



## **Privacy Policy**

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## 1. INTRODUCTION

### 1.1 Purpose

This policy supports YSAS' compliance with legislative obligations regarding protection of personal, sensitive and health information.

### 1.2 Scope

This policy applies to all personal, sensitive and health information held by YSAS, regardless of how or where it was obtained. All YSAS members will comply with this policy.

### 1.3 Definitions

Term	Definition
Health information	A type of personal information which includes: <ul style="list-style-type: none"><li>personal information or an opinion about your physical, mental or psychological health, including any disabilities you may have</li><li>your wishes or preferences about the health services you would like to be provided to you in the future</li><li>details about the health services you have received in the past</li><li>personal information collected from you while providing a health service to you (e.g., test results, medical records)</li><li>genetic information that may predict your health or the health of your descendants</li></ul>
Personal information	Information or an opinion recorded about you where you are identified or could reasonably be identified from the information or opinion. e.g., name; email address. This information or opinion may or may not be true.  In this Privacy Policy, unless written otherwise, when we refer to personal information, we also mean to include sensitive information and health information.
Sensitive information	A type of personal information about individuals which includes personal information or an opinion about their racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices, or criminal record.
YSAS members	YSAS paid employees, students, contractors and volunteers, including Board Directors and Board sub-Committee members.

## 2. POLICY STATEMENT

1. We recognise privacy as the fundamental human right of every individual.
2. We are committed to protecting the privacy of personal information belonging to our clients and their families/communities, employees, volunteers, students, donors, and other stakeholders.
3. We take all reasonable steps to meet our obligations under law regarding the collection, access, storage and use of the personal information we obtain from you as part of our operations.
4. We recognise your right to have your information protected on the one hand and made accessible to you on the other.
5. We seek to embed privacy at the earliest opportunity when developing and implementing new programs and services.
6. While this policy is intended to facilitate compliance with our legal obligations, we also acknowledge that privacy can be applied and understood differently in different cultural contexts. We will work with young people, families and communities to manage personal information in a way that is culturally sensitive and appropriate, in line with legal requirements.

## 3. POLICY APPLICATION

### 3.1 Different privacy principles and laws may apply to different activities at YSAS

#### **Services we provide for young people, families and communities**

YSAS ensures that when we collect, store, use and grant access to personal information about young people, families and communities, we comply with the *Privacy Act 1988* (Cth) and the Australian Privacy Principles (the APPs) and:

- in Victoria,
  - the *Health Records Act 2001* (Vic) and the Health Privacy Principles (the HPPs); and
  - the *Privacy and Data Protection Act 2014* (Vic) and Information Privacy Principles (the IPPS, Vic)
- in Queensland,
  - the *Information Privacy Act 2009* (Qld) and Information Privacy Principles (the IPPS, Qld).

Staff from our Victorian state-funded Alcohol and Drug and Youth Justice programs are also bound by the Child Well-being and Safety (Information Sharing) Regulations 2018 (Vic) and Part 5A of the *Family Violence Prevention Act 2008* (Vic). In certain situations, this legislation requires us to share personal information so we can work with others to keep children safe, support their wellbeing, and respond to family violence risk.

#### **Employment at YSAS**

The records we hold specifically related to the employment of a current or former employee are regulated by the *Fair Work Act 2009* (Cth), especially with regards to maintaining confidentiality.

## Other functions and activities

We apply the Australian Privacy Principles when handling personal information connected to all other activities we undertake, for example when:

- recruiting new employees, contractors, students or volunteers
- fundraising
- conducting research into how to improve services for young people and advocating for their needs to be met
- providing training to external agencies
- arranging payment for services provided

## 3.2 Collection of personal information – what types of information does YSAS collect, and why?

Any time anyone interacts with YSAS, we may receive personal information about them.

The type of information YSAS collects depends on who you are, our relationship with you, and the nature of our contact.

The types of personal information we may collect and the **main reasons** for doing so include:

Who is the information about?	Main reasons we collect personal information	How is this information collected?	Examples of the types of personal information collected
Young people, family or community members.	To provide the best possible care for young people and their families and communities.	Usually, through direct discussions with young people, families and communities – for example, in person or over the telephone. However, sometimes we may receive information about them from others – for example, a teacher, or other service providers.	<ul style="list-style-type: none"><li>• Name</li><li>• Contact details</li><li>• Health or medical history</li><li>• Previous participation in programs and services</li><li>• Sensitive information such as cultural and linguistical background, language preferences, religious beliefs or affiliations and sexual orientation</li></ul>
Prospective employees, volunteers and students.	To assess the suitability of people who apply for paid positions and student/volunteer placements at YSAS.	Usually via information entered in our computerised Human Resources (HR) system by applicants, and sometimes from phone and email communication with them, previous employers,	<ul style="list-style-type: none"><li>• Name</li><li>• Contact details</li><li>• Employment history</li><li>• Academic performance</li><li>• Citizenship and residency status</li><li>• Sensitive information such as Aboriginal and/or Torres</li></ul>

		nominated referees, and other staff members.	Strait Islander status, professional memberships and criminal history (or lack thereof)
Employees.	For processes associated with an employee's employment relationship with us and for general HR management and planning functions.	From multiple sources. For example, from employees directly via our systems; through in-person, phone and online interactions; by auditing the use of our systems.	<ul style="list-style-type: none"> <li>• Tax file number</li> <li>• Banking and superannuation details</li> <li>• Records about performance and development</li> <li>• Hours worked</li> </ul>
Students and volunteers.	To administer student and volunteer placements and reimburse volunteers for their contributions.	Directly from students and volunteers via in-person, telephone and email interactions.	<ul style="list-style-type: none"> <li>• Name</li> <li>• Email address</li> <li>• Emergency contact details</li> <li>• Banking details</li> <li>• Record of hours</li> </ul>
Donors.	To administer donations to YSAS.	Usually via information entered online by donors or via email.	<ul style="list-style-type: none"> <li>• Name</li> <li>• Email address</li> <li>• Payment details</li> </ul>
Vendors.	To procure goods and services for YSAS.	Usually via email, telephone and online platforms.	<ul style="list-style-type: none"> <li>• Name</li> <li>• Contact details</li> <li>• Insurance information</li> <li>• Payment details</li> </ul>
Other professionals we work with.	To form partnerships, coordinate young people's care, facilitate referrals, arrange and administer training.	From multiple sources. For example, directly via our systems; through in-person, phone and email interactions.	<ul style="list-style-type: none"> <li>• Name</li> <li>• Contact details</li> <li>• Details about the partnership</li> </ul>

## **The right to withhold information or remain anonymous/use pseudonyms**

We aim, wherever possible, to give you the option of dealing with us anonymously. For instance, when you make general enquiries about our services or our job offerings, you do not need to identify yourself.

However, there are situations in which we must collect personal information. For instance, to work with you around your substance use, mental health and behaviours such as offending, we will need to gather information from you about your needs to ensure we do our best work together. Similarly, we cannot award a contract and pay for services rendered by you unless you provide us with certain information.

We will only collect what is reasonably necessary to deliver our services, undertake key functions, and meet our legal obligations.

### **3.3 How YSAS uses and shares personal information**

YSAS usually only uses information for the reasons explained in Section 3.2. For example, your worker may use details about your goals, mental and physical health, substance use, housing, and relationships to support you. Or if you sign up for a workshop, the training team might use your email to confirm your registration.

Similarly, YSAS usually only shares your personal information with others for the same reason it was collected. For instance, if you give us permission, your worker might share information about you with other services to help coordinate your support.

Depending on the way we are engaging or working with you, YSAS may also use and share your information for other reasons related to those in Section 3.2. Reasons such as:

- To fulfil our functions
- Improve our services and clinical governance
- Manage security and risk
- Conduct analytic activities
- Advocate to improve services for young people experiencing serious disadvantage
- Manage our workforce

YSAS may also share personal information if the law requires it or allows us to. For example, if we think it's necessary to protect someone's life, health, safety, or well-being.

#### **Use of personal information for marketing or follow up contact**

Sometimes we follow up with people after their involvement with YSAS has ended. For instance, to ask young people about their experience of our services; or to invite various stakeholders to events and celebrations; or to make previous donors aware of fundraisers we are running. We ask for their consent before getting in touch, and they can choose to opt out at any time.

We will not sell your personal information to anyone else.

#### **Use of artificial intelligence**

From time to time, YSAS may use commercially available artificial intelligence (AI) products to help us solve problems and carry out our work more effectively, for instance, to take notes during some of our meetings, summarise the available research literature or create information sheets.

YSAS only uses AI when it is the safest and most appropriate option. Our members are strictly prohibited from using AI in ways that may infringe on people's rights, including their right to privacy. For instance, they are not allowed to enter your personal information into publicly available generative AI tools such as Chat GPT.

We will ask for your permission before using AI to handle your personal information.

### 3.4 YSAS' commitment to keeping personal information safe, secure and up to date

YSAS takes reasonable steps to keep personal information safe, such as:

- controlling who can access our electronic systems
- using firewalls and encryption
- testing for security vulnerabilities
- securing our buildings
- carefully checking employees and partners
- making agreements with vendors to protect data
- training our staff about privacy and security.

While taking all necessary precautions to safeguard your personal information, we acknowledge that sometimes privacy breaches occur. We have a clear process in place to handle privacy incidents quickly and effectively and reduce their impact.

YSAS also has formal processes in place to ensure that the personal information we hold about you is accurate and up-to-date, and that we do not hold it for longer than is necessary according to applicable legislation.

### 3.5 Accessing or updating personal information

#### Requests for client or stakeholder records

You have a right to request access to your information and to ask for it to be corrected, if necessary, by contacting YSAS' Privacy Officer at [privacy@ysas.org.au](mailto:privacy@ysas.org.au) or 9415 8881. There may be some instances where we will not be able to give you the information you have requested. If so, we will give you our reasons in writing.

#### Requests for employment records

If you are a current or former employee, you can request access to your employment records from YSAS' HR team at [hr@ysas.org.au](mailto:hr@ysas.org.au).

### 3.6 Making a complaint

If you have a question about the way your information is being managed, or want to make a complaint in relation to the privacy of your information, you can:

- contact your worker; or
- contact the YSAS Privacy Officer at [privacy@ysas.org.au](mailto:privacy@ysas.org.au) or 9415 8881; or
- submit it through the feedback section at [www.ysas.org.au/feedback-and-complaints](http://www.ysas.org.au/feedback-and-complaints).

You may also contact:

- Office of the Australian Information Commissioner Online: [www.oaic.gov.au/privacy](http://www.oaic.gov.au/privacy). Phone: 1300 363 992

Victoria only

- Office of the Victorian Information Commissioner. Online: <https://ovic.vic.gov.au/>. Phone: 1300 006 842

Queensland only

- Office of the Information Commissioner Queensland. Online: <https://www.oic.qld.gov.au/>. Phone: 1800 642 753

## 4. COMPLIANCE, MONITORING AND REVIEW

1. All YSAS members are responsible for ensuring compliance with this policy in their day-to-day work. This includes completing mandatory training and identifying and responding appropriately to individual instances of non-compliance when they arise.
2. Compliance will be reviewed at least annually by the Executive and Board to ensure that the information privacy obligations are still relevant and up to date, with sufficient steps being taken to ensure compliance. The Executive and Board will review systemic trends in privacy compliance, and if applicable, any significant issues or instances of non-compliance causing significant risk to YSAS.
3. Internal and external audits and accreditations will also support adherence to the relevant legislation and privacy principles.

## 5. ROLES AND RESPONSIBILITIES

Safeguarding the privacy of personal information is everyone's business at YSAS. However, there are specific organisational roles, responsibilities and accountabilities as outlined below.

### All staff must:

- Understand and apply this policy to their practice.
- Participate in privacy related learning, monitoring and reporting activities.
- Promptly identify, respond to and report breaches of privacy.

### Managers and General Managers must:

- Maintain knowledge of relevant privacy laws and regulations.
- Ensure staff participate in mandatory organisational privacy training and are supported with relevant information and supervision regarding their privacy obligations.
- Ensure staff understand and practice in compliance with this policy.
- Ensure privacy breaches are contained, addressed promptly and preventative measures are put in place.
- Ensure Privacy Impact Assessments (PIA) are integrated into project planning and development phases.
- Foster a workplace culture where privacy is valued and integrated into daily operations.

### ICT Team must:

- Maintain knowledge of relevant information security laws and standards.
- Implement and maintain technical measures to safeguard personal information from unauthorised access and loss such as firewalls, data protection controls, encryption and backups.
- Regularly assess potential privacy risks associated with new technologies.
- Work with third-party IT vendors and partners to ensure data privacy compliance in contractual agreements.
- Manage access controls.
- Collaborate with YSAS' Information Management Lead to facilitate a holistic approach to privacy and data protection.
- Contribute to efforts to contain and mitigate the impact of data breaches as appropriate.

**Human Resources must:**

- Maintain awareness of updates in legislation and best practice relating to the confidentiality of employee records.
- Retain and dispose of employee data in accordance with relevant legislation.

**Practice Compliance and Quality Lead – Information Management must:**

- Develop and maintain privacy related policies and procedures to ensure compliance with regulations such as privacy laws and principles.
- Maintain awareness of updates in legislation and best practice relating to privacy and ensure any changes are operationalised in a YSAS context.
- Lead initiatives to build knowledge and capacity among YSAS members relating to privacy and archiving.
- Provide expert advice and judgment on any queries or requests for consult relating to privacy or archiving.
- Work collaboratively with YSAS members to identify and mitigate privacy risks.
- Lead YSAS' response to suspected or confirmed data breaches.
- Coordinate legislative and contractual reporting of privacy and other information-related breaches, including by liaising with privacy regulators.
- Lead responses to complaints relating to privacy.
- Conduct/coordinate regular audits of compliance with YSAS' privacy obligations and provide regular reporting to Board subcommittees on privacy and information-related incidents.

**YSAS Executive must:**

- Ensure the allocation of adequate resources to effectively develop and implement this policy's principles, including but not limited to appointing an Information Management Lead and ensuring staff training and supervision is made available.
- Provide leadership on privacy at YSAS by fostering a workplace culture where privacy is valued and integrated into daily operations.
- Understand legislative requirements related to privacy and ensure YSAS meets all requirements.

- Ensure compliance with policies and processes for safeguarding the privacy of personal information.
- Support managers to implement this policy.
- Ensure all privacy breaches at YSAS are investigated thoroughly and findings and subsequent learnings are used to improve YSAS' protection of privacy.
- Report any issues related to a lack of compliance with YSAS' privacy obligations to the YSAS Board.

**YSAS Board must:**

- Promote the principles and intent of this policy.
- Provide oversight and direction of all matters in relation to privacy.

## 6. ASSOCIATED DOCUMENTS

### Legislation and standards

#### Commonwealth (Cth)

- Taxation Administration Act 1953 (Cth)
- Privacy Act 1988 (Cth)
- Fair Work Act 2009 (Cth)

#### Victoria (Vic)

- Children's Services Act 1996 (Vic)
- Health Records Act 2001 (Vic)
- Child Safety and Well-being Act 2005 (Vic)
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Family Violence Protection Act 2008 (Vic)
- Privacy and Data Protection Act 2014 (Vic)

#### Queensland (Qld)

- Child Protection Act 1999 (Qld)
- Information Privacy Act 2009 (Qld)
- Human Rights Act 2019 (Qld)

#### Standards

- Tax File Number Guidelines 2015/1
- ISO 27001 (international information security standard – latest update 2022)
- Victorian Protective Data Security Standards V2.0 (2020)

### YSAS Governance Documents

- Capacity to Consent Policy
- Case-note Guidelines
- Code of Conduct
- Employee Exit Procedure

- Incident Management Procedure
- Information Storage, Transfer, Archiving, and Disposal Policy and Procedures
- Privacy and Data Breach Procedure (in press)
- Recruitment and Selection Procedure
- Safeguarding Young People Reporting and Response Procedure
- Supervision Procedure
- Volunteer, Student and Contractor Policy

## 7. REVIEW GOVERNANCE, VERSION CONTROL, CHANGE HISTORY

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<b>Summary of changes</b>	Version 3 (October 2025) <ul style="list-style-type: none"> <li>• Procedural information removed.</li> <li>• Content condensed and restructured.</li> <li>• Focus broadened beyond safeguarding the privacy of the personal information of young people and their families/communities to all stakeholders.</li> <li>• Inclusion of YSAS' position on use of AI.</li> <li>• Key persons responsible expanded to include ICT and HR.</li> <li>• Associated documents updated.</li> </ul>		