
PRIVACY POLICY

APPLICABILITY	AOG World Relief Vietnam Team (Staff) and Advisory Board Members (see scope)
VERSION	1
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1. PREAMBLE

AOG World Relief Vietnam (hereinafter referred to as AOGWR Vietnam) recognises the importance of protecting the privacy and the rights of individuals in relation to their personal information. This document outlines AOGWR Vietnam's policy on how the organisation uses and manages personal information provided to or collected by it.

Furthermore, as a recognised international field office of ACC International Relief Inc (hereafter referred to as ACCI) due to registration legalities in Vietnam, additional levels of compliance are required to manage the special partnership between the two entities given ACCI 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.

2. PRIVACY POLICY

AOGWR Vietnam collects and administers a range of personal information for the operational and charitable purposes of the organisations. The organisation is committed to protecting the privacy of personal information it collects, holds, and administers.

AOGWR Vietnam recognises the essential right of individuals to have their information administered in ways which they would reasonably expect – protected on one hand and made accessible to them on the other. These privacy values are reflected in and supported by our core values and philosophies and reflected in our Privacy Policy, which is compliant with the Australian Privacy Act 1988 (Cth).

AOGWR Vietnam is bound by Australian laws, given its status as an official outpost of ACCI, which impose specific obligations when it comes to handling information. The organisation has adopted the following principles contained as minimum standards in relation to handling personal information.

AOGWR Vietnam will:

- Collect only information which the organisation requires for its primary function;
- Ensure that stakeholders are informed as to why we collect the information and how we administer the information gathered;
- Use and disclose personal information only for our primary functions or a directly related purpose, or for another purpose with the person's consent;
- Store personal information securely, protecting it from unauthorised access; and
- Provide stakeholders with access to their own information, and the right to seek its correction.

3. SCOPE AND RESPONSIBILITIES

AOGWR Vietnam's Advisory Board as well as the overarching ACCI Governing Boards are responsible for developing, adopting, and reviewing this policy.

The Program Director(s) is responsible for the implementation of this policy, for monitoring changes in privacy legislation both in Vietnam and Australia, and for advising on the need to review or revise this policy as and when the need arises.

This policy applies to the AOGWR Vietnam Advisory Board members, Program Director(s), and team (staff) of AOGWR Vietnam.

Note that 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 AOGWR Vietnam (or ACCI's) treatment of an employee

record, where the treatment is directly related to an application for employment or current or former employment relationship between AOGWR Vietnam (or ACCI) and the employee.

4. PRIVACY PROCESSES

Collection

AOGWR Vietnam will:

- Only collect information that is necessary for the performance and primary function of the organisation.
- 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 (e.g. information about health, religious beliefs, race, gender etc).
- 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; or
- AOGWR Vietnam may, in limited circumstances, be required to collect health information about an individual if:
 - 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.
- Determine, where unsolicited information is received, whether the personal information could have been collected in the usual way, and then if it could have, it will be treated normally. (If it could not have been, it must be destroyed, and the person whose personal information has been destroyed will be notified about the receipt and destruction of their personal information).

Use and disclosure

AOGWR Vietnam will:

- Only use or disclose information for the primary purpose for which it was collected or a directly related secondary purpose.
- For other uses, AOGWR Vietnam will obtain consent from the affected person.
- In relation to a secondary purpose, use or disclosure of the personal information is only permitted where:
 - a secondary purpose is related to the primary purpose and the individual would reasonably have expected the organisation to use it for their purposes;
 - 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 and use for direct marketing, the person(s) whose information has been collected must be provided with a reasonable expectation of the intended use of their information and given an opt out which 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, AOGWR Vietnam draws to the individual's attention, or prominently displays a notice, that he or she may express a wish not to receive any further direct marketing communications.
- Specify whether the information is sent overseas and further will ensure that any overseas providers of services are as compliant with privacy as AOGWR Vietnam and thus ACCI is required to be. Such disclosures will only be made if:
 - The overseas 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 Australian National Privacy Principles;
 - The individual consents to the transfer;
 - 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;
 - 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 Australian National Privacy Principles.
 - In relation to the overseas transfer of personal information, if it is impractical for AOGWR Vietnam to receive the person's consent to that transfer, AOGWR Vietnam 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 can establish that the personal information is not accurate, then AOGWR Vietnam must take steps to correct it. AOGWR Vietnam may allow a person to attach a statement to their information if AOGWR Vietnam 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 AOGWR Vietnam's business address and telephone number and, if the communication with the individual is made by other physical or 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 AOGWR Vietnam 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 Australian Commissioner under section 95A, the organisation may make such a disclosure.
- If AOGWR Vietnam 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.
- AOGWR Vietnam 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 this clause, AOGWR Vietnam must make a written note of the use or disclosure in compliance with the specifications of the ACCI Privacy Policy.

Data Storage and Security

AOGWR Vietnam will:

- Implement and maintain steps to ensure that personal information is protected from misuse and loss, unauthorised access, interference, unauthorised modification, or disclosure.
- Before AOGWR Vietnam discloses any personal information to an overseas recipient including a provider of IT services such as servers or cloud services, take reasonable steps to establish that they are privacy compliant. AOGWR Vietnam will have systems which provide sufficient security.
- Take reasonable steps to ensure the information collected is accurate, complete, up to date, and relevant to the functions we perform.

Destruction and De-identification

AOGWR Vietnam 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 AOGWR Vietnam holds and will not use any government related identifiers unless they are reasonably necessary for our functions.

Openness

AOGWR Vietnam will:

- Ensure stakeholders are aware of AOGWR Vietnam'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, AOGWR Vietnam 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

AOGWR Vietnam 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.
- If the individual and AOGWR Vietnam disagree about whether the information is accurate, complete, and up to date, and the individual asks AOGWR Vietnam to associate with the

information a statement claiming that the information is not accurate, complete or up to date, AOGWR Vietnam will take reasonable steps to do so.

- AOGWR Vietnam will provide to the individual its reasons for denial of access or a refusal to correct personal information.
- AOGWR Vietnam can withhold the access of an individual to his/her information if:
 - Providing access would pose a serious and imminent threat to the life or health of any individual;
 - Providing access would have an unreasonable impact upon the privacy of other individuals;
 - The request for access is frivolous or vexatious;
 - 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;
 - 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;
 - Providing access would be unlawful;
 - Providing access would be likely to prejudice an investigation of possible unlawful activity; or
 - An enforcement body performing a lawful security function asks AOGWR Vietnam not to provide access to the information on the basis that providing access would be likely to cause damage to the security of Vietnam and/or Australia.
- Where providing access would reveal evaluative information generated within the organisation in connection with a commercially sensitive decision-making process, AOGWR Vietnam may give the individual an explanation for the commercially sensitive decision rather than direct access to the information.
- If AOGWR Vietnam decides not to provide the individual with access to the information based on the above-mentioned reasons, AOGWR Vietnam will consider whether the use of mutually agreed intermediaries would allow sufficient access to meet the needs of both parties.
- AOGWR Vietnam may charge for providing access to personal information. However, the charges will be nominal and will not apply to lodging a request for access.

Identifiers and Anonymity

- AOGWR Vietnam will not adopt as its own identifier of an individual an identifier that has been assigned by any third party. It may however adopt a prescribed identifier by a prescribed organisation in prescribed circumstances.
- AOGWR Vietnam will not use or disclose the identifier assigned to an individual by a third party unless:
 - The use or disclosure is necessary for the organisation to fulfil its obligations to the agency; or
 - The use or disclosure is by a prescribed organisation of a prescribed identifier in prescribed circumstances.
- AOGWR Vietnam will 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 third parties

- AOGWR Vietnam can release information to third parties where it is requested by the person concerned.

5. EXTERNAL PRIVACY DISCLOSURES: AOGWR VIETNAM AND YOUR PERSONAL INFORMATION

What is your personal information?

When used in this document, the AOGWR Vietnam Privacy Policy, the term “personal information” has the meaning given to it in the Australian Privacy Principles contained in the Commonwealth Privacy Act and is compliant with the Privacy Amendment (Enhancing Privacy Protection) Act 2012. This may include your name, address, telephone number, email address, profession, occupation, household information, health status etc. If the information we collect personally identifies you, or you are reasonably identifiable from it, the information will be considered personal information.

What personal information do we collect and hold?

We may collect the following types of personal information:

- Name;
- Mailing or street address;
- Email address;
- Telephone number;
- Age or birthdate;
- Profession, occupation, or job title;
- Household member information (as above);
- Income status;
- External assistance (current and former);
- Health status;
- Details of the assistance and services you have received through us or which you have enquired about, together with any additional information necessary to deliver such assistance and services and to respond to your enquiries;
- Any additional information relating to you that you provide to us directly through our websites or indirectly through use of our websites or online presence, through our representatives or otherwise; and
- Information you provide to us through our operations centre, customer surveys or visits by our representatives from time to time.

We may also collect some information that is not personal information because it does not identify you or anyone else. For example, we may collect anonymous answers to surveys or aggregated information about how users use our website.

How do we collect your personal information?

We aim to collect your personal information directly from you unless it is unreasonable or impracticable to do so. In such cases, our government appointed liaisons collect your personal information on our behalf and forward it to us for our organisational purposes.

When collecting personal information from you, we may collect in ways including:

- Through your access and use of our website;
- During conversations between yourself and our representatives - whether our team (staff) or government appointed liaisons;
- When you complete an application, inquiry, baseline, or commitment form – physical or online;

- On the occasion you make a pledge or donation – physical or online;

We may also collect personal information from third parties including:

- From third party companies such as credit reporting agencies, law enforcement agencies, and other government entities in Vietnam and/or Australia.

Cookies

In some cases, we may also collect your personal information through the use of cookies. When you access our website, we may send a “cookie” (which is a small summary file containing a unique ID number) to your computer. This enables us to recognise your computer and greet you each time you visit our website without bothering you with a request to register. It also enables us to keep track of assistance or services you view so that, if you consent, we can send you news about those project opportunities or services offered in Vietnam.

We may use cookies to measure traffic patterns, to determine which areas of our website have been visited and to measure transaction patterns in the aggregate. We may also use this to research projects and services. Our cookies do not collect personal information. If you do not wish to receive cookies, you can set your browser so that your computer does not accept them.

We may also log IP addresses (that is, the electronic addresses of computers connected to the internet) to analyse trends, administer the website, track users movements, and gather broad demographic information.

What happens if we can't collect your personal information?

If you do not provide us with the personal information described above, some or all of the following may happen:

- We may not be able to provide you with a donation receipt;
- We may not be able to provide the requested products or services to you, either to the same standard or at all;
- We may not be able to provide you with information about project opportunities and services that you may want, including information or updates on projects or appeals you have given to; or
- We may be unable to tailor the content of our websites to your preferences and your experience of our websites may not be as enjoyable or useful.

For what purposes do we collect, hold, use and disclose your personal information?

We collect personal information about you so that we can perform our business activities and functions and to provide best possible quality of customer service. We collect, hold, use and disclose your personal information for the following purposes:

- To process donations and provide you with a receipt for any donations given by you;
- To provide project opportunities and services to and for you, as well as send communications as requested or agreed to by you;
- To answer enquiries and provide information or advice about existing and new products or services;
- To provide you with access to protected areas of our website;
- To assess the performance of the website and to improve its operation;

- To conduct business processing functions including providing personal information to our related bodies corporate, contractors, service providers or other third parties;
- For the administrative, marketing (including direct marketing), planning, project or service development, quality control and research purposes of AOGWR Vietnam, its related bodies corporate, contractors or service providers;
- To provide your updated personal information to our related bodies corporate, contractors or project providers;
- To update our records and keep your contact details current;
- To process and respond to any complaint made by you;
- To comply with any law, rule, regulation, lawful and binding determination, decision or direction of a regulator, or in co-operation with any governmental authority of any country (or political sub-division of a country).

We also collect information in regard to job applicants, team (staff) members, contractors and volunteers:

- In relation to personal information of job applicants, staff members and contractors, our primary purpose of collection is to assess and (if successful) to engage the applicant, team (staff) member or contractor.
- Where AOGWR Vietnam receives unsolicited job applications these will usually be dealt with in accordance with the unsolicited personal information requirements of the Privacy Act.
- We also obtain personal information about volunteers who assist the organisation in its functions or conduct associated activities, such as to enable the organisation and the volunteers to work together.

Your personal information will not be shared, sold, rented, or disclosed other than as described in this Privacy Policy.

To whom may we disclose your information?

We may disclose your personal information to:

- Our employees, project partners, related bodies corporate, contractors, or service providers for the purposes of operation of our website or our business, fulfilling requests by you, and to otherwise provide products and services to you including, without limitation, web hosting providers, IT systems administrators, mailing houses, couriers, payment processors, data entry service providers, electronic network administrators, debt collectors, and professional advisors such as accountants, solicitors, business advisors and consultants;
- Suppliers and other third parties with whom we have transactional relationships for project delivery and fulfilment and related purposes; and
- Any organisation for any authorised purpose with your express consent.

We may combine or share any information that we collect from you with information collected by any of our related bodies corporate (within Vietnam and Australia as necessary).

Direct marketing materials

We may send you direct marketing communications and information about our products and services that we consider may be of interest to you. These communications may be sent in various forms, including phone call, mail, SMS, fax, and email, in accordance with applicable marketing laws, such as

the Australian Spam Act 2003 (Cth). If you indicate a preference for a method of communication, we will endeavour to use that method whenever practical to do so. In addition, at any time you may opt-out of receiving marketing communications from us by contacting us (see the details below) or by using opt-out facilities provided in the marketing communications and we will then ensure that your name is removed from our mailing list. We do not provide your personal information to other organisations for the purposes of direct marketing.

How can you access and correct your personal information?

You may request access to any personal information we hold about you at any time by contacting us (see the details below). Where we hold information that you are entitled to access, we will try to provide you with suitable means of accessing it (for example, by mailing or emailing it to you). We may charge you a fee to cover our administrative and other reasonable costs in providing the information to you and, if so, the fees will be in VND (or AUD). We will not charge for simply making the request and will not charge for making any corrections to your personal information.

There may be instances where we cannot grant you access to the personal information we hold. For example, we may need to refuse access if granting access would interfere with the privacy of others or if it would result in a breach of confidentiality. If that happens, we will give you written reasons for any refusal.

If you believe that personal information we hold about you is incorrect, incomplete or inaccurate, then you may request us to amend it. We will consider if the information requires amendment. If we do not agree that there are grounds for amendment, then we will add a note to the personal information stating that you disagree with it.

What is the process for complaining about a breach of privacy?

If you believe that your privacy has been breached, please contact us using the contact information below and provide details of the incident so that we can investigate it. Our procedure for investigating and dealing with privacy breaches is the AOGWR Vietnam External Complaints Handling Policy.

Do we disclose your personal information to anyone outside Vietnam or Australia?

- We may disclose personal information to our related bodies corporate and third-party suppliers and service providers located overseas for some of the purposes listed above.
- We take reasonable steps to ensure that the overseas recipients of your personal information do not breach the privacy obligations relating to your personal information.
- We may disclose your personal information to entities located outside of Vietnam, including the following:
 - Our related oversight agency – ACCI and their related bodies corporate;
 - Our data hosting and other IT service providers; and
 - Project partners and government entities as needed.

Security

We take reasonable steps to ensure your personal information is protected from misuse and loss and from unauthorised access, modification, or disclosure. We may hold your information in either electronic or hard copy form. Personal information is destroyed or de-identified when no longer needed. As our website is linked to the internet, and the internet is inherently insecure, we cannot provide any assurance regarding the security of transmission of information you communicate to us online. We also

cannot guarantee that the information you supply will not be intercepted while being transmitted over the internet. Accordingly, any personal information or other information which you transmit to us online is transmitted at your own risk.

Links

Our website may contain links to other websites operated by third parties. We make no representations or warranties in relation to the privacy practices of any third-party website, and we are not responsible for the privacy policies or the content of any third-party website. Third party websites are responsible for informing you about their own privacy practices.

Changes to our Privacy Policy

We may change this Privacy Policy from time to time. Any updated versions of this Privacy Policy will be posted on our website in both English and Vietnamese.

Contacting us

If you have any questions about this Privacy Policy, any concerns, or a complaint regarding the treatment of your privacy or a possible breach of your privacy, please use the contact link on our website or contact our Privacy Officer using the details set out below.

Email: management@aogwr.org

Phone: +84 236 351 9692

Post: 79 – 83 3 Thang 2, Hai Chau District, Da Nang City, Vietnam

We will treat your requests or complaints confidentially. Our representative will contact you within a reasonable time after receipt of your complaint to discuss your concerns and outline options regarding how they may be resolved. We will aim to ensure that your complaint is resolved in a timely and appropriate manner.

6. REVIEWING THE POLICY

AOGWR Vietnam’s Privacy Policy will be **reviewed every three years**. AOGWR Vietnam management (Program Director(s) and/or the Management Team) will manage the review and stakeholders will be consulted during this process.

7. COMMITMENT

I, _____, have read and understood the above AOGWR Vietnam Privacy Policy and agree to adhere to it and the associated procedures in their entirety.

Signed: _____

Date: _____