



| | | | |
|-----------------------|--------------------------------|--------------------------|-------------|
| Document Name | RSPCA WA PRIVACY POLICY | | |
| Document ID: | CE 03 | Version: | 3.0 |
| Date approved: | 3 July 2020 | Next review date: | 3 July 2022 |

1.0 Introduction

RSPCA WA is an animal welfare charity that works with the people of WA to rescue, rehome and rehabilitate animals in need. We investigate complaints of animal cruelty and/or breaches of the *Animal Welfare Act 2002* (WA). We offer education services and information online and via workshops and special projects, and also conduct programs to assist pet owners whose personal circumstances limit their ability to properly care for their pets. We rely on generous donations and community support for over 90% of what it costs to carry out our animal protection work. Less than 10% of our funding is provided by Government.

2.0 Scope

In this Privacy Policy, 'RSPCA WA', 'us', 'we' or 'our' means The Royal Society for the Prevention of Cruelty to Animals, Western Australia.

By providing personal information to us, you consent to us collecting, holding, using and disclosing your personal information in accordance with this policy.

RSPCA WA is committed to handling your personal information in accordance with the *Privacy Act 1988* (Cth) (the Act) and the Australian Privacy Principles (APPs). We are required to comply with applicable Australian privacy laws. There may be circumstances where exemptions under Australian privacy laws apply to RSPCA WA, to ensure we can conduct our law enforcement activities under the *Animal Welfare Act 2002* (WA) and its regulations.

3.0 Purpose

This Privacy Policy tells you how we collect and manage your personal information. We respect your right to privacy and have outlined our commitment to protecting your personal details and privacy below.

4.0 Personal Information

What is personal information?

Personal information means any information or opinions that identify, or can reasonably be used to, identify a person. If the information we collect personally identifies you, or you are reasonably identifiable from it, the information will be considered personal information and be protected in accordance with this policy.

What personal information do we collect and hold?

We may collect the following types of personal information:

- name, age, gender;
- mailing or street address;
- email address;
- telephone number/s;
- any other contact details you wish to provide;
- bank account and / or credit card details;
- driver licence number;
- details about your personal interests and pets;
- profession, occupation or job title;
- details of the products and services you have purchased from us or which you have enquired about, together with any additional information necessary to deliver those products 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, including but not limited to social media activity, through our representatives or otherwise; and
- information you provide to us through customer surveys or online contacts.

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

5.0 Collection of personal information

How do we collect personal information?

We collect your personal information directly from you, where reasonable and practicable. When collecting personal information from you, we may collect it in a variety of ways including:

- through your access and use of our website;
- during conversations between you and our representatives;
- when you complete an application, registration or purchase order; or
- when the law requires.

We may also collect personal information from third parties including:

- law enforcement agencies and other government entities where this is authorised or required by law, and
- marketing agencies from which we may rent lists.

If you give us personal information about your family members or friends, we will accept that information from you on the basis that you have the person's permission to give us that information.

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

If you do not provide us with your personal information, we may not be able to:

- provide you with requested services or products, either to the same standard or at all;
- provide you with information about activities, products and services that may be relevant to you - including information about campaigns, discounts, sales, events or special promotions;
- respond to your queries; or
- tailor the content of our websites to your preferences and your experience of our websites may not be as enjoyable or useful.

Anonymity and pseudonymity

When interacting with us, you may choose to remain anonymous or to use a pseudonym. However, we may elect not to deal with you anonymously or pseudonymously if:

- we are required or authorised under an Australian law, or a court/tribunal order, to deal with identified individuals; or
- it is impracticable for us to deal with you anonymously or through a pseudonym.

In some circumstances, it may not be possible for us to properly provide a service without knowing your identity. This will often be the case where we are providing goods or services, or meeting our obligations under certain laws.

Cookies

We may send cookies, or small pieces of information, to your web browser in order to collect information on your browsing session and how you interact with RSPCA WA's websites. Our cookies do not collect personal information, but may be used for:

- recording preferences that you specify on our websites;
- providing general visitor and customer analytics for internal reference;
- conducting research to improve our content, products and online services;
- assisting with direct marketing, should you opt-in for this service; and
- supporting security measures, such as requiring you to re-login to a site after your account has been inactive for a period of time.

If you do not wish to receive cookies you may disable these in your web browser, however please note that doing so may affect our websites' ability to function properly. See the 'Help' section of your web browser for more information on changing your cookie preferences.

We may log IP addresses (that is, the electronic addresses of computers connected to the internet) to analyse trends, administer our websites, provide relevant content to users, monitor fraudulent activity, and gather broad demographic information.

Email monitoring

If you send us an email, the message content may be monitored by our internet service provider or our employees if email abuse is suspected, or for troubleshooting and maintenance purposes. Email is not a secure communications medium; it should not be used for confidential correspondence.

Online Activity and Social Media

We use Google Analytics to track visits to our websites, and use this information to track the effectiveness of our website, such as the number visits, length of visit, viewed pages

and the technical capabilities of our visitors. While this data is mostly anonymous, sometimes we will connect it to you, for instance in personalising a webpage, or prefilling a form with your details. For more information on our analytics tools, read Google's Privacy Policy.

We also use tools that tell us when a computer or device has visited or accessed our content, and allow us to tailor advertising both on our websites and through advertising networks on other websites based on your visits or behaviour through cookies on your device. You can control how cookies are used and what they are used for through the settings on your web browser. You can also control how your information is used with advertisers through the Network Advertising Initiative, including opting-out from interest-based advertising (<https://www.networkadvertising.org/>).

You can also engage with RSPCA WA through social media, like Facebook, Twitter, Instagram, etc. You can always control how you receive content through your personal preference settings on each of these social media applications. Your personal information may be used in communicating relevant information to you via social media applications, even if you do not follow RSPCA WA and associated businesses on those applications. Please let us know by email (see the "Contact Us" information at the end of this Privacy Policy) if you do not consent to us contacting you via social media applications.

6.0 Using your personal information

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

Generally, we will only use or disclose your personal information for the purpose that it was collected. However, we may use or disclose your personal information for secondary purposes that relate to our activities if we have your consent to do so or we are permitted to do so under the APPs.

We will only collect, hold and use your personal information if it reasonably necessary for us to:

- pursue our objects and purpose;
- perform our functions and activities;
- provide you with products and services;
- manage our relationship with you;
- contact you, for example to respond to your queries or complaints;
- identify and tell you about other products or services that we think may be of interest to you; and
- comply with our legal obligations, including in assisting government and law enforcement agencies.

In particular, we may collect, retain, use and disclose your personal information for a number of reasons, including but not limited to:

- animal intake and care in our shelters;
- animal adoption, veterinary hospital paperwork, foster care, training;
- education, research, advocacy and public campaigns;
- public complaint and inquiry response and referral;
- inspectorate enforcement, investigations and prosecutions in respect of alleged breaches of the *Animal Welfare Act 2002* (WA);

- legal records;
- fundraising, events, donations, receipting, survey's and memberships;
- website improvements;
- legacies, bequests and pet bequests;
- retail sales and marketing; and
- compliance purposes in respect of employment, human resources, occupational, health and safety, volunteering or registered training organisation.

In order to continue to provide and improve these services, products and activities to you as a supporter and/or client, we require your personal information, in particular and otherwise subject to the Act and the APPs:

- to provide relevant news, information, products and services to you and to send communications requested by you;
- to answer enquiries and provide advice about existing and new campaigns, services or products;
- to conduct activities including providing personal information to contractors, service providers or other third parties when necessary;
- for the administrative, marketing, planning, activity or service development, quality control and research purposes of RSPCA WA, its contractors or service providers;
- to update our records and keep your contact details up to date;
- to process and respond to any complaint made by you; and to comply with any law, rule, regulation, lawful and binding determination, decision or direction of a regulator, or in co-operation with any Australian governmental authority.

Direct marketing

We may send you direct marketing communications and information about our products and services that we consider may be of interest to you, but we will not do so if you tell us not to.

These communications may be sent in various forms, including email, short message service (SMS), fax and by post, in accordance with applicable marketing laws. 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 "Contact Us" information at the end of this Privacy Policy), or by using opt-out facilities provided in the marketing communications.

With the exception of those Australian organisations that are members of RSPCA Australia (ACN 163 614 668) and third party service providers engaged by us, we will not provide your personal information to any other organisation for the purpose of direct marketing without your express consent.

Contacting you via telephone

RSPCA WA may contact you via telephone to:

- return telephone enquiries; or
- undertake follow up calls in relation to donations, merchandise purchases, bequests, dog training cruelty complaints and animal adoptions

From time to time, third party service providers engaged by us may contact you on our behalf in order to request donations or offer raffle tickets and RSPCA WA products for fundraising purposes.

If you receive a telephone call and are concerned that the caller is not an official RSPCA WA representative, or is not officially calling on behalf of the RSPCA WA, please do not proceed with the call and do not provide any personal or credit card payment details. Instead, ask for the representative's name and a contact number, and then call the RSPCA WA on 08 9209 9300. You will then be able to verify the telephone number and contact details with our staff.

If you have made a transaction over the phone and believe that you have been the victim of fraud, please report details to Consumer Protection WA on 1300 304 054 and your financial institution.

7.0 Storing your personal information

We store most personal information in computer systems and databases operated by either us or our external service providers. Some personal information is recorded in paper files that we store securely.

We take reasonable steps to implement and maintain processes and security measures that protect personal information which we hold from misuse, interference or loss, and from unauthorised access, modification or disclosure.

We use a number of physical, administrative, personnel and technical measures to protect your personal information. These processes and systems include:

- the use of security - encrypted response forms whenever we ask for your financial details online;
- only holding tokenised records of your credit card details;
- engaging IT consultant partners to continually implement and improve security measures for our data storage systems.

We will also take reasonable steps to destroy or de-identify personal information once we no longer require it for the purposes for which it was collected, subject to our compliance with the APPs or any other law that may require us to avoid taking such steps.

8.0 Disclosing your personal information

Your personal information will not be shared or disclosed other than as described in this Privacy Policy. RSPCA WA undertakes not to sell, rent or trade your personal information to any individual or entity without your consent.

Who can we disclose your information to?

We may disclose your personal information on a confidential basis:

- in the course of normal business practices to our employees, contractors or service providers for the purposes of operation of our supporter and customer services, and to otherwise provide information, products and services to you including, without limitation, charity appointed street and telephone marketers, 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, recruiting and other consultants;
- to local governments and microchip animal registries;

- where it is already publicly available;
- to other Australian organisations that are members of RSPCA Australia (ACN 163 614 668);
- to the Western Australian Police Force and other authorised bodies and persons where it is used in the context of the investigation and prosecution in respect of offences under the *Animal Welfare Act 2002 (WA)* or associated regulations;
- to suppliers and other third parties with whom we have commercial relationships, where this is necessary to provide you with a service or product;
- as indicated at the time you supply information to us;
- to any organisation for any authorised purpose with your express consent;
- where it is required by us to comply with our constitution;
- where we are required or authorised by law to do so; or
- where we are otherwise permitted to disclose the information under the Act.

For employees, volunteers and other persons covered by RSPCA WA employment policy and procedures, personal information may be disclosed on a confidential basis to organisations/agencies including, but not limited to:

- Work Cover;
- the Australian Taxation Office;
- superannuation providers;
- the Australian Skills Quality Authority (ASQA).

Do we disclose your personal information to anyone outside Australia?

We may disclose your personal information to recipients located outside of Australia for processing, storage or back-up purposes.

Those recipients are likely to be located in the European Union (Netherlands) and Japan. RSPCA WA takes reasonable steps to ensure that overseas recipients process, store and otherwise deal with personal information that we provide to it in a manner that complies with the APPs.

9.0 Accessing your personal information

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 'Contact Us' information at the end of this Privacy Policy). We will need to be satisfied that you are the person to whom the personal information relates and we reserve the right to withhold information if we are not satisfied you are the person identified in it or where the exceptions set out in the APPs apply.

We will respond to your requests to access or correct personal information in a reasonable time.

We will take all reasonable steps to ensure that the personal information we hold about you remains accurate, up to date and complete.

There may be instances where we cannot grant you access to the personal information we hold. For example, where:

- granting access would have an unreasonable impact on the privacy of others;
- the information relates to existing or anticipated legal proceedings, and would not be accessible by the process of discovery in those proceedings;
- granting access would reveal our intentions in relation to negotiations with you in such a way as to prejudice those negotiations;
- granting access would be unlawful; and
- granting access would be likely to prejudice the taking of appropriate action in relation to the matter.

If we refuse to give access to personal information in accordance with the APPs, we will provide a written notice setting out:

- the reasons for denying access to personal information (except where it would be unreasonable to provide the reasons);
- the mechanisms available to complain about the refusal; and
- any other matters prescribed by the regulations.

If you believe that personal information we hold about you is incomplete, out-of-date, irrelevant, misleading or inaccurate, then you may request us to amend it. We will consider if the personal information requires amendment having regard to the purposes for which we hold the personal information. If we refuse to amend your personal information, we will add a note to the personal information stating that you informed us that the information is incomplete, out-of-date, irrelevant, misleading or inaccurate.

There is no charge for requesting access to, or making corrections to, your personal information. We may charge you a fee to meet our reasonable costs in providing the information to you. We will notify you of the applicable charges prior to providing you with access to the personal information.

10.0 Complaints

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 Us” information at the end of this Privacy Policy and provide details of the incident so that we can investigate it.

Our procedure for investigating and dealing with privacy breaches is an internal review by the Privacy Officer, who may contact you to seek further information to your initial complaint, if needed. At the conclusion of that review, you will be provided with a written account of the outcome and any measures we propose to take to address defects in our processes.

At any time, if you wish to have the matter considered externally, you may complain in writing to:

The Office of the Australian Information Commissioner
Online: www.oaic.gov.au
Email: enquiries@oaic.gov.au
Post: GPO Box 5218, Sydney NSW 2001
Fax: 02 9284 9666

11.0 Security

We take commercially reasonable steps to comply with the Act and ensure that your personal information is protected from misuse, loss, interference and unauthorised access, modification or disclosure. However, data protection and security measures are never completely secure (particularly for information provided online) and, despite the measures we have put in place, we cannot guarantee the security of your information. Accordingly, any personal information or other information which you provide to us online is provided at your own risk. You must take care to ensure you protect your personal information and you should notify us as soon as possible after you become aware of any security breaches. If you do not wish to provide personal information online, please contact us by phone to provide this information directly to an RSPCA WA representative, or request a form whereby you can provide the information via post.

Links to third party websites

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.

Breach

In the event of a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, RSPCA WA will promptly assess the risk to people's personal information and if appropriate notify affected individuals and report this breach to the Office of the Australian Information Commissioner (OAIC).

12.0 Personal information and our role as an Inspectorate under the *Animal Welfare Act 2002 (WA)*

The RSPCA WA Inspectorate may collect and disclose personal information about individuals in connection with its enforcement activities that relate to the investigation of breaches of the *Animal Welfare Act 2002 (WA)*. Such disclosure will only be made in accordance with relevant laws and to an authorised entity, such as the Western Australian Police Force or any other persons authorised under the *Animal Welfare Act 2002 (WA)*.

Each request to access personal information collected by the RSPCA WA Inspectorate in the course of enforcement related activities will be refused where providing access:

- may have an unreasonable impact on the privacy of other individuals;
- may prejudice one or more of the enforcement activities undertaken by the Inspectorate; or
- would be contrary to law.

To the extent of any inconsistency with another part of this Privacy Statement the provisions of this Clause 12 apply.

13.0 Contact Us

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

We will treat your inquiry or complaint confidentially. Our representative will contact you within a reasonable time after receipt of your inquiry or complaint to discuss the matter. We will aim to ensure that your inquiry or complaint is addressed in timely and appropriate manner.

Contact Us:

Privacy Officer, RSPCA WA
Post: PO Box 3147 MALAGA WA 6945
Phone: 08 9209 9300
Email: privacy@rspcawa.asn.au

14.0 Changes to our privacy policy

RSPCA WA may change or update this Privacy Policy from time to time. Any updated versions of this Privacy Policy will be published on our website.

This Privacy Policy was last updated on 3 July 2020.