



Policy Name:

Privacy Policy

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1. Definitions

The following definitions apply to this policy and help ensure consistent understanding across the organisation.

- 1.1. **Board Member:** A Board Member is a person who has been appointed or elected to sit on The Canopy's Board of Management.
- 1.2. **Child:** A Child is any person under the age of 18 years.
- 1.3. **Child Safe Environment:** A Child Safe Environment is one where children are safe from harm, feel respected and included, and where the NSW Child Safe Standards are actively applied.
- 1.4. **Manager:** A Manager is any staff member with formal responsibility for supervising others, managing a program, team, or site, or making decisions about events covered by this policy. This includes Executive staff where relevant.
- 1.5. **Staff:** Staff includes all employees of The Canopy, whether full time, part time, fixed term, or casual.
- 1.6. **Volunteer:** A Volunteer is a person who performs work or duties for The Canopy without pay, under an agreed role or arrangement.

2. Purpose

- 2.1. This policy sets out The Canopy's privacy management systems and processes across all departments, programs and service delivery.
- 2.2. The Canopy collects, holds, gives access to, uses, discloses, and corrects personal information to carry out its many functions and activities and, in doing so, is bound by the Privacy Act 1988 (Privacy Act) and the Australian Privacy Principles (APPs).
- 2.3. The Canopy collects, holds, uses and discloses health information and is bound by the Health Records and Information Privacy Act 2002 (NSW)(HRIPA), the Health Privacy Principles (HPPs) My Health Records Act 2012 (MHR) and Healthcare Identifiers Act 2010(Cth)(HI) when handling personal information which is health information.
- 2.4. The Canopy complies with the Privacy and Personal Information Protection Act 1998 (PPIPA) and the Government Information (Public Access) Act 2009 (GIPA) where required under state and federal government contracts.
- 2.5. The Canopy will comply with any direction from the NSW government agency from which it receives funding with respect to compliance with Privacy Laws.
- 2.6. This policy and its related policy documents establish, implement, and maintain privacy processes and provide the steps required to meet these ongoing compliance obligations.

3. Policy Statement

- 3.1. The Canopy respects and values all personal information and health information that it is entrusted with.
- 3.2. The Canopy is committed to practicing good privacy governance, upholding safety and confidentiality and meeting our contractual, legal and moral obligations.
- 3.3. The Canopy is committed to ensuring all peoples private and personal information is managed lawfully, respectfully and in alignment with people's safety. This is done by implementing practices, procedures, and systems to ensure compliance with the Australian Privacy Principles and contractual agreements with services and funding bodies.

4. Scope

- 4.1. This policy applies to all employees, volunteers, contractors, Board members of The Canopy including its agencies.
- 4.2. This policy also applies to other persons conducting services for The Canopy who have access to company information.
- 4.3. All organisational information and private client information collected, held, and used by The Canopy must be managed in accordance with this policy and the related privacy documents.
- 4.4. This policy should be read in conjunction with privacy and confidentiality agreements, The Canopy's Privacy and Exchange of Information Policy, The Canopy's Subpoena Policy, The Canopy's Data Breach Response Policy and all Information Security procedures, applicable to service delivery and program operations.

5. Principles

- 5.1. The Canopy will only collect relevant personal information for a lawful purpose and by lawful means where it is reasonably necessary to enable The Canopy to programs and services.
- 5.2. The Canopy endeavours to ensure that the information collected will be accurate, up-to-date, complete and not excessive.
- 5.3. All personnel involved in managing records and information for, and with, The Canopy are accountable for ensuring privacy is respected and protected according to legal, moral and program specific legal requirements.
- 5.4. All personnel involved in the collection and management of private and personal information will uphold the Child Safe Standards at all times.

6. Responsibilities

- 6.1. **Executive Staff and Managers** are responsible for ensuring all elements of privacy management aligns with legislation and contractual requirements.
- 6.2. **All Staff and Volunteers** are expected to fulfil their roles in accordance with privacy legislation, service specifications, program guidelines and organisational policy and procedures. Clients, families and community members are empowered to ask questions and raise concerns in a culture that is supportive and safe.

7. Privacy Management

7.1. Information Collected

7.1.1. The Canopy collects and holds personal information, which may include sensitive information and health information about:

7.1.2. children, which may be related to children receiving services or programs, adults receiving services or programs;

7.1.3. people we support in community programs, child, youth and family services and social enterprises;

7.1.4. staff, workers and volunteers;

7.1.5. job applicants, volunteers, contractors, and suppliers;

7.1.6. people involved in fundraising and relationship building, including banking or other payment details;

7.1.7. people we communicate with or who attend community programs, activities or events;

7.1.8. people who are members of parenting and/or therapeutic groups.

7.1.9. people who have access to and use The Canopy websites and other electronic media and communications;

7.1.10. parents or guardians of those we hold personal information about; and

7.1.11. other persons related to these activities, e.g. carers, grandparents.

7.1.12. Information collected may include (but is not limited to) a person's name, contact details, date of birth, email address, medical information, applications for employment and supporting documents, employment contracts, records relating to the payment of wages, employment benefits and leave, training and development information, information about an employee's performance, occupation, family background, religion, citizenship and visa information, school results, conduct, complaint or behaviour records, counselling reports, Family Court orders, information about referrals to government agencies, photos and videos at events, and in some cases, financial records.

7.1.13. The Canopy will take steps to make ensure the person is aware of the information being collected, why it's being collected, and who will be using and storing it. This may include providing a Privacy Collection Notice, copy, or electronic link to this policy.

7.1.14. Should The Canopy need to collect, use and disclose a worker's personal and health information to facilitate their return to work and recovery as part of managing or processing a workers compensation claim, The Canopy will obtain the worker's valid consent.

7.2 Use and Disclosure of Personal Information

7.2.1. The Canopy only uses or discloses personal information for the reason the Canopy collected it unless disclosure is permitted under other circumstances, including if required by law.

7.2.2. The Canopy uses personal information it collects to deliverer services and program support.

7.2.3. keep people informed about matters relating to community activities and social networking through correspondence and newsletters.

7.2.4. look after a child's safety and wellbeing, an individual's psychological, emotional, mental and physical wellbeing.

7.2.5. keep people informed about matters relating to their child's safety, growth and development, and where appropriate, the child and families support systems, only through appropriate means.

7.2.6. provide care and support under The Canopy's supervision.

7.2.7. inform people about events, services and developments in our community.

7.2.8. assess a job application or volunteer application.

7.2.9. determine eligibility for child and family services.

7.2.10. manage staff and volunteers.

- 7.2.11. ensure appropriate provision of services.
- 7.2.12. satisfy the Canopy's legal obligations and allow the Canopy to discharge its duty of care.
- 7.2.13. manage work, health and safety needs of employees.
- 7.2.14. manage and process workers compensation claims if they arise.

7.2.16. In particular circumstances, the Canopy may disclose personal information, including sensitive information held about a person, including as follows:

- 7.2.17. with consent from the person for a purpose other than the purpose for which it was collected.
- 7.2.18. for a secondary purpose related to the primary purpose, which the person would reasonably expect.
- 7.2.19. where it is reasonably believed that the disclosure is necessary for an enforcement related purpose.
- 7.2.20. if the information is needed to deal with a serious risk of harm.
- 7.2.21. for educational, care and administrative purposes and to seek support and advice.
- 7.2.22. for assessment and educational authorities.
- 7.2.23. to agencies and organisations to whom we are required to disclose personal information for education, funding and research purposes.
- 7.2.24. to government departments, including for policy and funding purposes.
- 7.2.25. the applicable NSW government agency for agency audits or assessments of the organisation's compliance with the Human Services Agreement; or
- 7.2.26. the applicable NSW government agency if the agency requests information to comply with its obligations under the Government Information (Public Access) Act 2009 (NSW).
- 7.2.27. to medical practitioners when lawfully required.

7.2.28. to people providing services to the Canopy, including volunteers and third-party service providers when lawfully required.

7.2.29. to recipients of the Canopy publications, when approved and within legislative frameworks.

7.2.30. to providers of information management and storage systems and other information technology services.

7.2.31. if required or authorised by an Australian law or court/tribunal order, including child protection laws.

7.2.32. to anyone to whom the person lawfully authorises the Canopy to disclose information.

7.2.33. where the use or disclosure is permitted by an exception under Australian Privacy Principle 6.2 or 6.3; and

7.2.34. to the workers compensation insurer and claims administrators.

7.2.35. If personal information is disclosed for enforcement related activities by an enforcement body (e.g., the police), a written record of that disclosure will be made.

7.2.36. Any request for personal information made by an enforcement body must:

7.2.36.1. be made in writing as evidence to justify that disclosure is required; and

7.2.36.2. be approved by the Canopy's Leadership Team

7.2.36.3. When the Canopy has entered into contracts or agreements with any external parties or has outsourced any function or activity, appropriate clauses must be added to comply with the relevant Privacy laws.

7.3. Access and Correcting Personal Information

7.3.1. The Canopy endeavours to ensure that the personal information held is accurate, complete, up-to-date and not misleading.

7.3.2. The Canopy will also take reasonable steps to correct information it holds if it considers the information incorrect.

7.3.3. A person may access any personal information that is held about them. A request for access should be put in writing and sent to the Canopy using the contact details listed below.

7.3.4. The Canopy will respond within a reasonable period after a request for access to information is made. Service users and individuals engaged with The Canopy have a right to access their personal and or health information under *The Privacy and Personal Information Protections Act 1988 (PIPP Act)*.

7.3.5. The Canopy may require a person requesting access to personal information to verify their identity and specify what information is required before providing access. In some circumstances, as stipulated by *Australian Privacy Principle 12*, the Canopy may be unable to provide access. In this case, the person will be notified in writing with an explanation of why and how they can take the matter further.

7.3.6. A person may seek to update the personal information held about them by contacting the Canopy at any time using the details listed below. If the Canopy is unable to correct the information, we will give notice in writing and explain why and how the matter can be taken further. A statement associated with the information believed to be inaccurate, out-of-date, incomplete, irrelevant or misleading can be requested.

7.4. Unsolicited Personal Information

7.4.1. When The Canopy receives unsolicited information, The Canopy will determine whether it could have been collected separately under the Australian Privacy Principles within a reasonable period.

7.4.2. If it is determined that the personal information could have been collected lawfully, then the rest of the Australian Privacy Principles apply as if the information had been collected in that manner.

7.4.3. If it is determined that the information could not have been collected lawfully, it will be destroyed or de-identified where it is otherwise lawful.

7.5. Privacy Information gained through Environment or Employment.

7.5.1. Personal information is generally collected from a person or their authorised representative through forms filled out by the person or their guardian/responsible person, face-to-face meetings, interviews, telephone calls, and websites or other electronic data.

7.5.2. In some circumstances, a third party, including other organisations or services, may provide The Canopy with personal information, e.g., a reference about an applicant for an employment position, personal information from a child or family member's referring agency, in order to facilitate the referral of a child and family to The Canopy.

7.5.3. The Canopy also collects and receives Personal and Health Information from third parties such as other regulatory agencies, and government authorities, including for example The Canopy's workers compensation insurer and claims administrators, or direct from medical practitioners treating employees.

7.5.4. Personal information obtained through surveillance activities (such as CCTV security cameras) and monitoring of email and social media accounts managed within The Canopy's information networks, may be used or requested by law enforcement agencies and lawfully permitted external agencies.

7.5.5. In some cases, where a person does not provide the personal information The Canopy requests, we may not be able to help, employ, engage with, educate or minister to that person in some or any of The Canopy's activities.

7.5.6. A person may choose to interact with The Canopy anonymously or use a pseudonym (where lawful and practical). However, The Canopy will need to identify a person in many circumstances, e.g., to deliver certain programs and community groups, provide programs and services for children and families, or process a job or volunteer application.

7.6. Deletion of personal information

7.6.1. The Canopy will take reasonable steps to destroy or de-identify information it holds where it no longer needs the information for any purpose for which it was used or disclosed, and it is not required under another law, court or tribunal order.

7.7. Consent and Right of Access to the Personal Information of Children.

7.7.1. The Canopy will assess whether a child has the capacity to make their own privacy decisions on a case-by-case basis with regard to matters such as their age and circumstances. Generally, it is believed that persons over 15 years old will have the capacity to make their own privacy decisions.

7.7.2. For children under 15 years or who otherwise do not have the capacity to make these decisions for themselves,

7.8. Security of Personal Information

7.8.1. Users of the Canopy information and communication technology (ICT) systems are required to respect the confidentiality of personal information and the privacy of persons.

7.8.2. Access to personal information in the Canopy is restricted to those who require access.

7.8.3. The Canopy has processes in place to protect personal information from misuse, interference, loss, unauthorised access, modification or disclosure by using various methods, including locked storage of paper records and password restricted access rights to computerised records.

7.8.4. The Canopy has ICT security systems, policies, procedures, processes, and controls designed to protect personal information stored on our computer networks.

7.8.5. Where the Canopy uses internet (or cloud) based storage systems, it will take all reasonable steps to ensure third party storage providers comply with the Privacy Laws.

7.8.6. Where the Canopy no longer requires personal information for a purpose required under the Privacy Act, the Canopy will take reasonable action to destroy or de-identify that information unless it would be unlawful for us to do so.

7.8.7. The Canopy has policies and procedures, including email and internet usage, confidentiality and document security policies designed to ensure ICT users follow correct protocols when handling personal information.

7.8.7. ICT users receive training on the uses of the Canopy ICT systems about data security and ensuring users are aware of their obligations in relation to privacy and ICT systems.

7.8.8. Due diligence with respect to third-party service providers who may have access to personal information is undertaken, including cloud service providers, to ensure as far as practicable that they are compliant with the Australian Privacy Principles or a similar privacy regime.

7.8.9. Where personal information is stored in hard copy records, these records are kept in lockable filing cabinets in lockable rooms. Access to these records is restricted to staff on a need-to-know basis.

7.8.10. Physical security measures are implemented around buildings and surrounding grounds to prevent break-ins.

7.9. Data Breach and Breach of Privacy Laws

7.9.1. The Canopy has a Data Breach Response Policy and Procedure that outlines the steps to take and the people responsible for responding to a data breach.

7.9.2. If it is suspected that an 'eligible data breach' has occurred and there is a real risk of serious harm to a person/s as a result of the breach, the Canopy is required to notify both the person affected and the Office of the Australian Information Commissioner as soon as possible by completing an incident report.

7.9.2. The Canopy is obliged to notify the applicable NSW government agency immediately if it has reasonable grounds to believe there has been a breach of the Privacy Laws in connection with the delivery of Services under the associated Service Specifications - Human Services Agreement.

8. Enquiries and Complaints

- 8.1. For further information about how the Canopy manages private client, organisational and personal information, please get in touch with member of the Leadership team at the Canopy using the details listed below.
- 8.2. If it is believed that the Canopy has acted contrary to this Policy or the Privacy Laws, please lodge a complaint in writing using the Submit feedback or complaint process listed in the Complaints Policy or email Head Office via the details below.
- 8.3. If a person makes a complaint relating to the Canopy's privacy management systems and processes, the Canopy will acknowledge receipt of the complaint, undertake inquiries and provide a response to the person within 30 days.
- 8.4. If not satisfied with the response, the person can contact the Office of the Australian Information Commissioner (OAIC) by phone at 1300 363 992 to query privacy rights or visit www.oaic.gov.au for more information about how to lodge a complaint with OAIC. The OAIC has the power to investigate the matter and make a determination.

8.5. Contact Details

8.5.1. The Canopy's complaint management personnel are located at The Canopy's Head Office at 107 Northlakes Drive, Cameron Park NSW 2285

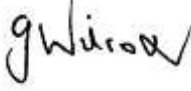
8.5.2. You can submit feedback or complaints by:
 phoning 02 4908 1140; or
 emailing complaints@thecanopy.org.au

Document ID:	POL-040
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Finalised date:	April 2026
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Author – branch/unit/area:	Project Officer
Audience:	<ul style="list-style-type: none"> • Board • All Employees • Volunteers and Contractors
Related Legislation, Standards and Frameworks:	<ul style="list-style-type: none"> • NSW Child Safe Standards • Work Health and Safety Act 2011 • The Commonwealth Privacy Act 1988 • Australian Privacy Principles
Status:	Mandatory
Related Governance:	<ul style="list-style-type: none"> • Code of Conduct • Data Breach Response Policy • Risk Management Framework • Compliance and Feedback Policy • Information Security Policy • IT Systems and processes • Social Media Guidelines
Replaces:	N/A – New Policy

Change History:

Date	Change Description	Reason for Change	Author	Issue No:
22.04.2026	New Policy	Governance uplift Increase Information security & safety of all people Align with new Families Together Service Specifications	S. Hicks	1.0

Acceptance Certificate:

<p>This policy is approved by:</p> <p><input type="checkbox"/> Tier 1 – Board Approved Policy Requires formal approval by the Board.</p> <p><input checked="" type="checkbox"/> Tier 2 – CEO Approved Policy Approved and authorised by the CEO.</p> <p><input type="checkbox"/> Tier 3 – Executive Approved Procedure / Guideline Approved by relevant Executive Staff.</p>	<p>Approved Date: 24 June 2026</p> <p>Signed: </p> <p>Name/Position: Gen Wilcox, CEO</p>
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