Leaders
in affordable
housing

PRIVACY POLICY

POLICY TYPE	Group Governance Policy
APPLICABILITY	**Company** EchoRealty NSW & ACT Limited EchoRealty Vic Limited
POLICY REFERENCE	GRC026 ER
POLICY OWNER	General Manager Growth, Governance and Legal
APPROVED BY	EchoRealty Ltd Board of Directors
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PRIVACY POLICY

1. PURPOSE

This Policy outlines how EchoRealty NSW & ACT Limited and EchoRealty Vic Limited(collectively referred to as "EchoRealtyEchoRealty") collect, use, Hold and disclose Personal Information in accordance with the *Australian Privacy Principles 2014* (the "APPs") and under the *Privacy Act 1988 (Cth)* (the "Act") and *NSW Health Records and Information Privacy Act 2002 (NSW)*.

2. IN AND OUT OF SCOPE

This Policy applies to all individuals who EchoRealty will be collecting Personal Information from. Individuals include, but are not limited to, Clients, Directors, Employees and Employment Candidates.

3. POLICY STATEMENT

EchoRealty is committed to respecting and protecting the privacy and rights of individuals and managing Personal Information in an open and transparent way.

EchoRealty will only collect Personal Information that is reasonably necessary to carry out its functions and/or deliver services to you.

You have a right to:

- be informed about how your Personal Information will be handled;
- access your Personal Information;
- correct Personal Information that is not accurate, complete or up-to-date, or which is misleading; and
- anonymity or pseudonymity (the use of a false or alternative name) in dealing with EchoRealty, where practicable, noting EchoRealty may be unable to provide certain services/respond to certain requests if an individual does not identify themselves.

3.1 Personal Information

When used in this Policy, the term "Personal Information" has the meaning given to it in the Act.

Personal Information is any information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not and whether the information or opinion is recorded in a material format or not.

Personal Information collected and Held by EchoRealty may include an individual's:

- Name
- Address
- Email address
- Contact number
- Age or date of birth
- Gender
- Ethnicity
- Photographs
- Profession, occupation or job title
- Work experience
- Educational qualifications
- Centrelink information
- Credit information & other financial records
- Next of kin

- Country of origin
- Religious belief
- Employment history
- Income details
- Proof of identity, including passport, licence, medicare card or other official document
- Public trustee details
- Bank statements
- Criminal history
- Tax File Number / Returns
- Tenant ledgers
- Image on CCTV or other monitoring systems

Personal Information includes Sensitive Information (see section 3.7 of this Policy).

EchoRealty may also collect information that is not Personal Information because it does not identify a particular individual. For example, EchoRealty may collect anonymous responses or feedback to surveys or aggregated information about how users use EchoRealty's website.

3.2 Collecting Personal Information

EchoRealty collects Personal Information directly from the individual as well as through third parties. EchoRealty can collect Personal Information in many ways, including:

- Written forms;
- In person, including during the tenancy application process or property inspections, when sighting ID documents and responding to incidents;
- Over the phone or other messaging technology;
- Via the internet, including email or EchoRealty's website and social media platforms;
- Hardcopy documents provided by individuals;
- Use of an IT device EchoRealty provides;
- Website cookies; and
  - Via a third party, e.g. government entities, law enforcement agencies, social workers, previous landlords, personal referees, tenancy databases, recruitment agencies, etc.

EchoRealty will collect Health Information about an individual only from that individual in connection with EchoRealty providing or offering to provide services, unless it is unreasonable or impracticable to do so.

3.2.1 Cookies & Website Analytics

EchoRealty's website may use cookies and similar technologies to collect information about how users interact with the website. Cookies are small text files stored on a user's device and are widely used to support website functionality and improve user experience.

We may use cookies to:

- enable essential website functionality;
- understand and improve website performance through aggregated usage data; and
- remember user preferences.

EchoRealty may also use third-party analytics services (such as Google Analytics), which may involve the transfer of data to servers located outside Australia. EchoRealty will take reasonable steps to ensure such providers handle Personal Information in accordance with applicable privacy laws.

Users can manage or disable cookies through their web browser settings. However, disabling cookies may affect website functionality.

3.3 Purpose of Collecting Personal Information

EchoRealty collects Personal Information to perform business activities and deliver services to you. EchoRealty will only collect information that is reasonably necessary and will not collect information unless it is for a lawful purpose.

EchoRealty will take reasonable steps to notify individuals, or otherwise ensure that they are aware, as to why EchoRealty is collecting their Personal Information and who else might receive this information. EchoRealty may decide not to provide this advice to an individual where they are already aware of these matters or where it is not reasonable in the circumstances.

The purposes for which EchoRealty collects, Holds, uses and discloses Personal Information from each category of individuals may include:

INDIVIDUALS	PURPOSES
All Clients	• to provide suitable housing arrangements through assessing applications and allocating appropriate properties etc. • to provide tenancy related services including repairs and maintenance to properties • to provide other related services through assessing applications, case planning and management etc. • for communication purposes • to maintain the safety and security of residents, staff and visitors, including monitoring common areas and investigating incidents or anti-social behaviour • to facilitate community engagement • to assist with the design of residential construction projects • to engage in direct marketing • to seek feedback and improve on services • to comply with reporting requirements to government agencies, regulators, rental providers, financiers etc. • to provide information to support partners and health providers who participate in information sharing
Employment Candidates, Volunteers and Students	to assess suitability for employment or to undertake other roles within or for EchoRealty
Employees, Contractors and Directors	• for identification • for human resource purposes including payroll • for conflict of interest purposes • for regulatory, governance and related purposes

If an individual does not provide EchoRealty with Personal Information when prompted, EchoRealty may be unable to contact the individual or provide any services to the individual. In the case of employment candidates, EchoRealty will not be able to consider applications for employment.

3.4 Unsolicited Personal Information

In the event EchoRealty receives unsolicited Personal Information (i.e. Personal Information that EchoRealty has taken no active steps to collect), EchoRealty will determine whether it would have been lawful for the Personal Information to be collected if it had been solicited. If it isn't, EchoRealty will, if it is lawful and reasonable to do so, destroy the information or ensure that the information is de-identified as soon as practicable.

3.5 Disclosure of Personal Information

EchoRealty may disclose Personal Information for a purpose for which it was collected (as listed in section 3.3) (the "Primary Purpose") e.g. to arrange maintenance contractors for your residence.

EchoRealty will only disclose Personal Information for another purpose (a "Secondary Purpose"):

- If the disclosure is related to the Primary Purpose for which the information was collected or, in the case of Sensitive Information, directly related to the Primary Purpose and the person would reasonably expect EchoRealty to use or disclose the Personal Information for the Secondary Purpose;
- Where the person to whom the information relates to has provided informed consent to a secondary use or disclosure;
- If a permitted general situation exists, as defined in the APPs, in relation to the use or disclosure of Personal Information for a secondary use. The permitted general situations include:
  - lessening or preventing a serious threat to the life, health or safety of any individual, or to public health or safety;
  - taking appropriate action in relation to suspected unlawful activity or serious misconduct;
  - locating a person reported as missing;
  - asserting a legal or equitable claim; and
  - conducting an alternative dispute resolution process;
- If the use or disclosure of the information is required or authorised by or under an Australian law or a court/tribunal order;
- If EchoRealty reasonably believes that the secondary use or disclosure is reasonably necessary for enforcement related activities carried out by, or on behalf of, an enforcement body;
- In the case of Health Information, if the secondary purpose is to assist in an Emergency; or
- If lawfully authorised or required to do so under the Act, APPs, by legislation or court or tribunal order.

EchoRealty may disclose Personal Information (other than Sensitive Information) to a Related Body corporate.

3.5.1 Record of Understanding

EchoRealty and the NSW and VIC Police may also exchange information under a Record of Understanding, where permitted under applicable privacy laws, including where:

- EchoRealty reasonably believes the disclosure is reasonably necessary for enforcement related activities carried out by, or on behalf of, NSW/VIC Police including, for example, the investigation of an alleged criminal offence or criminal activity in and around EchoRealty's properties; and
- Where there is an emergency that poses an imminent threat to life, health or safety.

EchoRealty will also provide information to NSW or Vic Police where required by law, including in response to a subpoena.

3.5.2 Providing information to a third party

EchoRealty may disclose your Personal Information, in accordance with section 3.5, to:

- Government agencies who administer housing programs or provide related services including Homes NSW, Homes Victoria and Centrelink;
- Contractors & Service providers – to support tenancy and property management; and
- Law enforcement or regulators – where required by law or for safety and investigation purposes.

Where information is being disclosed to a third party, EchoRealty will take steps to be satisfied that the third party has an obligation to keep Personal Information confidential and to comply with the Act and the APPs. This includes where the third party is an international recipient.

3.6 Storage of Personal Information

Personal Information is Held by EchoRealty, in both hard copy and electronic form, in a manner that reasonably protects it from misuse, interference, loss, and unauthorised access, modification or disclosure. Some of the security measures include:

- Physical, electronic, and procedural safeguards in line with industry standards (such as passwords and physical locks on cabinets);
- Secure server and closed network environments;
- Limited access to Personal Information (e.g. only relevant employees who require an individual's Personal Information to carry out his / her normal line of duties are allowed access);
- Controlled access to information assets based on business and security requirements;
- Management of access privileges, and regular review of the privileges; and
- Destroying or de-identifying Personal Information pursuant to the law and record retention policies.

Some Personal Information, held electronically, may be accessed overseas for the provision of IT services or stored overseas using electronic storage services. Where this is the case, EchoRealty will take steps to be satisfied that the storage and access of the data complies with the Act and the APPs. This includes where the third party is an international recipient.

3.7 Sensitive Information

'Sensitive information' is a subset of Personal Information.
Sensitive Information is defined in the Act as:

- information or an opinion about an individual's:
  - racial or ethnic origin;
  - political opinions or membership of a political association;
  - religious beliefs or affiliations, or philosophical beliefs;
  - membership of a professional or trade association or trade union;
  - sexual orientation or practices; or
  - criminal record,

  that is also Personal Information;
- Health Information about an individual; or
- genetic or biometric information about an individual.

EchoRealty recognises that Sensitive Information is generally afforded a higher level of privacy protection under the Act and the APPs than other Personal Information. EchoRealty recognises that

inappropriate handling of Sensitive Information can have adverse consequences for an individual or those associated with the individual, including discrimination, mistreatment, humiliation, embarrassment or the undermining of an individual's dignity.

EchoRealty may collect Sensitive Information about an individual, but only where the individual has provided express consent in writing (unless an exception applies) and where the information is relevant to the services provided by EchoRealty.

Exceptions to the requirement for consent include where the collection is:

- required or authorised by or under an Australian law or a court/tribunal order; or
- is permitted under a "permitted general situation", including where it is necessary to:
  - lessen or prevent a serious threat to the life, health or safety of any individual, or to public health or safety;
  - locate a person reported as missing;
  - take appropriate action in relation to suspected unlawful activity or serious misconduct; or
  - establish, exercise or defend a legal or equitable claim, or for the purposes of a confidential alternative dispute resolution process.

3.8 Access and Correction of Information

Individuals have the right to request access to the Personal Information EchoRealty Holds about them, and request correction of any inaccurate, out-of-date, incomplete, irrelevant or misleading Personal Information.

A request to access or correct Personal Information Held by EchoRealty can be made via any avenue (e.g. over the phone, email, letter etc), with contact details provided in Section 3.10 below.

EchoRealty must be satisfied that a request for Personal Information is made by the individual concerned, or by another person who is authorised to make a request on their behalf. Accordingly, you may be required to provide two forms of identification for sighting by us or, in the case of requesting access on behalf of another, satisfactory evidence showing appropriate authority.

EchoRealty will respond to the request for access or to correct Personal Information within a reasonable period after the request is made, but by no later than 20 Business Days.

3.8.1 Access Requests

EchoRealty will give an individual access to their Personal Information that EchoRealty Holds.

EchoRealty will provide the Personal Information in the manner requested by the individual, if it is reasonable and practicable to do so, for example, it may be impracticable to provide a large amount of Personal Information over the phone, in which case EchoRealty will agree a more suitable way of providing the information.

EchoRealty may charge for its reasonable costs in providing the Personal Information.

To the extent practicable, any such costs will be notified to the individual at the time they seek the information. Any charge will be communicated and explained before access is given. Costs will not be charged to the individual to consider a request or correct information.

EchoRealty may refuse a request to access Personal Information for the following reasons, outlined in Australian Privacy Principles 12.35 – 12.62 of the APPs, which can be accessed **HERE**:

- EchoRealty reasonably believes that giving access would pose a serious threat to the life, health or safety of any individual, or to public health or public safety;
- giving access would have an unreasonable impact on the privacy of other individuals;
- the request for access is frivolous or vexatious;
- the information relates to existing or anticipated legal proceedings between EchoRealty and the individual, and would not be accessible by the process of discovery in those proceedings;
- giving access would reveal EchoRealty's intentions in relation to negotiations with the individual in such a way as to prejudice those negotiations;
- giving access would be unlawful;
- denying access is required or authorised by or under an Australian law or a court/tribunal order;
- EchoRealty has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to EchoRealty's functions or activities has been, is being or may be engaged in and giving access would be likely to prejudice the taking of appropriate action in relation to the matter;
- giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
- giving access would reveal evaluative information generated within the organisation in connection with a commercially sensitive decision-making process.

On these occasions EchoRealty will inform the individual in writing of:

- the reasons for the refusal to provide access or provide access in the manner requested (except to the extent that it would be unreasonable to do so, for example where an explanation may prejudice action by EchoRealty to respond to unlawful activity); and
- how the individual may make a complaint about the decision to EchoRealty, how EchoRealty will deal with the complaint and information about contacting the OAIC, in the event the complaint can't be resolved by EchoRealty.

If EchoRealty refuses to give access to Personal Information or refuses to give access in the manner requested by the individual, EchoRealty will, in consultation with the individual, take reasonable steps to give access in a way that meets the needs of both EchoRealty and the individual. For example, EchoRealty may be able to give access by:

- redacting Personal Information for which there is a ground for refusing access;
- giving a summary of the requested Personal Information; or
- giving access to the requested Personal Information in an alternative format.

3.8.2 Correction Requests

It is the individual's responsibility to inform EchoRealty of any corrections or changes to Personal Information EchoRealty Holds. Individuals may lodge a request to correct Personal Information Held by EchoRealty.

If the correction request is granted by EchoRealty, EchoRealty will make the correction requested and inform the individual, in writing, that the correction has been made.

EchoRealty may refuse a correction request if it is satisfied that the Personal Information it Holds is accurate, up-to-date, complete, relevant and not misleading (having regard to the purposes for which it is held) or the steps necessary to correct the Personal Information are not reasonable in the circumstances. See Australian Privacy Principles 13.54 – 13.58 of the APPs, which can be accessed **HERE**.

If the correction request is refused, EchoRealty will provide the individual with a written notice explaining the reasons for its decision (except to the extent that it would be unreasonable to do so) and how the individual may make a complaint about the decision to EchoRealty, how EchoRealty will deal with the complaint and information about contacting the OAIC, in the event the complaint can't be resolved by EchoRealty.

If EchoRealty refuses a request to correct or change Personal Information, the individual may ask EchoRealty to attach or link a statement to the Personal Information noting that the individual believes the information is inaccurate, out-of-date, incomplete, irrelevant, or misleading.

3.9 Complaints

If an individual is concerned that EchoRealty has not complied with applicable privacy laws or this Policy, the individual may raise a complaint as follows:

Step 1: Let EchoRealty know & acknowledgment of complaint

The individual should contact EchoRealty's Privacy Officer using the details provided in Section 3.10 below. EchoRealty will acknowledge the complaint within 2 Business Days.

Step 2: Investigation of Complaint & formal response

The complaint will be investigated by the Privacy Officer and a written response to the complaint will be provided within 30 days.

It is expected that EchoRealty's procedures will deal fairly and promptly with a complaint. However, if the individual remains dissatisfied, they may wish to lodge a complaint with the Office of the Australian Information Commissioner as follows:

Office of the Australian Information Commissioner (OAIC)

GPO Box 5288

Sydney NSW 2001

Email: oaicintake@oaic.gov.au

Website Privacy Complaint Form: OAIC Web Form

www.oaic.gov.au

Note: The OAIC requires:

- an individual to first complain to EchoRealty, with the complaint to be escalated to the OAIC only where a response is not received within 30 days or the individual is unhappy with EchoRealty's response; and
- complaints to be made in writing.

3.10 Contacting EchoRealty about Privacy

This Policy is available on EchoRealty's website and can be provided in alternative formats on request.

Individuals may contact EchoRealty with regard to the following matters:

MATTER	CONTACT DETAILS AND OPTIONS
• To access, update or correct Personal Information	Telephone: 1800 MY EVOLVE (1800 693 865) Email: myevolve@evolvehousing.com.au

• To opt out of receiving newsletters or Evolve Housing or EchoRealty related direct marketing material	Address: Henry Dodd House,9-13 Argyle Street Parramatta NSW 2150
• To seek more information about anything contained in this Policy • To make a privacy related complaint or provide feedback	Telephone: 1800 MY EVOLVE (1800 693 865) Email: privacy@evolvehousing.com.au Address: Privacy Officer, Henry Dodd House, 9-13 Argyle Street Parramatta NSW 2150

DEFINED TERMS

TERM	DEFINITION
Business Day	a day that EchoRealty is open for business
Client(s)	for the purpose of this Policy, a person who uses or applies to use goods or services provided by EchoRealty
Director(s)	a person who is a Director of EchoRealty
Emergency	has the meaning given to that term in the State Emergency and Rescue Management Act 1989 (NSW)
Employee(s)	any person employed by, or engaged to represent EchoRealty including contractors, volunteers and students
Employment Candidate(s)	a person who makes an application for employment with EchoRealty
Health Information	Has the meaning given to the term in the *NSW Health Records and Information Privacy Act 2002 (NSW)* and includes personal information that is information or an opinion about: • the physical or mental health or a disability (at any time) of an individual; or • an individual's express wishes about the future provision of health services to him or her; or • a health service provided, or to be provided, to an individual.
Hold(s)/Held	EchoRealty 'holds' Personal Information or Personal Information is Held if EchoRealty has possession or control of a record/document that contains the Personal Information.
Personal Information	has the meaning given to it by this Policy
Record of Understanding (ROU)	is an agreement between NSW Police and registered community housing providers that facilitates the exchange of information in relation to crime and anti-social behaviour

Related Body Corporate	Has the meaning given to that term under the *Corporations Act 2001 (Cth).*
Sensitive Information	has the meaning given to that term in section 3.7 of this Policy.

RELATED RESOURCES

RESOURCE
Australian Privacy Principles 2014
Privacy Act 1988 (Cth)
Privacy Amendment (Enhancing Privacy Protection) Act 2012
Office of the Australian Information Commissioner – www.oaic.gov.au

REVISION HISTORY

DATE REVIEWED	POLICY REVIEWER	KEY CHANGES
01.11.2016		Policy adopted
04.07.2022	Raylee Golding, GM GAL/ Co Sec	Application of policy extended to controlled entities (excluding Evolve Housing Vic Limited)
16.10.2023	Andrea Jeffrey, Legal Manager, Asst Co Sec	Updated having regard to: • the Act, APPs & OAIC recommendations; and • updated ICT practices and policies
26.05.2026	Andrea Jeffrey, Senior Manager – Commercial & Legal and Asst Co Sec	Updated: • having regard to EchoRealty's updated Personal Right Request Procedure; • to better align with the APPs; • to deal with the handling of Health Information; • to include more information around cookies and website analytics • to include updated OAIC complaints contact details to consolidate NSW & VIC policies into one policy.

This Policy is subject to change from time to time at the discretion of EchoRealty. Any approvals required under this Policy will be granted in accordance with EchoRealty Delegations of Authority Policy. Further information on this Policy and other topics, is available on the Evolve Housing website www.evolvehousing.com.au or EchoRealty website www.echorealty.com.au. If you have any specific questions regarding this Policy, please contact Evolve Housing on 1800 693 865 or email your enquiry to myevolve@evolvehousing.com.au.