

**LEGAL AND PRIVACY STATEMENT @2022**

The Layton Vision Foundation Limited (Layton Vision Foundation), is committed to ensuring that the Personal information it holds about individuals is handled appropriately and in accordance with the National Privacy Principles in the Privacy Act 1988 (Cth).

**1.0 Purpose**

This policy has been designed to let you know, as a customer, or someone who interacts with Layton Vision Foundation, about how Layton Vision Foundation handles personal information.

Various privacy laws apply to Layton Vision Foundation. These laws regulate the way organisations collect, use, disclose, keep secure and give people access to their personal information.

This policy tells you what personal information we collect and keep, what we do with it, and what your rights are in relation to that information.

**2.0 Definitions**

Personal information means information which identifies an individual or from which an individual's identity can be reasonably ascertained and includes Sensitive Information. Names, addresses and home telephone numbers are examples of personal information.

Sensitive Information includes information or an opinion about an individual's racial or ethnic origin, political opinions, philosophical or religious beliefs or affiliations, membership of a political, trade or professional association or trade union, sexual preferences or practices, criminal record or Health Information.

Health Information means information or an opinion about individual's physical, mental or psychological health, disability, health services and donation of body parts, including genetic information.

**3.0 Scope**

Layton Vision Foundation and its employees will comply with this policy in handling personal information about its clients, customers, contractors, consultants and job applicants.

Layton Vision Foundation will endeavour to adhere to this Policy in handling personal information but is not bound to adhere to the policy. The degree of compliance depends on Layton Vision Foundation's organisational requirements and legal or regulatory obligations.

**3.1 Collection of Personal Information****(a) General**

Layton Vision Foundation will only collect personal information that is necessary for its business functions and activities, including complying with legal or regulatory obligations.

Layton Vision Foundation will collect personal information by lawful and fair means and not in an unreasonably intrusive way.

When Layton Vision Foundation collects any personal information, Layton Vision Foundation will take reasonable steps to provide the relevant person information about:

- the identity of Layton Vision Foundation and how to contact them;
- why Layton Vision Foundation is collecting the personal information;
- the intended recipients of the information, including the types of organisations (if any) to which Layton Vision Foundation may disclose the personal information (e.g. payroll processing services);
- their right to request access to their personal information;
- any law that requires the particular information to be collected; and
- the main consequences for failure to provide that information.

Where reasonable and appropriate, Layton Vision Foundation will collect personal information directly from the individual; however, there are certain situations in which personal information about an individual may be collected from someone else. In either case, Layton Vision Foundation will take reasonable steps to notify the individual of the matters listed above.

**(b) What kind of information will we collect?**

- Your personal information
- In order to receive your donation or provide our services, we need to collect or retain all or some of the following information:
  - your name and contact details; and
  - your email address (if you have one).
- Sensitive information and health information
- In certain circumstances Layton Vision Foundation may collect sensitive information or health information. Layton Vision Foundation will only collect this information with the individual's consent or otherwise in accordance with the law.

**(c) Information we collect from the web**

- the number of users who visit the website;
- the number of pages viewed; and
- traffic patterns. We do not identify people who visit our website. Each time someone visits our site, our web server collects raw data to enable collation of the following type of information for statistical purposes:

We use this data to evaluate our website performance and to improve the content we display to you.

### **3.2 Use and disclosure of personal information**

**(a) General**

Personal information will be used or disclosed for purposes related to the main purpose(s) for which it was collected.

Generally, these purposes include:

- carrying out or responding to your requests;
- processing and seeking donations;
- registration and administration where you choose to attend an event, seminar or workshop;
- improving our services;
- contacting you with promotional information about us and our services, unless prohibited by law or you ask us not to;
- obtaining your products and services;

- purposes relating to any third-party acquisition or potential acquisition of an interest in us or our assets; or
- any other purposes outlined at the time you provide the information.

We may not be able to do these things without your Personal information. For example, we may not be able to issue receipts or contact you.

Many of our tasks are performed with the assistance of our staff, contractors and volunteers, and we may share Personal information with them. We may provide Personal information about you to health service providers where appropriate to your healthcare and other service providers who assist us with archival, auditing, accounting, legal, business consulting, banking, website or technology services.

We may otherwise use or disclose your Personal information where required or authorised by law, which may include emergency situations and assisting law enforcement agencies.

### **3.3 Quality and accuracy of personal information**

Layton Vision Foundation will take reasonable steps to ensure that any Personal information Layton Vision Foundation uses or discloses is complete, accurate and up-to-date. If you become aware that any Personal information Layton Vision Foundation holds is not accurate, you should notify the Chief Executive Officer.

### **3.4 Retention and destruction of personal information**

Layton Vision Foundation will only keep Personal information on file for as long as it is necessary to fulfil organisational needs or legal requirements. When Layton Vision Foundation no longer requires the personal information, Layton Vision Foundation will destroy or dispose of it in a secure manner.

### **3.5 Access to and correction of information**

#### **(a) Access**

You generally have a right to request access to any Personal information which Layton Vision Foundation holds about you.

There are a number of exceptions to this principle including:

- where providing access would pose a serious and imminent threat to the life or health of any individual;
- where providing access would have an unreasonable impact upon the privacy of other individuals (this may be relevant where information about other individuals is included on a file);
- the request for access is frivolous or vexatious;
- the information relates to existing or anticipated legal proceedings where the information would not otherwise be discoverable;
- providing access would be unlawful;
- denying access is required by law;
- providing access would prejudice an investigation of possible unlawful activity; and
- providing access would prejudice law enforcement.

Requests for access should be forwarded to the Chief Executive Officer.

If your request for access to the personal information is denied, Layton Vision Foundation will provide you with reasons why this is the case.

**(b) Correction**

You may request access to any personal information we hold about you. If it is incorrect, we will correct it at your request. If Layton Vision Foundation refuses to alter the information, Layton Vision Foundation will provide you with reasons why this is the case and include a statement about the disputed facts on your file.

Layton Vision Foundation will take reasonable steps to protect Personal information and to safeguard Personal information from misuse, loss and unauthorised access, modification and disclosure.

**3.6 Security on our system**

All client information is protected from unauthorised access through the use of secure passwords, user logons or other security procedures. Developments in security and encryption technology will be reviewed regularly.

**3.7 Your credit/debit cards**

We use Secure Socket Layers (SSL) certificates when processing all payments. This is the industry standard for encrypting card details, including your name and address so that this information cannot be viewed by anybody else. Access to this information is by Layton Vision Foundation staff only.

Where necessary, we will remind our clients that the Internet is an insecure medium.

**3.8 If you have questions or concerns**

If you have any further questions relating to this privacy statement, or concerns about the way in which we have handled your personal information, please do not hesitate to:

- email us at [admin@laytonfoundation.org.au](mailto:admin@laytonfoundation.org.au)