



National Affordable Housing Consortium Privacy Policy

To preserve the confidentiality of all information that individuals provide to the National Affordable Housing Consortium ('NAHC'), NAHC has adopted the following policy with respect to privacy ('Privacy Policy'). In providing its services, NAHC is bound by the Australian Privacy Principles under the Privacy Act 1988 (Cth) ('the Privacy Act') and this Privacy Policy is intended to accord with those enactments.

NAHC may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to NAHC's operations and practices and to make sure it remains appropriate to changes in relevant legislation.

Definitions:

- 'Owner' refers to the owner or prospective owner of an NRAS property administered by NAHC;
- 'Tenant' refers to the tenant or prospective tenant of an NRAS property administered by NAHC, whether the tenant's dwelling is managed by NAHC or a third party property manager engaged by NAHC to provide property management services ('Third Party NAHC NRAS Property Manager'). For purposes of this Policy, the term 'Tenant' refers to all individuals in the primary Tenant's household; and
- 'Government' refers to:
 - a) a government (including Commonwealth, State and Local Governments) or government department (including the Department) or other body;
 - b) a government, semi-governmental or judicial person; or
 - c) a person (whether autonomous or not) who is charged with the administration of a law (including the Secretary);and includes means any government, administrative, fiscal or judicial body, department, commission, authority, tribunal, agency, Minister, statutory body or entity having jurisdiction in relation to the NRAS as the case may require.

What kinds of Personal Information does NAHC collect?

Under the Privacy Act and APPs, "Personal Information" is information or an opinion about an individual, or information or an opinion that may reasonably identify an individual, whether or not the opinion is true or not and whether or not the information is stored in material form or not.

NAHC only collects Personal Information that it is reasonably necessary for one or more of NAHC's functions or activities.

NAHC collects Personal Information from and about:

- a. Owners;
- b. Tenants; and
- c. Job applicants and contractors.

a. Owners:

NAHC may collect the following Personal Information from and about an Owner:

- Name
- Contact details
- Address and/or lot number of NRAS investment property
- Bank account information
- Mortgagee/Lender associated with NRAS Property
- Purchase Contract for purchase of NRAS investment property
- NRAS property Insurance coverage information

b. Tenants:

NAHC may collect the following Personal Information from and about a Tenant:

- Name
- NRAS number and proof of NRAS approval
- Contact details
- Proof of identity
- Bank statement, credit card statement
- Occupation
- Education status
- Government pensions, allowances, assistance
- Proof of residence and/or citizenship
- Proof of rental history and documents related to rental history
- Proof/statements of income
- Demographic information (including household size and composition, ethnic or racial origin and health/disability status)
- Proof of employment, employment history,
- Personal and professional references
- Photographs of the interior and exterior of tenant dwellings, which may include pictures of tenant possessions.

c. Job Applicants and Contractors

NAHC may collect the following Personal Information from and about a job applicant or contractor:

- Name
- Contact details
- Relevant licenses
- Insurance coverage information
- Required Workplace Health and Safety documentation
- Resume
- Former/current employers and other references
- Current vehicle registration certificate

Option of Anonymity or use of Pseudonym:

Note that an individual may choose to deal with NAHC anonymously or under a pseudonym where lawful and practicable, provided NAHC is still able to provide the relevant service or do business with the individual without that information. For example, it might not be practical to deal with an individual anonymously if NAHC needs to process a payment or send personalised communications to that individual.

How does NAHC collect the Personal Information?

a. Owners:

Where possible, NAHC will collect Personal Information directly from an Owner. This will usually be when an Owner submits the NAHC Deed Poll/Expression of Interest and Investor Authorisation and Information Form (formerly Owner Authorisation Form), as well as through agreements, correspondence (including emails), surveys and through verbal communications. However, NAHC may also collect information about an Owner from other persons including: financial institutions (including Owner's mortgagee), the builder/developer of an Owner's NRAS dwelling, property sales agents, insurance companies, property valuation firms, property managers, solicitors, and tradespeople that conduct work on an Owner's NRAS property.

b. Tenants:

NAHC will collect Personal Information directly from a Tenant, through on-site visits of tenant dwellings, and from third parties. Collection will occur when a Tenant applies to rent a property that NAHC manages or at lease renewal. Collection will also occur at various times throughout a tenancy, through demographic forms and questionnaires, registration books at open inspections, appointment forms, condition/entry report forms, agreements, correspondence (including emails), surveys and through verbal communications.

Where NAHC is not the property manager, NAHC also collects a Tenant's Personal Information (as set forth above) from a Tenant's Third Party NAHC NRAS Property Manager.

NAHC may also collect information about a Tenant from:

- Tenant's current/former property manager(s)
- Personal and employer references provided by the Tenant
- Government
- Past/current employer of the Tenant
- Tenancy databases
- Courts
- Tenancy tribunals
- Rental bond authorities
- Insurers
- Debt collection agencies
- On-site inspections which may or may not include taking photographs of the tenant's dwelling.

c. Job Applicants and Contractors:

NAHC will collect Personal Information directly from a job applicant. This will usually occur when a job applicant submits his/her resume, job application and supporting material. NAHC may also seek information from third parties, including the personal and professional references that a job applicant provides, prior employers, or the applicant's placement agency (where applicable).

NAHC will collect Personal Information directly from a contractor. This will usually occur when a contractor provides NAHC with materials in response to NAHC's request for services. NAHC may also seek information from third parties, including the personal and professional references that a contractor provides, trade organisations, insurance company, certifier, other individuals in the industry or from prior employers/principals.

Surveys:

NAHC considers surveys of Owners and Tenants (and their thoughts, opinions, perspectives, experiences and certain Personal Information) to be an important part of planning, development and research. Therefore, NAHC or a third party that NAHC has partnered with or contracted with may from time to time send surveys to Owners and Tenants. If an Owner or Tenant does not wish to receive surveys from NAHC (or a third party that NAHC has partnered with or contracted with) or does not wish his/her Personal Information to be used for such purposes, the Owner or Tenant may request exclusion from these activities by contacting NAHC's Privacy Officer using the contact details provided at the end of this Policy notice.

Receipt of Unsolicited Personal Information:

In the event that NAHC receives unsolicited Personal Information about or from an Owner or a Tenant, NAHC will determine within a reasonable period after its receipt whether or not NAHC could have collected such Personal Information under the Australian Privacy Principles. If NAHC determines that it could not have collected such Personal Information under the Australian Privacy Principles, then NAHC will as soon as practicable either destroy the Personal Information or otherwise ensure it is de-identified, provided that it is lawful to do so. Otherwise, NAHC will hold, use and disclose such Personal Information in accordance with this policy.

How will NAHC use the Personal Information Provided?

a. Owners:

NAHC will collect, hold and use the Personal Information about Owners for the following primary purposes:

- To enter into any transactions with Owners or on their behalf
- For any purpose related to the provision of a service to Owners (either by NAHC or a third party) and carrying out associated payments, administration and services
- To maintain, facilitate, improve and administer NAHC's services to Owners and Tenants
- To gather and aggregate information for statistical, reporting and research purposes
- To respond to requests for information by Government
- To get a better understanding of Owners, Owners' needs, and how Owners interact with NAHC/NRAS/Third parties, so NAHC can engage in research, development and business strategy, including managing the delivery of services by NAHC and others.

NAHC will also use the Personal Information for such other secondary purposes that are related to the primary purpose of collection and reasonably expected by Owners, or to which Owners have consented. Secondary purposes include improving NAHC's services, conducting research, contacting Owners, and internal auditing and administration.

b. Tenants:

NAHC will use Personal Information it collects from Tenants for the following primary purposes:

- To enable Government and NAHC to assess a Tenant's eligibility to lease an NRAS property and to provide additional information for assessing the rental program
- To assess the risk of providing the Tenant with the tenancy,
- To process tenancy applications,
- To prepare leases or tenancy agreements
- To collect rental payments
- To maintain, facilitate, improve and administer NAHC's services to Owners and Tenants
- Get a better understanding of Tenants, Tenants' needs, and how Tenants interact with NAHC/NRAS/Third parties, so NAHC can engage in research, development and business strategy, including managing the delivery of services by NAHC and others.

NAHC will also use the Personal Information for such other secondary purposes that are related to the primary purpose of collection and reasonably expected by Tenants, or to which Tenants have consented. Secondary purposes include improving NAHC's services, conducting research, contacting Tenants, and internal auditing and administration.

c. Job applicants and contractors:

In relation to Personal Information of job applicants and contractors, NAHC's primary purpose of collection is to assess and (if successful) to engage the applicant or contractor, as the case may be.

Collection, use and disclosure of personal information for marketing

We may use the personal information collected from you for the purpose of providing you with direct marketing material for other products and services that may be of interest to you. However you may request not to receive such information and we will give effect to that request. Please allow two weeks for your request to be actioned.

Who might NAHC disclose Personal Information to?

Like most business organisations, NAHC contracts out some functions and relies on third party suppliers (including Third Party NAHC NRAS Property Managers) to conduct specialised activities. Whilst Personal Information may be provided to these contractors and suppliers in order to enable them to perform the agreed tasks, NAHC will require all such suppliers/contractors to provide an undertaking by which the supplier/contractor undertakes to abide by the Privacy Act and Australian Privacy Principles and use Personal Information only for the specific purpose for which it was disclosed.

a. Owners:

NAHC may disclose the Personal Information of Owners to:

- Government, including those departments administering NRAS
- Third Party NAHC NRAS Property Manager of the Owner's NRAS dwelling
- Entities providing services to NAHC
- Insurance providers
- Property valuers
- NAHC's solicitors and accountants
- The developer/builder of the Owner's NRAS property
- Tradespersons undertaking work on the Owner's NRAS property
- Entities that promote the rental of the Owner's property in the market
- Anyone the Owner authorises NAHC to disclose information to
- Anyone to whom NAHC is required to disclose the information to by law.

b. Tenants:

NAHC may disclose the Personal Information of Tenants to:

- Government, including those departments administering NRAS
- The property owner, its lawyers and contractors
- Third Party NAHC NRAS Property Manager of the NRAS dwelling
- Trades people and other service providers
- Rental bond authorities and insurance providers
- Tenancy tribunals and courts
- Tenancy database operators and mercantile agents
- Referees the Tenant has nominated
- Anyone the Tenant has authorised NAHC to disclose information to
- Anyone to whom NAHC is required to disclose the information to by law.

c. Job Applicants and Contractors:

NAHC may disclose the Personal Information of job applicants and contractors to:

- Referees the job applicant or contractor have nominated
- Anyone the job applicant or contractor authorises NAHC to disclose the information to
- NAHC's solicitors and accountants
- The developer/builder of the Owner's NRAS property
- Anyone to whom NAHC is required to disclose the information to by law.

Sending information overseas:

NAHC may disclose Personal Information about an individual to overseas recipients. For instance, an owner of an NAHC dwelling may reside abroad in China, Indonesia, South Africa or India. NAHC 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.

How does NAHC Treat Sensitive Information?

Because NAHC is an Approved Participant under the National Rental Affordability Scheme, Government requires NAHC and Third Party NAHC NRAS Property Managers to collect certain 'Sensitive Information' about a Tenant. 'Sensitive Information' is defined under Australian Privacy Principle 6 and includes information relating to a person's health information or disability status, racial or ethnic origin, political opinions, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, sexual orientation, or criminal record. (Note that information from all of these categories may not be required.)

Information collected about a Tenant and the Tenant's household is requested by Government to ensure a Tenant's eligibility to rent a property under the National Rental Affordability Scheme and to assist the Government to find out who is accessing its services.

Prior to collecting Sensitive Information, NAHC, other Third Party NAHC NRAS Property Managers and the Government will seek express consent from an individual to collect, use and handle that individual's Sensitive Information. Third Party NAHC NRAS Property Managers may disclose Sensitive Information to NAHC only for the purposes set out in relevant legislation. NAHC will only disclose Sensitive Information to the Government for the purposes set out in relevant legislation.

Management and Security of Personal Information

NAHC's staff are required to respect the confidentiality of Owners' and Tenants' Personal Information and the privacy of individuals.

NAHC has in place steps to protect the Personal Information NAHC holds from misuse, interference and loss, unauthorised access, modification or disclosure by use of various methods, including locked storage of paper records and password access rights to computerised records.

Access to and Correction of Personal Information

Under the Privacy Act and Australian Privacy Principles, an individual has the right to obtain access to Personal Information which NAHC holds about them and to advise NAHC of any perceived inaccuracy. There are some exceptions to these rights set out in the applicable legislation.

To make a request to access or update any Personal Information that NAHC holds about an individual, that individual should contact NAHC's Privacy Officer using the contact details provided at the end of this Policy notice. NAHC may require the individual to verify the individual's identity and specify what information the individual requires. NAHC may charge a fee to cover the cost of verifying the individual's application and locating, retrieving, reviewing and copying any material requested. If the information sought is extensive, NAHC will advise the likely cost in advance. If NAHC cannot provide the individual with access to that information, NAHC will provide the individual with a written notice explaining the reasons for refusal.

Responding to Data Breaches

If NAHC has reasonable grounds to *believe that it has* experienced an eligible data breach, it will promptly notify individuals and the Commissioner about the breach, unless an exception applies.

If NAHC *suspects that it may* have experienced an eligible data breach, it will quickly assess the situation to decide whether or not there has been an eligible data breach. NAHC's assessment will be reasonable and expeditious, and NAHC has developed procedures for assessing a suspected data breach.

Enquiries and Complaints

If an individual would like further information about the way NAHC manages the Personal Information it holds, or wishes to complain that NAHC has breached the Privacy Act or Australian Privacy Principles, the individual is asked to contact NAHC's Privacy Officer using the contact details provided at the end of this Policy notice. NAHC will investigate any complaint and will notify the individual of the making of a decision in relation to the complaint in a reasonable time after it has been made.

Contact NAHC

NAHC Privacy Officer
privacy@nahc.org.au
(07)3169-2500
PO Box 1690, MILTON QLD 4064

Last updated: February 2019