



# APP PRIVACY POLICY

Help Enterprises Limited

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## INTRODUCTION

1. This APP Privacy Policy is Help Enterprises Limited ACN 009 776 032, ABN 46 479 304 129 (“Help Enterprises”) official privacy policy as required by the *Privacy Act 1988* (the “Act”) and the Australian Privacy Principles (the “APPs”) and it applies to all personal information (including sensitive information) about individuals collected by Help Enterprises and Help Enterprises’ various business divisions including:
  - a) **Help Commercial Operations** and its businesses:
    - i. **Help Manufacturing**, comprising of
      - i. **MailSafe** Mailboxes;
      - ii. **GarageSafe** Storage Solutions;
      - iii. **BinSafe** Bin Enclosures;
      - iv. **ShadeSafe** Awnings, Shutters, Screens
    - ii. **Help Supply Chain Services**
    - iii. **Fison Food Factory**
    - iv. **Oxford Park Nursery**
  - b) **Help Employment & Training**
  - c) **Help Disability Care** and it’s valued services:
    - i. **McIntyre Centre Riding for Disabled**
    - ii. **Allamanda Disability Housing**

In this policy we explain how and why we collect personal information about individuals (including sensitive information), how we use it, and what controls individuals have over our use of such information about them.

In this policy, reference to Help Enterprises applies to all business divisions and initiatives that Help Enterprises controls and/or operates.

2. Help Enterprises is committed to complying with Commonwealth legislation (the Act and the APPs) that deals with how businesses may collect, hold and use personal information (including sensitive information) about individuals and to protecting and safeguarding individual’s privacy when they deal with us.

## COLLECTION OF INFORMATION

3. Some information provided to us by clients, customers and other parties might be considered private, personal and/or sensitive. However, without such information we would not be able to carry on our business activities and provide our services. We will only collect such personal and/or sensitive information if it is necessary for one of our functions or activities.
4. Sensitive information is a subset of personal information and is defined as information or an opinion (which is also personal information) 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 preferences or practices; criminal record; or health information.
5. As a non-profit organisation whose business activities involve assisting people who live with disabilities or disadvantaged persons, Help Enterprises collects sensitive information about individuals in connection with activities and services of Help Enterprises.
6. Prior to the collection of sensitive information about an individual, Help Enterprises will ensure that the individual is adequately informed as to the reason for the collection of the sensitive information and that the individual has the capacity to understand and communicate their consent and that the consent is voluntarily given by the individual.
7. If Help Enterprises determines, following a reasonable enquiry, that an individual does not have the capacity to understand the reasons for the collection of the sensitive information by Help Enterprises or the individual does not have the capacity to provide their consent to Help Enterprises, Help Enterprises will only collect sensitive information about the individual if the individual's Legal Guardian has provided their express written consent on behalf of the individual.
8. The kinds of personal and/or sensitive information that Help Enterprises may collect and hold in respect of individuals includes:
  - Names;
  - Contact details and identification information including photo identification;
  - Age;
  - Gender;
  - Ethnicity;
  - Nationality;
  - Academic history;
  - Employment history;
  - Health information including: details of any mental conditions or disabilities; prescribed medications; medical conditions; prescribed therapies; assistance required; medical procedures; etc.
  - Medicare information;
  - financial information, including information about transactions and trading history with Help Enterprises;
  - Information about credit history;
  - Criminal history.
9. In particular, personal and/or sensitive information is collected in the following situations by Help Enterprises:

- If an individual completes an Enrolment Form, Post School Services Program Initial Interview Form, Course Referral Form, Application for Registration – Job Seeker Identification Number, or any other application form required to be completed by an individual to enable and/or facilitate services to be provided by Help Enterprises;
  - Health information provided by the individual to enable and/or facilitate services to be provided by Help Enterprises;
  - If an individual contacts Help Enterprises, we may keep a record of that communication or correspondence;
  - When applying for and/or establishing and/or accessing an account with us or ordering products or services from us;
  - When conducting certain types of transactions such as cheque or credit card purchases or refunds;
  - When an individual submits their contact details to be included on our mailing lists;
  - When an individual places an order on our web-site to purchase goods we may require the individual to provide us with contact information including their name, address, telephone number or email address and financial information (such as credit card details).
10. At or before the time the personal and/or sensitive information about an individual is collected by Help Enterprises, we will take reasonable steps to ensure that the individual is made aware of who we are, the fact that the individual is able to gain access to the information held about the individual, the purpose of the collection, the type(s) of organisations to which we may usually disclose the information collected about the individual, any laws requiring the collection of the information and the main consequences if all or part of the information is not collected.
11. Help Enterprises will usually collect personal information about individuals directly from the individual. However, sometimes we may need to collect personal information about individuals from third parties for the purposes described below in this policy. The circumstances in which Help Enterprises may need to do this include, for example, where we need information from a third party to assist us to process an application (such as to verify information an individual has provided or to assess the individual's circumstances) or to assist us to locate or communicate with the individual. In such circumstances where the information Help Enterprises may need to collect is sensitive information, Help Enterprises will only collect such information with the express consent of the individual or their Legal Guardian.

## USE OF INFORMATION COLLECTED AND DISCLOSURE OF PERSONAL AND/OR SENSITIVE INFORMATION TO OTHERS

12. Help Enterprises may use or disclose personal and/or sensitive information held about an individual as permitted by law and for the purposes for which it is collected (e.g. provision of our services, including administration of our services, notifications about changes to our services, record-keeping following termination of our services and technical maintenance) - that is, to carry on our business and provide services to our customers. Help Enterprises may also use such information about individuals for a purpose related to the primary purpose of collection (in the case of sensitive information, the related purpose must be directly related to the primary purpose) and where the individual would reasonably expect that we would use the information in such a way. This information is only disclosed to parties outside our business in the circumstances set out in this policy or as otherwise notified at the time of collection of the information, or as maybe required or permitted by law.
  
13. Help Enterprises' purposes for which personal and/or sensitive information is collected, used and disclosed may include:
  - Processing an application or enrolment form or service request (including verifying a person's identity, health information, employment history, carer's assistance required, employment history, Government assistance eligibility);
  - Processing an application or product order or service request;
  - Managing and providing our products and services or other relationships and arrangements, including processing receipts, payments and invoices;
  - Assessing and monitoring credit worthiness;
  - detecting and preventing fraud and other risks to us and our customers;
  - Responding to inquiries about applications, accounts or other products, services or arrangements;
  - understanding our clients' and customers' needs and developing and offering products and services to meet those needs;
  - Researching and developing our products and services and maintaining and developing our systems and infrastructure (including undertaking testing);
  - Dealing with complaints;
  - Meeting legal and regulatory requirements. Various Australian laws may expressly require us to collect/and or disclose personal information about individuals , or we may need to do so in order to be able to comply with other obligations under those laws;
  - Enforcing our rights, including undertaking debt collection activities and legal proceedings.

14. In addition we are permitted to use or disclose personal and/or sensitive information held about individuals:

- Where the individual has consented to the use or disclosure of sensitive information and that use or disclosure is directly related to the primary purpose for which the sensitive information was collected;
- Where the individual has consented to the use or disclosure;
- Where we reasonably believe that the use or disclosure is necessary to lessen or prevent a serious, immediate threat to someone's health or safety or the public's health or safety;
- Where we reasonably suspect that unlawful activity has been, is being or may be engaged in and the use or disclosure is a necessary part of our investigation or in reporting the matter to the relevant authorities;
- Where such use or disclosure is required under or authorised by law (for example, to comply with a subpoena, a warrant or other order of a court or legal process);
- Where we reasonably believe that the use or disclosure is necessary for prevention, investigation, prosecution and punishment of crimes or wrongdoings or the preparation for, conduct of, proceedings before any court or tribunal or the implementation of the orders of a court or tribunal by or on behalf of an enforcement body;
- Where a customer (being the individual or related to the individual) has requested a service to be provided by us and we are required to disclose the information to a third party in order to facilitate the provision of the service. In most, if not all cases, any such disclosure will be with the consent of the individual.

15. Third parties to whom we may disclose personal and/or sensitive information about individuals in accordance with Help Enterprises' business purposes and activities set out above and in accordance with Help Enterprises' obligations under the Act may include:

- Help Enterprises' legal advisors;
- Department of Communities, Child Safety and Disability Services (Qld);
- Australian Apprentices Centre;
- Centrelink;
- Medicare;
- The Department of Education, Training and Employment;
- Vocational Disability Support Services;
- Various other State and Federal Government Departments, bodies and agencies relevant to the services Help Enterprises provides to and on behalf of its clients;
- Medical service providers and/or other care or assistance providers;
- Any applicable parent(s) or legal guardian, to assist us to provide our services to you or on your behalf, including to inform of progress or to discuss any concerns;
- Australian Apprenticeship Centres;
- Employment Services Sites;
- Help Enterprises' IT service providers;
- Regulatory bodies in Australia;
- Help Enterprises' financial advisors;
- Participants in financial and payment systems, such as other banks, credit reporting bodies, credit providers, and credit card associations;
- Guarantors and security providers associated with individuals;
- Help Enterprises' debt collectors;

- Credit reporting bodies and other information providers.

## **ANONYMITY AND PSEUDONYMITY**

16. Individuals have the option of dealing with Help Enterprises anonymously. However, this only applies where it is not impracticable for Help Enterprises to deal with individuals acting anonymously or under a pseudonym. For example, individuals making general enquiries of Help Enterprises may do so anonymously or under a pseudonym. However, if the dealing with Help Enterprises is for Help Enterprises to supply products and/or services and/or to enter into contractual relations then it is impractical for individuals to deal with Help Enterprises on an anonymous basis or under a pseudonym.

## **DIRECT MARKETING**

17. As part of Help Enterprises' functions and business activities and to promote the services we can provide to our clients and customers, Help Enterprises may use personal information that individuals have provided to Help Enterprises for the purposes of direct marketing. Direct marketing includes, but is not limited to, sending to our clients and customers and other parties (including individuals) and/or contacting our clients and customers (including individuals) in relation to promotions and information about Help Enterprises. Recipients of direct marketing are always able to opt out of receiving direct marketing communications by sending an email to Help Enterprises' Privacy Officer at [Privacy.Officer@helpenterprises.com.au](mailto:Privacy.Officer@helpenterprises.com.au) in any direct marketing communication we remind recipients of their right to opt out of receiving direct marketing communications.
18. Help Enterprises will only use or disclose sensitive information for the purpose of direct marketing, if the individual has provided express consent to the use or disclosure for that purpose.

## **LINKS**

19. The Help Enterprises web site may contain links to other web sites and those third party web sites may collect personal information about individuals. We are not responsible for the privacy practices of other businesses or the content of web sites that are linked to our web site. Help Enterprises encourages users to be aware when they leave the site and to read the privacy statements of each and every web site irrespective of whether those websites collect personally identifiable information.

## SECURITY AND STORAGE

20. Help Enterprises places a great importance on the security of all information associated with our customers and clients and others who deal with us. We have security measures in place to protect against the loss, misuse and alteration of personal and/or sensitive information under our control. Help Enterprises takes all reasonable steps to protect personal and/or sensitive information that is under Help Enterprises' control from misuse, interference, loss and/or unauthorised access, modification or disclosure. All personal and/or sensitive information held is kept securely and that which is held electronically is held on secure servers in controlled facilities.
21. Personal and/or sensitive information is de-identified or destroyed securely when no longer required by us and/or is no longer required to be kept by us.
22. Help Enterprises retains information provided to us including individuals' contact and financial and transactional information to enable us to verify transactions and customer details and to retain adequate records for legal and accounting purposes. Such information is held securely, including on secure servers in controlled facilities.
23. Information stored within our computer systems or by our agents who provide electronic storage facilities can only be accessed by those entrusted with authority and computer network password sanctions.
24. No data transmission over the Internet can be guaranteed to be 100 per cent secure. As a result, while we strive to protect users' personal and/or sensitive information, Help Enterprises cannot ensure or warrant the security of any information transmitted to it or from its online products or services, and users do so at their own risk. Once Help Enterprises receives a transmission, we make every effort to ensure the security of such transmission on our systems.

## ACCESS TO AND CORRECTION OF PERSONAL INFORMATION

25. Help Enterprises is committed to and takes all reasonable steps in respect of maintaining accurate, timely, relevant, complete and appropriate information about our customers, clients and web-site users.
26. Any individual may request access to personal and/or sensitive information about them held by Help Enterprises. Such a request for access to personal and/or sensitive information is to be made to Help Enterprises' Privacy Officer:  
  
Help Enterprises' Privacy Officer  
520 Curtin Avenue East  
Eagle Farm QLD 4009  
Telephone: 07 3868 9807  
Email: [Privacy.Officer@helpenterprises.com.au](mailto:Privacy.Officer@helpenterprises.com.au)
27. Please note Help Enterprises does require that, as part of any request by an individual for access to personal and/or sensitive information, the individual verify their identity so that Help Enterprises may be satisfied that the request for access is being made by the individual concerned.



28. Please note that Help Enterprises is not required to give an individual access to personal and/or sensitive information in circumstances where:

- Help Enterprises 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; or
- Giving access would have an unreasonable impact on 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 Help Enterprises and the individual, and would not be accessible by the process of discovery in those proceedings; or
- Giving access would reveal the intentions of Help Enterprises in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
- Giving access would be unlawful; or
- Denying access is required or authorised by or under an Australian law or a court/ tribunal order; or
- Both of the following apply:
  - i. Help Enterprises has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to Help Enterprises' functions or activities has been, is being or may be engaged in;
  - ii. Giving access would be likely to prejudice the taking of appropriate action in relation to the matter; or
- 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 Help Enterprises in connection with a commercially sensitive decision-making process.

29. Inaccurate information will be corrected upon receiving advice to this effect. To ensure confidentiality, details of an individual's personal and/or sensitive information will only be passed on to the individual if we are satisfied that the information relates to the individual. From time to time, and having regard to the purpose of the collection and use of personal and/or sensitive information about individuals, we may contact individuals to seek confirmation that the personal and/or sensitive information provided to us by the individual is accurate, up-to-date and complete.

30. If we refuse to provide an individual with access to or correct the personal and/or sensitive information held by us about the individual, then we will provide reasons for such refusal. Such reasons will set out the grounds for refusal, the mechanisms available to complain about the refusal and any other matters that are required by the Act.

31. Help Enterprises will respond to any requests for access or correction within a reasonable time of receipt of the request, but by no later than 30 days of the request being received.

## DATA BREACHES

32. A data breach will occur where an unknown or unauthorised person gains access to our network or client information, or information is lost in circumstances where unauthorised access or disclosure may occur.
33. If a data breach relating to personal information occurs or we suspect one might have occurred we will conduct a reasonable and expeditious investigation within 30 days and take action to reduce or prevent harm from the data breach.
34. In any instance where an eligible data breach occurs limitations to the access and dissemination of personal information will be enforced with notification to the affected individuals at risk of serious harm, the Office of the Australian Information Commissioner (OAIC) and the Department of Jobs and Small Business, as is deemed appropriate. Please refer to the Notifiable Data Breaches (NBD) Scheme Part IIIC of the Privacy Act 1988, found [here](#) for additional information.
35. In the case of serious breach of personal information (where a reasonable person would conclude that it will likely result in 'serious harm' to the individual to whom the person information relates), we will prepare a statement regarding the data breach and notify the Office of the Australian Information Commissioner and the affected individual/s as soon as reasonably possible.
36. Serious harm includes physical, psychological, emotional, financial and reputational harm. In determining whether serious harm is likely to occur, we will consider:
  - If any action has been taken to prevent or reduce the harm;
  - The kind and sensitivity of the information involved in the breach;
  - Whether the information is protected by security measures and the likelihood those security measures could be overcome;
  - The person or kinds of person who have or could obtain the information; and
  - The nature of the harm.
37. We will notify the affected individuals via our usual means of communication. Where direct notification is not practicable, we will publicise the statement on our website (<https://www.helpenterprises.com.au/>) and take reasonable steps to publicise its contents.
38. The statement to individuals affected by a breach will include, where appropriate:
  - Our contact details;
  - A description of the incident;
  - Type of personal information involved;
  - Our response to the breach;
  - An offer of assistance (including the recommended steps the individual should take);
  - Privacy information sources; and
  - The contact details of any other entity that we have reasonable grounds to believe is also involved in the breach.

## COMPLAINTS

39. If an individual has a complaint about our APP Privacy Policy or Help Enterprises' collection, use or safe disposal or destruction of personal information about the individual, any complaint should be directed in the first instance to Help Enterprises' Privacy Officer at the contact details set out at clause 26 of this policy.
40. We will investigate any complaint within 30 calendar days and attempt to resolve any breach that might have occurred in relation to the collection, use or destruction of personal and/or sensitive information held by us about the complainant in accordance with the Act and the APPs. If a complainant is not satisfied with the outcome of this procedure then the complainant may contact the Office of the Australian Information Commissioner ("OAIC"). The web site of the OAIC is [www.oaic.gov.au](http://www.oaic.gov.au).

## TRANSFER OF INFORMATION OVERSEAS

41. Help Enterprises is unlikely to disclose personal information to overseas recipients. Personal and/or sensitive information will only be disclosed by Help Enterprises to overseas recipients in accordance with Australian Privacy Principle 8, such as if the individual consents to the disclosure or if the disclosure is required by Australian law.

## COOKIES

42. Help Enterprises collects information from the site using "IP files".
43. When a user visits Help Enterprises' web site to read, browse or download information, our system will record/log the user's IP address (the address which identifies the user's computer on the internet and which is automatically recognised by our web server), date and time of the visit to our web site, the pages viewed and any information downloaded. This information will only be used for the purpose of site analysis and to help us offer improved online service. We may automatically collect non-personal information about users such as the type of Internet browsers used or the site from which the user linked to our web sites. Individuals cannot be identified from this information and it is only used to assist us in providing an effective service on our web sites.

## CHANGES TO APP PRIVACY POLICY

44. If Help Enterprises decides to or is required to change its APP Privacy Policy, we will notify of such amendments on our web site and/or monthly statements/invoices rendered by Help Enterprises and post changes on this APP Privacy Policy page so that users are always aware of what information is collected by us, how it is used and the way in which information may be disclosed. As a result, please refer back to this APP Privacy Policy regularly to review any amendments.

## CONTACTING US

45. For further information regarding our APP Privacy Policy, please contact us at the following address:

E-mail: [Privacy.Officer@helpenterprises.com.au](mailto:Privacy.Officer@helpenterprises.com.au)

For more information on privacy legislation or the APPs please visit the website of the Office of the Australian Information Commissioner at [www.oaic.gov.au](http://www.oaic.gov.au).