

## Privacy Procedures

Procedures number	1	Version	1
Drafted by	Carole Patullo & Lily Everest	Approved by the board	25/06/2022
Responsible person	Carole Patullo	Scheduled review date	February 2023

### Responsibilities

Dreamhouse Theatre Company's Board is responsible for developing, adopting and reviewing this policy.

Dreamhouse Theatre Company's Artistic Director is responsible for the implementation of this policy, for monitoring changes in Privacy legislation, and for advising on the need to review or revise this policy as and when the need arises.

### Processes

#### Collection

Dreamhouse Theatre Company will:

- Only collect information that is necessary for the performance and primary function of Dreamhouse Theatre Company.
- Collect personal information only by lawful and fair means and not in an unreasonably intrusive way.
- Notify stakeholders about why we collect the information and how it is administered.
- Notify stakeholders that this information is accessible to them.
- Collect personal information from the person themselves wherever possible.
- If collecting personal information from a third party, be able to advise the person whom the information concerns, from whom their personal information has been collected.
- Collect Sensitive information only with the person's consent or if required by law. (Sensitive information includes health information and information about religious beliefs, race, gender and others).
- Dreamhouse Theatre Company will also collect sensitive information about an individual if such collection is necessary to prevent or lessen a serious and imminent threat to the life or health of any individual, where the individual whom the information concerns:
  - is physically or legally incapable of giving consent to the collection; or
  - physically cannot communicate consent to the collection.
- If Dreamhouse Theatre Company collects information during the course of the activities of a non-profit organisation—the following conditions must be satisfied:
  - the information relates solely to the members of the organisation or to individuals who have regular contact with it in connection with its activities;

at or before the time of collecting the information, Dreamhouse Theatre Company will:

- inform the individual whom the information concerns that it will not disclose the information without the individual's consent; and
- the collection must be necessary for the establishment, exercise or defence of a legal or equitable claim.
- Dreamhouse Theatre Company will collect health information about an individual if:
  - the information is necessary to provide catering services to the individual
  - the information is necessary to provide a health service to the individual; and
  - the information is collected as required or authorised by or under law and in accordance with rules established by competent health or medical bodies that deal with obligations of professional confidentiality which bind the organisation.

## **Use and Disclosure**

Dreamhouse Theatre Company will:

- Only use or disclose information for the primary purpose for which it was collected or a directly related secondary purpose.
- For other uses, Dreamhouse Theatre Company will obtain consent from the affected person.
- In relation to a secondary purpose, use or disclose the personal information only where:
  - a secondary purpose is related to the primary purpose and the individual would reasonably have expected us to use it for purposes; or
  - the person has consented; or
  - certain other legal reasons exist, or disclosure is required to prevent serious and imminent threat to life, health or safety.
- In relation to personal information which has been collected from a person, use the personal information for direct marketing, where that person would reasonably expect it to be used for this purpose, and Dreamhouse Theatre Company has provided an opt out and the opt out has not been taken up.
- In relation to personal information which has been collected other than from the person themselves, only use the personal information for direct marketing if the person whose personal information has been collected has consented (and they have not taken up the opt-out).
- In each direct marketing communication with the individual, Dreamhouse Theatre Company draws to the individual's attention, or prominently displays a notice, that they may express a wish not to receive any further direct marketing communications.
- State in Dreamhouse Theatre Company privacy policy whether the information is sent overseas and further will ensure that any overseas providers of services are as compliant with privacy as Dreamhouse Theatre Company is required to be. Such disclosures will only be made if:
  - the oversea recipient of the information is subject to a law, binding scheme or contract which effectively upholds principles for fair handling of the information that are substantially similar to the National Privacy Principles; or
  - the individual consents to the transfer; or
  - the transfer is necessary for the performance of a contract between the individual and the organisation, or for the implementation of pre contractual measures taken in response to the individual's request; or

- the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the individual between the organisation and a third party; or
- the organisation has taken reasonable steps to ensure that the information which it has transferred will not be held, used or disclosed by the recipient of the information inconsistently with the National Privacy Principles.
- In relation to the overseas transfer of personal information, if it is impractical for Dreamhouse Theatre Company to receive the person's consent to that transfer, Dreamhouse Theatre Company must have sufficient reasons to believe that the person would likely give consent could they be contacted.
- Provide all individuals access to personal information except where it is a threat to life or health or it is authorised by law to refuse and, if a person is able to establish that the personal information is not accurate, then Dreamhouse Theatre Company must take steps to correct it. Dreamhouse Theatre Company may allow a person to attach a statement to their information if Dreamhouse Theatre Company disagrees it is inaccurate.
- Where for a legal or other reason we are not required to provide a person with access to the information, consider whether a mutually agreed intermediary would allow sufficient access to meet the needs of both parties.
- Make no charge for making a request for personal information, correcting the information or associating a statement regarding accuracy with the personal information.
- Each written direct marketing communication with the individual must set out Dreamhouse Theatre Company's business address and telephone number and, if the communication with the individual is made by fax, telex or other electronic means, a number or address at which the organisation can be directly contacted electronically.
- If the disclosure of sensitive information is necessary for research, or the compilation or analysis of statistics, relevant to public health or public safety and it is impracticable for Dreamhouse Theatre Company to seek the individual's consent before the use or disclosure and the use or disclosure is conducted in accordance with guidelines approved by the Commissioner under section 95A, the organisation may make such a disclosure.
- If Dreamhouse Theatre Company has sufficient reasons to believe that an unlawful activity has been, is being or may be engaged in, and the disclosure of personal information becomes a necessary part of its investigation of the matter or in reporting its concerns to relevant persons or authorities, the organisation may make such disclosures.
- Dreamhouse Theatre Company may further disclose personal information if its disclosure is mandated by an enforcement body or is required for the following:
  - the prevention, detection, investigation, prosecution or punishment of criminal offences, breaches of a law imposing a penalty or sanction or breaches of a prescribed law;
  - the enforcement of laws relating to the confiscation of the proceeds of crime;
  - the protection of the public revenue;
  - the prevention, detection, investigation or remedying of seriously improper conduct or prescribed conduct;
  - the preparation for, or conduct of, proceedings before any court or tribunal, or implementation of the orders of a court or tribunal.

For the purpose of this Clause, Dreamhouse Theatre Company must make a written note of the use or disclosure.

## **Storage**

Dreamhouse Theatre Company will:

- Implement and maintain steps to ensure that personal information is protected from misuse and loss, unauthorised access, interference, unauthorised modification or disclosure.
- Before Dreamhouse Theatre Company discloses any personal information to an overseas recipient including a provider of IT services such as servers or cloud services, establish that they are privacy compliant. Dreamhouse Theatre Company will have systems which provide sufficient security.
- Ensure that Dreamhouse Theatre Company's data is up to date, accurate and complete.

### **Destruction and de-identification**

Dreamhouse Theatre Company will:

Destroy personal information once is not required to be kept for the purpose for which it was collected, including from decommissioned laptops and mobile phones.

- Change information to a pseudonym or treat it anonymously if required by the person whose information Dreamhouse Theatre Company holds and will not use any government related identifiers unless they are reasonably necessary for our functions.

### **Data Quality**

Dreamhouse Theatre Company will:

- Take reasonable steps to ensure the information Dreamhouse Theatre Company collects is accurate, complete, up to date, and relevant to the functions we perform.

### **Data Security and Retention**

Dreamhouse Theatre Company will:

- Only destroy records in accordance with the organisation's Records Management Policy.

### **Openness**

Dreamhouse Theatre Company will:

- Ensure stakeholders are aware of Dreamhouse Theatre Company's Privacy Policy and its purposes.
- Make this information freely available in relevant publications and on the organisation's website.
- On request by a person, Dreamhouse Theatre Company must take reasonable steps to let the person know, generally, what sort of personal information it holds, for what purposes, and how it collects, holds, uses and discloses that information.

### **Access and Correction**

Dreamhouse Theatre Company will:

- Ensure individuals have a right to seek access to information held about them and to correct it if it is inaccurate, incomplete, misleading or not up to date.
- Dreamhouse Theatre Company can withhold the access of an individual to his/her/their information if:
  - providing access would pose a serious and imminent threat to the life or health of any individual; or
  - providing access would have an unreasonable impact upon the privacy of other individuals; or
  - the request for access is frivolous or vexatious; or

- the information relates to existing or anticipated legal proceedings between the organisation and the individual, and the information would not be accessible by the process of discovery in those proceedings; or
- providing access would reveal the intentions of the organisation in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
- providing access would be unlawful; or
- providing access would be likely to prejudice an investigation of possible unlawful activity; or
- an enforcement body performing a lawful security function asks Dreamhouse Theatre Company not to provide access to the information on the basis that providing access would be likely to cause damage to the security of Australia.
- Where providing access would reveal evaluative information generated within the organisation in connection with a commercially sensitive decision making process, Dreamhouse Theatre Company may give the individual an explanation for the commercially sensitive decision rather than direct access to the information.
- If Dreamhouse Theatre Company decides not to provide the individual with access to the information on the basis of the above mentioned reasons, Dreamhouse Theatre Company will consider whether the use of mutually agreed intermediaries would allow sufficient access to meet the needs of both parties.
- Dreamhouse Theatre Company may charge for providing access to personal information. However, the charges will be nominal and will not apply to lodging a request for access.

### **Anonymity**

- Allow people from whom the personal information is being collected to not identify themselves or use a pseudonym unless it is impracticable to deal with them on this basis.

### **Making information available to other organisations**

Dreamhouse Theatre Company can:

- Release information to third parties where it is requested by the person concerned.

Authorisation

Carole Patullo  
25/06/2022

## PRIVACY POLICY – FOR EXTERNAL USE/PRIVACY ACT COMPLIANCE

### PRIVACY POLICY

#### Your privacy is important

This statement outlines the Dreamhouse Theatre Company 's policy on how Dreamhouse Theatre Company uses and manages personal information provided to or collected by it.

The Dreamhouse Theatre Company is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act and is compliant with the Privacy Amendment (Enhancing Privacy Protection) Act 2012. In relation to health records, the Dreamhouse Theatre Company is also bound by the Victorian Health Privacy Principles which are contained in the Health Records Act 2001.

The Dreamhouse Theatre Company may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to the Dreamhouse Theatre Company's operations and practices and to make sure it remains appropriate to the changing legal environment.

This privacy policy assumes that you are resident in Australia. If you are resident in the UK or Europe, please contact us for more information regarding how we treat your personal information.

#### **What kind of personal information does Dreamhouse Theatre Company collect and how does Dreamhouse Theatre Company collect it?**

The type of information Dreamhouse Theatre Company collects and holds includes (but is not limited to) personal information, including sensitive information, about:

- Course enrolment
- Contacting stakeholders (performers, students, staff & volunteers)
- Emergency contact details incase of injury
- Collecting registration fees
- Paying for services
- Delivery of email marketing to subscribers
- Social media posts
- General marketing/promotion
- Attendance and duty of care requirements

#### **Personal Information you provide:**

Dreamhouse Theatre Company will generally collect personal information held about an individual by way of enrolment forms, phone calls, contact enquiry forms, social media requests, email contact, meetings. You do have the right to seek to deal with us anonymously or using a pseudonym, but in almost every circumstance it will not be practicable for us to deal with you or provide any services to you except for the most general responses to general enquiries, unless you identify yourself.

#### **Personal Information provided by other people:**

In some circumstances Dreamhouse Theatre Company may be provided with personal information about an individual from a third party, for example a school, local council, community groups, related arts organisations.

**In relation to employee records:**

Under the Privacy Act the Australian Privacy Principles do not apply to an employee record. As a result, this Privacy Policy does not apply to Dreamhouse Theatre Company's treatment of an employee record, where the treatment is directly related to a current or former employment relationship between Dreamhouse Theatre Company and employee. However, Dreamhouse Theatre Company must provide access and ensure compliance with the Health Privacy Principles under the Victorian Health Records Act 2001.

**How will Dreamhouse Theatre Company use the personal information you provide?**

Dreamhouse Theatre Company will use personal information it collects from you for the primary purpose of collection, and for such other secondary purposes that are related to the primary purpose of collection and reasonably expected, or to which you have consented.

In relation to direct marketing, Dreamhouse Theatre Company will use your personal information for direct marketing where you have provided that information, and you are likely to expect direct marketing: only then you will be sent direct marketing containing an opt out. If we use your personal information obtained from elsewhere we will still send you direct marketing information where you have consented and which will also contain an opt out. We will always obtain your consent to use sensitive information as the basis for any of our direct marketing.

We may use video recording for archival, promotion, creative development, and educational purposes and the footage will be used only by Dreamhouse Theatre Company and relevant stakeholders.

**Job applicants, staff members and contractors:**

In relation to personal information of job applicants, staff members and contractors, Dreamhouse Theatre Company's primary purpose of collection is to assess and (if successful) to engage the applicant, staff member or contractor, as the case may be.

The purposes for which Dreamhouse Theatre Company uses personal information of job applicants, staff members and contractors include:

- for insurance purposes;
- promotion of new staff, creatives, teaching artists and facilitators
- to satisfy Dreamhouse Theatre Company's legal obligations,

Where Dreamhouse Theatre Company receives unsolicited job applications these will usually be dealt with in accordance with the unsolicited personal information requirements of the Privacy Act.

**Volunteers:**

Dreamhouse Theatre Company also obtains personal information about volunteers who assist Dreamhouse Theatre Company in its functions, conduct or associated activities, such as to enable Dreamhouse Theatre Company and the volunteers to work together.

## **Marketing and fundraising:**

Dreamhouse Theatre Company engages in marketing and seeking donations for the future growth and development of Dreamhouse Theatre Company. Personal information held by the Dreamhouse Theatre Company may be disclosed to an organisation that assists in Dreamhouse Theatre Company's fundraising, for example, the Australian Culture Fund.

## **Who might Dreamhouse Theatre Company disclose personal information to?**

Dreamhouse Theatre Company may disclose personal information, including sensitive information, held about an individual to:

- government departments;
- people providing services to Dreamhouse Theatre Company,
- anyone you authorise Dreamhouse Theatre Company to disclose information to.

## **Sending information overseas:**

Dreamhouse Theatre Company will not send personal information about an individual outside Australia without:

- obtaining the consent of the individual (in some cases this consent will be implied); or
- otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

We do use overseas providers of IT services including servers and cloud services for storage of data only.

## **How does Dreamhouse Theatre Company treat sensitive information?**

In referring to 'sensitive information', Dreamhouse Theatre Company means:

"information relating to a person's racial ethnic origin, political opinions, religion, trade union or other professional or trade association membership, sexual orientation or criminal record, that is also personal information; and health information about an individual" as well as Parent/ Guardian details.

Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless you agree otherwise, or the use or disclosure of the sensitive information is allowed by law.

## **Management and security of personal information**

Dreamhouse Theatre Company's staff, volunteers and contractors are required to respect the confidentiality of personal information and the privacy of individuals.

Dreamhouse Theatre Company has in place steps to protect the personal information Dreamhouse Theatre Company holds from misuse, loss, unauthorised access, modification, interference or disclosure by use of various methods including locked storage of paper records and passworded access rights to computerised records.



We have a data breach response plan, which we would follow in the unlikely event of a privacy or data breach.

### **Updating personal information**

Dreamhouse Theatre Company endeavours to ensure that the personal information it holds is accurate, complete and up-to-date. A person may seek to update their personal information held by Dreamhouse Theatre Company by contacting the Privacy Officer of Dreamhouse Theatre Company at any time.

The Australian Privacy Principles and the Health Privacy Principles require Dreamhouse Theatre Company not to store personal information longer than necessary. In particular, the Health Privacy Principles impose certain obligations about the length of time health records must be stored.

You have the right to check what personal information Dreamhouse Theatre Company holds about you.

Under the Commonwealth Privacy Act and the Health Records Act, an individual has the right to obtain access to any personal information which Dreamhouse Theatre Company holds about them and to advise Dreamhouse Theatre Company of any perceived inaccuracy. There are some exceptions to this right set out in the applicable legislation. To make a request to access any information Dreamhouse Theatre Company holds about you, please contact the Privacy Officer in writing.

Dreamhouse Theatre Company may require you to verify your identity and specify what information you require. Although no fee will be charged for accessing your personal information or making a correction, Dreamhouse Theatre Company may charge a fee to retrieve and copy any material if the information sought is extensive, Dreamhouse Theatre Company will advise the likely cost in advance.

### **How long will Dreamhouse Theatre Company keep my information?**

Under our destruction and de-identification policies, your personal information that is no longer required will be de-identified or destroyed. In many circumstances, however it will be kept for marketing and archival purposes, as you will have consented to that in writing with us.

### **Enquiries and privacy complaints**

If you would like further information about the way Dreamhouse Theatre Company manages the personal information it holds, please contact the Privacy Officer. If you have any concerns, complaints or you think there has been a breach of privacy, then also please contact the Privacy Officer who will first deal with you usually over the phone. If we then have not dealt satisfactorily with your concerns we will meet with you to discuss further. If you are not satisfied with our response to your complaint within 30 days from this meeting then you can refer your complaint to the Office of the Australian Information Commissioner via:

- email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)
- tel: 1300 363 992
- fax: +61 2 9284 9666