

## Privacy Policy

### Background

- (A) Divergent Health's policy is to respect and protect the privacy of all people connected with the National Disability Insurance Scheme (NDIS) inclusive of participants, providers, employees and contractors. In dealing with personal information, Divergent Health abides by the obligations imposed under federal law, inclusive of the Privacy Act 1988 (Cth) and the National Disability Insurance Scheme Act 2013 (Cth).
- (B) The Privacy Act 1988 (Cth) authorises the collection of personal information where this is required to facilitate access to services provided under the NDIS and perform the other functions required for service provision. The National Disability Insurance Scheme Act 2013 (Cth) sets the provisions for confidentiality and secrecy which limit how Divergent Health collect and use personal information and when and to whom this information can be disclosed.

### 1. Information collected and stored

- (a) Divergent Health will collect information which is considered reasonably necessary to carry out our role as service providers. The kinds of information we collect and store includes, but is not limited to, personal information (as defined under the Privacy Act 1988 (Cth)) about the participants and other users of our services, and about our employees, contractors and providers.
- (b) We may collect the following types of personal information:
  - (i) identity information, such as your full name and date of birth;
  - (ii) contact details, such as your email and phone number;
  - (iii) government identifiers, such as your participant number under the National Disability Insurance Scheme (NDIS) if applicable;
  - (iv) the relevant NDIS Plan information when provided;
  - (v) any information or documents which you upload to the Divergent Health platform;
  - (vi) information about your interactions with us on or via the Divergent Health platform;
  - (vii) information you provide via free text inputs on or via the Divergent Health platform;
  - (viii) your occupation;
  - (ix) your preferences;
  - (x) your relationship to other users of Divergent Health;
  - (xi) information about you, which is held by third parties, where you have provided your separate consent to such collection, such as information that is or was held by the

- National Disability Insurance Agency; and
- (xii) other personal information that may be required in order to facilitate your dealings with us.
- (c) Divergent Health may also collect ‘health information’ as defined under the Privacy Act 1998 (Cth), such as information about your health or disability, doctors or other health professionals you have seen or health services you have received.

## **2. Sensitive information**

- (a) Sensitive information is defined under the Privacy Act 1988 (Cth) as “Information or an opinion about an individual’s: 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 orientation or practices; criminal record; or health information”.
- (b) Without your consent, we will not collect information sensitive information. Sensitive information will only be collected if it is specifically required for operational purposes. This is subject to certain exceptions such as when collection is required by law, or when the information is necessary for the establishment, exercise or defense of a legal claim.

## **3. Purposes of information collection and storage**

- (a) Where an individual has provided consent, Divergent Health will use and disclose the personal information we collect to:
  - (i) provide and improve our services to our clients and their family members;
  - (ii) process donations and communicate with our donors and supporters, including sending them information (which may be by phone, email or other electronic means);
  - (iii) communicating with our clients and their family members, donors and supporters, and volunteers (including responding to queries and complaints) and distributing our publications, conducting events and raising awareness about our services; and
  - (iv) our general business activities, including interacting with contractors and service providers, billing and administration including measuring and assessing the level of support we receive and the effectiveness of our fundraising activities and assessing applicants for positions with us.
- (b) We will not share any of your personal information with third parties without your consent except:
  - (i) if we are required by law or we believe in good faith that such action is necessary in order to comply with law, cooperate with law enforcement or other government agencies, or comply with a legal process served on the company (including other service providers or insurers) or court order;

- (ii) the disclosure of the information will prevent or lessen a serious and imminent threat to somebody's life or health;
  - (iii) to our contractors, service providers and volunteers only to the extent necessary for them to perform their duties to us.
- (c) We are obliged to report to the Australian government and other bodies on the services they fund us to provide. Reports cover demographic and service use information only.

#### **4. Processes for collecting and storing information**

- (a) Divergent Health has systems and procedures in place to protect personal information from misuse and loss, as well as from unauthorised access, modification or disclosure. These steps include:
- (i) paper-based records which are held securely;
  - (ii) access to personal information is on a need-to-know basis, by authorised personnel; and
  - (iii) storage and data systems are regularly updated and audited.
- (b) When no longer required, personal information is either archived or destroyed in accordance with federal law.

#### **5. Accessing and correcting your personal information**

- (a) Divergent Health aims to ensure that all personal information held about a person is accurate, up to date, complete and relevant before acting on it. If a person learns that the personal information that Divergent Health holds about them is inaccurate, outdated, incomplete, irrelevant or misleading that person can contact Divergent Health through the methods detailed in Section 8 so that the information can be updated accordingly.
- (b) Where a person requests Divergent Health to correct the personal information we hold about them, we will action this request promptly. A person can request that we notify this change to any other agencies or organisations that we have previously disclosed the personal information too.
- (c) If we do not agree to correct our records as requested, we will give written notice of the decision, setting out our reasons for refusing this request and how the person can lodge a complaint about our decision.

#### **6. Links to Third Party Websites**

Our website <https://divergenthealth.au> contains external links and widgets operated by certain third parties such as Facebook, Twitter, Instagram and Google. These third parties may not be subject to the Privacy Act 1988 (Cth). Divergent Health is not responsible for the privacy practices of these third parties, or the accuracy, content and security of their websites. You should review

the Privacy Policies of these individual websites and use your discretion regarding the use of their site.

## **7. Making a complaint**

- (a) You may make a complaint about our handling of your personal information, including if you think we have breached the Privacy Act, by contacting Divergent Health in writing, by email, mail or fax to the contact information set out at the end of this privacy policy.
- (b) Divergent Health will aim to resolve your complaint within fourteen (14) days from when your request was made. If we are not able to resolve your complaint, you may wish to contact the Office of the Australian Information Commissioner at the details set out below.

## **8. Contact information**

If you would like to leave feedback or complain about the service you have received from us or you feel that we have breached your privacy obligations, please contact us through any of the following methods.

Phone: 0403 623 965

Email: [complaints@divergenthealth.com.au](mailto:complaints@divergenthealth.com.au)

Postal Address: 34B Kelton Street, Cardiff, New South Wales, 2285

If you want to obtain additional information on your privacy rights and how you can enforce them, you can visit the website of the Office of the Australian Information Commissioner at:

<http://www.privacy.gov.au> or <http://www.oaic.gov.au/>