. Access to or correction of personal information

- Impactful Leader provides access to the personal information that we hold about clients and employees. Access will be provided in accordance with the Australian Privacy Principles.
- A relative or family member is required to make a written request to access the personal information of a client to the Consultancy Practice Manager who will relay the request to the Privacy Officer.
- All reasonable steps will be taken to provide access.
- Requests for corrections to personal information held by Impactful Leader may be made in writing to the Consultancy Practice Manager who will relay the request to the Privacy Officer.
- Impactful Leader will provide a reason for the denial of access or refusal to correct personal information.

7. Client Access

Access is granted to individuals receiving services from Impactful Leader and/or the person designated by the client as being the "person responsible" for giving and accessing this information upon written request through the Client. The "person responsible" must consider whether, if able, the client would wish to access the information.

Impactful Leader is not required to provide access when:

- the request is vexatious or frivolous

- it requires access that would be unlawful
- the information would reveal Impactful Leader's intention in relation to negotiations
- it concerns information related to an existing or anticipated legal proceeding
- it would detrimentally affect the privacy of another individual
- would pose a serious threat to the client's life or health
- the information was given in confidence

8. Employee Access

Access is granted to employees of Impactful Leader upon written request through the Consultancy Practice Manager.

An Impactful Leader is not required to provide access when:

- the request is vexatious or frivolous
- it requires access that would be unlawful
- the information would reveal the Impactful Leader's intention in relation to negotiations
- it concerns information related to an existing or anticipated legal proceeding
- it would detrimentally affect the privacy of another individual
- would pose a serious threat to the employee's life or health
- the information was given in confidence

9. Anonymity

Impactful Leader gives individuals the option of not identifying themselves where it is lawful or practicable.

10. Transborder Data Flows

In general, Impactful Leader does not send personal information to foreign countries. However, Impactful Leader may on occasion be required to transfer personal information

about a client, person responsible or an employee to someone who is in a foreign country if:

- Impactful Leader reasonably believes that the recipient of the information is subject to a law, binding scheme or contract which upholds principles for handling the information that are substantially similar to the Australian Privacy Principles
- The individual gives informed consent
- It is not practicable for the individual to give consent, but the transfer of information is for his or her benefit
- Transfer is necessary for the performance of a contract between the individual and the Impactful Leader
- Transfer is necessary for the performance of a contract between a third party and Impactful Leader, and is in the interests of the individual
- Action is required in relation to an unlawful activity
- Disclosure is required by law

The country to which the information is sent would depend on the individual circumstances of the case.

If it becomes necessary to store or disclose personal or sensitive information outside of Australia, where practicable, an indemnity will be sought from the recipient of the information, which indemnifies Impactful Leader against claims for the recipient's breach of the Privacy Act.

11. Sensitive Information

Sensitive information refers to:

- an individual's racial or ethnic origin
- health information
- political opinions
- membership of a political association, professional or trade association or trade union
- religious beliefs or affiliations
- philosophical beliefs

- sexual orientation or practices
- criminal record
- genetic information
- biometric information that is to be used for certain purposes
- biometric templates.

Impactful Leader will not collect, use or disclose sensitive information about a client, person responsible or employee unless:

- They have consented; or
- The collection, use or disclosure is required by law; or
- The collection, use or disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of any individual; or
- Health information is required to provide a health service to the employee or client, and the collection, use or disclosure is a permitted health situation (see Part 18).

12. Complaints process

If there is a complaint regarding the information that Impactful Leader is collecting or has collected, or a person believes there is a breach of this policy or the Privacy Legislation, a written complaint should be made to the Privacy Officer (info@impactful-leaders.com.au).

13. Debt Collection

Impactful Leader has a policy in relation to the collection of debts. Clients who do not pay their fees on time may be subject to their personal information being given to a debt collection agency.

14. Direct Marketing

Personal information may be used to assist Impactful Leader with direct marketing, for example, to enhance our service and keep clients informed by sending newsletters.

Individuals have the right to:

- Elect not to receive direct marketing material from us
- Direct us not to use or disclose information for purposes of direct marketing by other organisations
- Request us to provide the source of the information used for direct marketing.

Unsubscribing and Opting Out

You may choose to unsubscribe or opt out of receiving marketing, promotional, or informational communications from Impactful Leaders at any time. Each email we send includes an unsubscribe link that allows you to remove your details from our mailing list. Alternatively, you can contact us directly at info@impactful-leaders.com.au to request removal or to update your communication preferences. Please note that even if you opt out of marketing communications, we may still contact you regarding essential administrative matters, such as service updates or legally required notifications.

15. Emergencies and Disasters

This part applies to situations when the Prime Minister or a Minister of the Australian government has issued a written and published declaration of an emergency or disaster of national significance, and which has affected one or more Australian citizens or permanent residents (Declaration).

When a Declaration has been issued, we may collect, use or disclose personal information without having to comply with ordinary Privacy Act rules only for the following purposes:

- identifying those who are or might be injured, missing, dead or involved in the emergency
- helping individuals to get services, including repatriation, medical or other treatment, health, financial or other humanitarian aid
- helping law enforcement
- coordinating or managing the emergency
- making sure that people who are responsible for individuals are kept appropriately informed about them and the emergency response to those individuals.

Only to the following organisations:

- a State or Territory authority
- the use or disclosure is not contrary to any wish expressed by the person reported as missing, of which we are aware, and
- we do not believe that the use or disclosure would pose a serious threat to the life, health or safety of the individual
- an entity involved or likely to be involved in managing or assisting in managing the emergency or disaster, or
- a person who is 'responsible' for the individual, or
- a Minister; or
- a Department; or
- certain bodies or tribunals established or appointed for a public purpose by or under a Commonwealth enactment; or
- a body established or appointed by the Governor-General, or by a Minister, otherwise than by or under a Commonwealth enactment; or
- a person holding or performing the duties of an office established by or under, or an appointment made under, a Commonwealth enactment, other than a person who, by virtue of holding that office, is the Secretary of a Department; or
- a person holding or performing the duties of an appointment, being an appointment made by the Governor-General, or by a Minister, otherwise than under a Commonwealth enactment; or
- a federal court; or
- the Australian Federal Police; or
- Norfolk Island agency; or
- the nominated AGHS company; or
- an eligible hearing service provider; or
- the Chief Executive Officer of Medicare Australia.

Only in the following situations:

- we believe that the individual is involved in the emergency or disaster; and
- there are limits on the entities to which the information can be disclosed; and
- these entities must be directly involved in providing specific services, such as repatriation, medical, health, financial or other humanitarian assistance.

If possible, queries regarding extraordinary handling of personal and sensitive information where there has been a Declaration should be referred at first instance to the Privacy Officer.

16. Unsolicited information

If we receive unsolicited personal information, we will:

- Determine whether the information could have been collected in compliance with Part 1 of this Policy; and
- If the answer is no, then destroy or de-identify the information; or

If the answer is yes, then provide the individual with a privacy statement and consent form and otherwise handle the information in accordance with this Policy

17. Email communication where sensitive and private information is contained

Emails that are sent to the outside Impactful Leader Google platform, then in every instance, the email sender must determine if sensitive and confidential information is contained in the email or in an attachment.

If a sensitive or confidential email is included, then the Email header is to contain the following statement: [This email contains sensitive or confidential information]

18. Permitted Health Situations

Collection – provision of a health service

A "permitted health situation" exists in relation to the collection by an organisation of health information about an individual if:

1. the information is necessary to provide a health service to the individual; and
2. either:
 - the collection is required or authorised by or under an Australian law (other than the Privacy Act); or
 - the information is collected in accordance with rules established by competent health or medical bodies that deal with obligations of professional confidentiality, which bind the organisation.

Collection – research, etc.

A "permitted health situation" exists in relation to the collection by an organisation of health information about an individual if:

1. the collection is necessary for any of the following purposes:
 - research relevant to public health or public safety;
 - the compilation or analysis of statistics relevant to public health or public safety;
 - the management, funding or monitoring of a health service; and
2. that purpose cannot be served by the collection of information about the individual that is de-identified information; and
3. it is impracticable for the organisation to obtain the individual's consent to the collection; and
4. any of the following apply:
 - the collection is required by or under an Australian law (other than the Privacy Act);
 - the information is collected in accordance with rules established by competent health or medical bodies that deal with obligations of professional confidentiality which bind the organisation;
 - the information is collected in accordance with guidelines approved under section 95A for the purposes of this subparagraph.

Use or disclosure – research, etc.

A "permitted health situation" exists in relation to the use or disclosure by an organisation of health information about an individual if:

1. the use or disclosure is necessary for research, or the compilation or analysis of statistics, relevant to public health or public safety; and
2. it is impracticable for the organisation to obtain the individual's consent to the use or disclosure; and
3. the use or disclosure is conducted in accordance with guidelines approved under section 95A for the purposes of this paragraph; and
4. in the case of disclosure, the organisation reasonably believes that the recipient of the information will not disclose the information, or personal information derived from that information.

Use of disclosure – genetic information

A "permitted health situation" exists in relation to the use or disclosure by an organisation of genetic information about an individual (the first individual) if:

1. the organisation has obtained the information in the course of providing a health service to the first individual; and
2. the organisation reasonably believes that the use or disclosure is necessary to lessen or prevent a serious threat to the life, health or safety of another individual who is a genetic relative of the first individual; and
3. the use or disclosure is conducted in accordance with guidelines approved under section 95AA; and
4. in the case of disclosure, the recipient of the information is a genetic relative of the first individual.

Disclosure – the responsible person for an individual

A "permitted health situation" exists in relation to the disclosure by an organisation of health information about an individual if:

1. the organisation provides a health service to the individual; and
2. the recipient of the information is a responsible person for the individual; and
3. the individual:
 - is physically or legally incapable of giving consent to the disclosure; or
 - physically cannot communicate consent to the disclosure; and
4. another individual (the carer) providing the health service for the organisation is satisfied that either:

- the disclosure is necessary to provide appropriate care or treatment to the individual; or
 - the disclosure is made for compassionate reasons; and
5. the disclosure is not contrary to any wish:
- expressed by the individual before the individual became unable to give or communicate consent; and
 - of which the care is aware, or of which the carer could reasonably be expected to be aware; and
6. the disclosure is limited to the extent reasonable and necessary for a purpose mentioned in paragraph (d).

19. Privacy Data Breaches

In the event that your Personal Information is lost, stolen or subject to unauthorised access or disclosure, Impactful Leader will implement the Data Breach Response Plan and will also adhere to its obligations under the Privacy Act in relation to any required notifications to the Office of the Australian Information Commissioner and to those people whose Personal Information has been lost, stolen or subject to authorised access or disclosure.