



Privacy Policy

The Men's Advisory Network (MAN) Inc. will collect, manage, use and disclose personal information of consumers and staff in accordance with the Privacy Amendment (Private Sector) Act 2000.

The Privacy Act incorporates the National Privacy Principles that underpin the Act.

This policy sets out the Principles that MAN has adopted in order to protect information about individuals.

Principle 1 – Collection

MAN will only collect personal information that is necessary for one or more of its legitimate functions or activities.

MAN will only collect personal information by lawful and fair means not in an unreasonably intrusive way.

At or before the time MAN collects personal information (or, if that is not practicable, as soon as practicable thereafter), MAN will take reasonable steps to ensure that the individual providing the information is aware of:

- (a) MAN's identity and how to contact it;
- (b) the fact he or she is able to gain access to the information;
- (c) the purposes for which the information is collected;
- (d) to whom (or the types of individuals or organisations to which) MAN intends to or usually discloses information of this kind;
- (e) any law that requires the particular information to be collected; and
- (f) the main consequences (if any) for the individual if all or part of the information is not provided.

Where it is reasonable and practicable to do so, MAN will collect personal information directly from the individual.

Where MAN collects personal information from a third party, MAN will take reasonable steps to ensure that the individual is or has been made aware of the matters listed from (a) to (f) above.

Principle 2 – Use and Disclosure

MAN will only use and disclose personal information about an individual for a purpose other than the primary purpose of collection (a secondary purpose) if:

- (a) both of the following apply :
 - (i) the secondary purpose is related to the primary purpose of collection, and if the personal information is sensitive information, directly related to the primary purpose of collection; and
 - (ii) the individual would reasonably expect MAN to use the information for the secondary purpose.
- (b) the individual has consented to the use, or disclosure; or
- (c) MAN uses or discloses personal information for the purpose of direct marketing not associated with the original purpose of collection; and
 - (i) it is impracticable for MAN to seek the individual's consent before using the information; and
 - (ii) MAN gives the individual the express opportunity at the time of the first contact, and thereafter upon request, and at no cost, to decline to receive any further direct marketing communications and the individual has consented; or
- (d) MAN reasonably believes the use or disclosure is necessary for research, or the compilation or analysis of statistics, relevant to public health or safety; or
- (e) MAN reasonably believes that the use or disclosure is necessary to lessen or prevent a serious and imminent threat to the individual's life or health; or
- (f) MAN has reason to suspect that unlawful activity has been, is being or may be engaged in, and uses or discloses the personal information as a necessary part of its investigation of the matter or in reporting its concerns to relevant person or authorities; or
- (g) the use or disclosure is required or specifically authorised by law; or
- (h) the use or disclosure is reasonably necessary for the enforcement of the criminal law, a law imposing a pecuniary penalty, or for the protection of the public revenue.

Principle 3 – Data Quality

MAN will take reasonable steps to make sure that the personal information it collects, uses or discloses is accurate, complete and up to date as far as is practicable.

Principle 4 – Data Security

MAN will take reasonable steps to protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure.

MAN will take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for any purpose.

Principle 5 – Openness

MAN will have clearly expressed policies on its management of personal information and these will continue to be readily available.

MAN will take reasonable steps to let individuals know, generally, what sort of personal information it holds, for what purposes and how it collects, uses and discloses that information.

Principle 6 – Access and Correction

Where MAN holds personal information about an individual, it will provide the individual with access to the information on request, in a form or manner suitable to the individual's reasonable needs, except to the extent that:

- (a) providing access would pose a serious and imminent threat to the life or health of any individual; or
- (b) providing access would have an unreasonable impact upon the privacy of other individuals; or
- (c) the request for information is frivolous or vexatious; or
- (d) the information relates to existing legal dispute resolution proceedings between MAN and the individual, and the information would not be accessible by the process of discovery in those proceedings; or
- (e) providing access would reveal the intentions of MAN in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
- (f) providing access would be unlawful; or
- (g) denying access is specifically authorised by law; or
- (h) providing access would be likely prejudice an investigation of possible unlawful activity; or

- (i) providing access would be likely to prejudice:
 - (i) the prevention, detection, investigation, prosecution or punishment of
 - criminal offences; or
 - breaches of a law imposing a penalty or sanction.
 - (ii) the enforcement of laws relating to the confiscation of the proceeds of crime;
 - (iii) the protection of the public revenue;
 - (iv) the prevention, detection, investigation or remedying of seriously improper conduct; or
 - (v) preparation for, or conduct of, proceedings before any court, or tribunal, or implementation of its orders by or on behalf of an enforcement agency; or;
- (j) an enforcement agency performing a lawful national security function asks MAN to not provide access on the basis that providing access would be likely to cause damage to the national security of Australia.

Where providing information would reveal evaluative information generated within MAN in connection with a commercially sensitive decision-making process, MAN may give the individual an explanation for the decision rather than direct access to the information.

If MAN has given an individual such an explanation and the individual believes that direct access to the evaluative information is necessary to provide a reasonable explanation of the reasons for the decision. Personnel will undertake the review other than the original decision maker.

Wherever direct access by the individual is impractical or inappropriate, MAN and the individual should consider whether the use of mutually agreed intermediaries would allow sufficient access to meet the needs of both parties.

If MAN levies charges for providing access to personal information, those charges

- (a) will not be excessive; and
- (b) will not apply to lodging a request for access.

If MAN holds personal information about an individual and the individual is able to establish that the information is not accurate, complete and up to date, MAN will take reasonable steps to correct the information so that it is accurate, complete and up to date.

If the individual and MAN disagree whether the information is accurate, complete and up to date, and the individual asks MAN to associate with the information a statement claiming that the information is not accurate, complete or up to date, MAN will take reasonable steps to do so

MAN will provide reasons for denial of access or correction.

Principle 7 – Identifiers

MAN will not adopt as its own identifier one that has been assigned by a government agency (or by an agent of, or contractor to, government agency acting in its capacity as agent or contractor).

Principle 8 – Anonymity

Whenever it is lawful and practicable, individuals will have the option of not identifying themselves when dealing with MAN.

Principle 9 – Transborder Data Flows

MAN will not transfer personal data outside Australia unless:

- (a) MAN reasonably believes that the recipient of the information is subject to a statute, binding scheme or contract which effectively upholds principles for fair information handling that are substantially similar to these rules; or
- (b) the individual concerned consents to the transfer; or
- (c) the transfer is necessary for the performance of a contract between the individual concerned and MAN, or the implementation of pre-contractual measures taken in respect of the individual's request; or
- (d) the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the individual concerned between MAN and a third party; or
- (e) the transfer is for the benefit of the individual concerned; and
 - (i) it is not practicable to obtain the consent of the individual to that transfer; and
 - (ii) if it were practicable to obtain such consent, the individual would give it; or
- (f) MAN has taken reasonable steps to ensure that the information, which it has transferred, will not be collected, held, used or disclosed by the recipient of the information inconsistently with these rules.

Principle 10 – Sensitive Information

MAN will not collect sensitive information about an individual unless:

- (a) the individual has consented; or
- (b) the collection is required by law; or
- (c) the 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:
 - (i) is physically or legally incapable of giving consent to the collection;
or
 - (ii) physically cannot communicate consent to the collection; or
- (d) if the information is collected in the course of the activities of a non-profit organisation – the following conditions are satisfied:
 - (i) the information relates solely to the members of the organisation or to individuals who have regular contact with it in connection with its activities;
 - (ii) at or before the time of collecting the information, the organisation undertakes to the individual whom the information concerns that the organisation will not disclose the information without the individual's consent; or
- (e) the collection is necessary for the establishment, exercise or defence of a legal or equitable claim.

MAN will collect health information about an individual only if:

- (a) the information is necessary to provide a health service to the individual; and
- (b) the information is collected:
 - (i) as required by law (other than this Act); or
 - (ii) in accordance with rules established by competent health or medical bodies that deal with obligations of professional confidentiality which bind the organisation
- (c) the collection is necessary for:
 - (i) research relevant to public health or public safety;
 - (ii) the compilation or analysis of statistics relevant to public health or public safety;
 - (iii) the management, funding or monitoring of a health service; and

- (d) the collection of information does not identify the individual or from which the individual's identity cannot be reasonably be ascertained; and
- (e) it is impracticable for the organisation to seek the individual's consent to the collection.

Adopted by the Committee of Management at its meeting held on 23 June 2005.