

## PRIVACY AND CONFIDENTIALITY POLICY

<b>Policy category</b>	Probity	<b>Group Application</b>	BHC
<b>Drafted by</b>	Risk & Compliance Manager	<b>Version</b>	V3.0
<b>Delegated updates</b>	COO	<b>Last approved</b>	April 2025
<b>Responsible person</b>	CEO	<b>Scheduled review date</b>	April 2028

### Purpose

The purpose of this policy is to ensure Brisbane Housing Company Limited and each of its related entities (each **BHC**) comply with legislative requirements in accordance with the *Privacy Act 1988* (Cth) (**Privacy Act**) and any other relevant privacy legislation or code governing the way in which BHC manages personal information.

This policy is to be read in conjunction with the BHC Information Management Policy and Privacy and Information Management Procedure.

### Application

This policy applies to all:

- Workers and directors of BHC;
- Applicants, tenants/residents and owners/investors/prospective buyers (**clients**) across all BHC portfolios; and
- All service providers, visitors, associates and partners (**relevant stakeholders**).

### Principles

BHC is committed to ensuring that privacy and confidentiality are respected and upheld in matters relating to BHC.

BHC acknowledges an individual's right to privacy and will ensure that the collection, storage, use and disclosure of personal and organisational information is managed in a safe, secure, ethical and responsible manner in accordance with the Privacy Act.

BHC acknowledges that pursuant to the Privacy Act, individuals have a right to know how their information and privacy is managed by BHC and to be provided with information on how to make a complaint about a possible breach of privacy.

### Roles and Responsibilities

Role	Responsibility
<b>Directors</b>	Directors have a duty to: <ul style="list-style-type: none"> <li>• Take steps to ensure appropriate privacy and confidentiality policies, procedures and effective internal controls are in place;</li> <li>• Ensure that BHC observes all relevant laws and regulations relating to privacy and confidentiality and are aware of risks associated with non-compliance; and</li> <li>• Monitor, implement and review this policy.</li> </ul>

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Role	Responsibility
<b>Chief Executive Officer (CEO)</b>	<p>The CEO has an obligation to:</p> <ul style="list-style-type: none"> <li>• Ensure that BHC observes all relevant laws and regulations relating to privacy and confidentiality and is aware of risks associated with non-compliance;</li> <li>• Provide advice and escalate privacy risks to the Board and the Audit and Risk Committee (<b>ARC</b>);</li> <li>• Approve required reports to external authorities; and</li> <li>• Monitor, implement and review this policy.</li> </ul>
<b>Executive Team &amp; Senior Managers</b>	<p>The Executive Team and Senior Managers have an obligation to:</p> <ul style="list-style-type: none"> <li>• Ensure that BHC observes all relevant laws and regulations relating to privacy and confidentiality and are aware of risks associated with non-compliance;</li> <li>• Provide advice and escalate privacy risks to the CEO;</li> <li>• Oversee the operation of this policy and facilitate relevant training within their program areas;</li> <li>• Contribute to comprehensive risk assessment and risk management regarding privacy and confidentiality protocols; and</li> <li>• Approve/deny requests for access to personal information held by BHC.</li> </ul>
<b>Workers &amp; Directors</b>	<p>All workers and directors have an obligation to:</p> <ul style="list-style-type: none"> <li>• Read and understand this policy and any associated policies and procedures;</li> <li>• Commit to the protection of BHC information and take appropriate measures to avoid a breach of confidence; and</li> <li>• Apply this policy within their areas of activity and responsibility.</li> </ul>

### Definitions

In this policy, the following words have the following meanings:

**Board** means the appointed directors of a BHC Company or those of them who are present at a meeting of the Directors at which there is a quorum.

**Confidentiality** applies to information given to a person or organisation under an obligation not to disclose that information to others unless there is a statutory requirement or duty of care obligation to do so, or informed consent has been provided. Confidentiality also applies to organisational information which is not to be used or disclosed to others without the proper authorisation.

**Director** means a person appointed to the office of director of a BHC Company and includes any alternative director duly appointed and acting as a director.

**Personal information** has the meaning given under the Privacy Act, being: information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not and whether the information or opinion is recorded in a material form or not.

**Privacy Act** means the *Privacy Act 1988* (Cth).

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**Privacy** refers to keeping certain personal information free from public knowledge and attention and to having control over its disclosure and use.

**Sensitive information** has the meaning given under the Privacy Act, being:

- a) information or an opinion about an individual's:
  - i. racial or ethnic origin; or
  - ii. political opinions; or
  - iii. membership of a political association; or
  - iv. religious beliefs or affiliations; or
  - v. philosophical beliefs; or
  - vi. membership of a professional or trade association; or
  - vii. membership of a trade union; or
  - viii. sexual orientation or practices; or
  - ix. criminal record;

that is also personal information; or

- b) health information about an individual; or
- c) genetic information about an individual that is not otherwise health information; or
- d) biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or
- e) biometric templates.

**Service Provider** means an independent sole trader or legal entity that provides goods and services. Service providers are typically suppliers or vendors such as contractors or consultants who are engaged to perform specific tasks or provide specialised services.

**Staff member** or **Staff** means an employee or a volunteer of BHC.

**Worker** means an employee, a volunteer or a contractor caretaker of BHC.

### Policy

As a minimum, BHC will collect, store, use and disclose personal information in accordance with the Australian Privacy Principles (**APPs**) contained in the Privacy Act. BHC will also uphold the Information Privacy Principles (**IPPs**) contained in the *Information Privacy Act 2009* (Qld) when delivering services on behalf of the Queensland Government or otherwise required by the Queensland Government to do so in a particular context.

In accordance with BHC's Information Management Policy and Data Retention Guidelines, BHC will only collect the minimum amount of data possible and hold it for the shortest time possible to reduce the risk of data breaches for our clients, workers and other stakeholders.

BHC's external facing Privacy and Confidentiality Policy will be made available on BHC's website at [www.bhcl.com.au](http://www.bhcl.com.au).

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## 1. Collection of Personal Information

BHC will only collect and hold personal information (information that can identify an individual) for the purposes that are directly related or reasonably necessary to the functions or activities of the organisation and to provide applicants, tenants/residents and clients with the housing services that they are seeking. BHC will collect personal information in a fair, lawful and non-intrusive way.

### 1.1 Types of Information Collected

The kinds of personal information BHC typically collects includes:

- name
- address
- bank account details
- gender
- phone number
- signature
- date of birth
- email address
- photograph, video image or picture of a person

BHC collects and solicits personal information from applicants, tenants/residents and members of tenants/residents' households, job applicants, staff, directors, officeholders and other relevant stakeholders. BHC also collects solicited information from investors, property owners and prospective buyers.

BHC may also collect and hold sensitive information about an individual, including their health status, racial or ethnic origin or criminal record. Except as otherwise permitted by law, we only collect sensitive information about individuals if such individuals consent to the collection of the information and if the information is reasonably necessary for the performance of our functions, as set out above.

To the extent that consent has been provided for the collection of sensitive information, BHC will keep a record of how that consent has been obtained.

### 1.2 Method of Collection

BHC will collect personal information directly from an individual using any of its standard forms, over the internet, from third parties, through its security camera footage, via email or through a telephone conversation with the individual.

In some circumstances, where it is unreasonable or impractical, BHC may need to collect personal information from third parties (such as referring agencies, service providers, etc.) to enable service provision or to carry out a required activity. Indirect collection of an individual's personal information will only occur where the individual might reasonably expect it. We will usually notify the individual about these instances in advance, or where that is not possible, as soon as reasonably practicable after the information has been collected.

### 1.3 Purpose of Collection

The personal information that BHC collects and holds about an individual, depends on their interaction with the organisation. Generally, BHC will collect, use and hold personal information about someone if it is reasonably necessary for or directly related to the performance of its functions and activities and for the purposes of:

- Providing housing services to an individual or someone else they know;
- Responding to enquiries in relation to housing services;
- Facilitating internal business operations, including the fulfilment of any legal requirements;

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- Surveillance of premises to ensure the safety of tenants, visitors, workers and other relevant stakeholders;
- Improving delivery of housing services; and/or
- Promoting services that BHC provides.

### 1.4 Failure to Provide Information

If the personal information an individual provides is incomplete or inaccurate, BHC may be unable to provide them or someone else they know, with the services they are seeking.

### 1.5 Internet Users

If an individual accesses a BHC website, additional personal information about them in the form of an IP address and domain name may be collected.

BHC's websites may contain links to other websites. BHC is not responsible for the privacy practices of linked websites and linked websites are not subject to BHC's Privacy and Confidentiality Policy and related procedures.

BHC's websites use cookies. The main purpose of cookies is to identify users and to prepare customised web pages for them. Cookies do not identify an individual personally, but they may link back to a database record about them. BHC uses cookies to monitor usage of its websites and to create a personal record of when an individual visits its websites and what pages they view so that BHC may serve them more effectively.

If an individual contacts us directly via our contact form, we collect their IP address for reply purposes.

## 2. Use and Disclosure

Generally, BHC will only use or disclose information for the purpose it was collected, as set out above.

Subject to that constraint, BHC may disclose personal information it collects to various entities, including:

- Third party service providers which assist BHC in its business activities. (Some service providers might not be required to comply with BHC's Privacy and Confidentiality Policy. For example, BHC may pass on an individual's contact details to a maintenance contractor so they can arrange a time with a resident to make a repair. However, BHC will not pass on contact details to a support service without the individual's consent);
- Related entities, to facilitate internal business processes; and
- Undertaking of statistical reporting.

## 3. Overseas Disclosures

BHC is unlikely to disclose personal information to overseas parties. However, in the unlikely event that BHC knowingly discloses personal information overseas, such as storing information with a "cloud service provider" which stores data outside of Australia, it will only do so in accordance with the APPs. This means BHC will take reasonable steps to ensure the information is kept secure and the overseas recipient complies with the APPs or is subject to a law or binding scheme which provides similar protection as the APPs. In such instances BHC will obtain the consent of the individual (in some cases this consent will be implied).

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### 4. Direct Marketing

BHC will not use an individual's personal information for direct marketing, unless their personal information has been collected directly from them and they would reasonably expect it to be used for the purpose of direct marketing (for example, they have previously engaged our services and we contact them to provide them with information about BHC's other products and services (e.g. Elevate and Arbor promotional material, The Bugle newsletter, etc.).

Individuals can opt out of direct marketing communications at any time by using the unsubscribe option available or by contacting BHC directly through the following channels:

Online Form	Available at <a href="http://www.bhcl.com.au">www.bhcl.com.au</a>
Post	Attention: Feedback GPO BOX 544 Brisbane QLD 4001
Email	<a href="mailto:feedback@bhcl.com.au">feedback@bhcl.com.au</a>
Telephone	(07) 3307 3000 – member of staff to advise caller of options to submit written opt out request

### 5. Access and Correction

Individuals may access the personal information BHC holds about them, upon making a written request. BHC will respond to requests within a reasonable period. BHC may charge a reasonable fee for processing such requests (but not for making the request for access).

There may be circumstances when BHC will refuse or decline these requests (refer to APP 12.3 for exceptions to access). If refused, BHC will provide a written notice that sets out the reasons for the refusal (unless it would be unreasonable to provide those reasons), including details of the mechanisms available to make a complaint.

If an individual upon accessing their personal information, or at any other time, advises BHC that the personal information is inaccurate, incomplete or out of date, BHC will take reasonable steps to correct the information so that it is accurate, complete and up to date.

If BHC refuses to correct an individual's personal information, it will provide a written notice that sets out the reasons for its refusal (unless it would be unreasonable to provide those reasons), including details of the mechanisms available to make a complaint.

### 6. Data Security

BHC stores personal information in different ways, including in paper and in electronic form. BHC will take all reasonable measures to ensure that personal information is stored safely and securely to protect it from misuse, loss, unauthorised access, modification, or disclosure, including electronic and physical security measures (refer to BHC Information Management Policy).

Only BHC officers or employees with a relevant job or service responsibility to access personal information will be allowed such access. Personal information will not be generally accessible by all BHC staff.



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### 7. Accidental or Unauthorised Disclosure

BHC will take seriously and deal promptly with any accidental or unauthorised disclosure of personal information.

BHC is subject to the Notifiable Data Breaches Scheme (**NDB Scheme**) under the Privacy Act and will act in accordance with the requirements of the NDB Scheme and the guidance of the federal Office of the Australian Information Commissioner (**OAIC**) in assessing and responding to suspected notifiable data breaches. Where a breach of personal information is assessed to have the potential to cause serious harm to any individuals whose information was involved, BHC will notify the OAIC and affected individuals. BHC will review all data breach incidents and implement actions to endeavour to prevent future breaches.

### 8. Anonymity

Wherever reasonably practicable and lawful to do so, BHC will allow individuals to engage with the organisation on an anonymous basis.

### 9. Sensitive Information

As mentioned in section 1, BHC may collect and hold sensitive information. BHC will ensure sensitive information will not be collected unless:

- Prior consent is given by the individual;
- It is required by law; or
- It relates to the provision of housing and health services, or if it determines that it is reasonable and desirable to do so (for example in the interests of a relevant individual for health and safety reasons or to assist BHC to understand the needs of its tenant base, i.e. surveys).

For more details regarding the collection and handling of sensitive information, including how it aligns with legal requirements please refer to section 1 of this policy.

### 10. Complaints and Feedback

If an individual or organisation has a complaint about any privacy matters with BHC, the complaint will be dealt with through BHC's Complaints and Feedback Policy and reviewed where necessary by the CEO. Please contact BHC using the details below. All reasonable steps will be taken to investigate the complaint and provide a timely response.

If the individual/organisation is not satisfied with the BHC response, BHC will advise the individual/organisation that they may refer their complaint to the OAIC. The contact details for the OAIC can be found via its website located at [www.oiac.gov.au](http://www.oiac.gov.au), to obtain the relevant complaint forms, or contact the Information Commissioner's office.

All queries or concerns about this policy or the way BHC handles personal information are to be directed to the BHC Privacy Officer at:

Street address: Level 17, 333 Ann Street, Brisbane City, QLD, 4000

Email address: [feedback@bhcl.com.au](mailto:feedback@bhcl.com.au)

Telephone: (07) 3307 3000

Facsimile: (07) 3839 2000

Website: <https://bhcl.com.au>

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### 11. Government Service Agreements

Where BHC has entered into a service agreement with a government agency, BHC will comply with any additional privacy obligations stipulated in the service agreement (i.e. this may include restrictions on transferring personal information outside of Australia, right to information obligations and specified data retention timeframes).

### 12. Video Surveillance Protocols

Some BHC properties are equipped with Closed Circuit Television (**CCTV**) cameras. These devices are used to monitor safety and accessibility, as well as to deter (and capture evidence of) unlawful behaviour.

BHC will ensure CCTV system/s under its management are installed and operated ethically and in accordance with the *Privacy Act 1988* (Cth) and *Information Privacy Act 2009* (Qld). Video surveillance equipment will be accompanied by appropriate signage and will not be used to monitor areas where people would have a higher expectation of privacy (e.g. public and staff bathrooms or individual units within residential buildings). BHC does not engage in covert surveillance.

Video surveillance footage:

- May only be viewed by an authorised worker of BHC (i.e. relevant Housing Manager, Facilities Manager, Caretaker, or other relevant Senior Manager); and
- May not be duplicated, copied, stored on personal devices or supplied to another individual/organisation/internet site (including the media) without the express permission of the General Manager – Operations (for residential buildings) or the COO or CEO (for BHC Head Office).

Where appropriate or where required by law, video surveillance footage will be provided to the Queensland Police Service (**QPS**). Requests from QPS should be referred to the General Manager – Operations (residential buildings) or the COO or CEO (BHC Head Office). Storage and disposal of video surveillance footage is managed in accordance with this policy and BHC's Information Management Policy.

### 13. Automated Decision-Making

Should products be created with the use of Advanced AI, BHC will:

- Develop and disclose them in line with a Transparency Statement (to be made available on the BHC website); and
- Will implement suitable measures to safeguard an individual's personal and sensitive information, rights and freedoms and legitimate interests.

BHC will ensure BHC end-users are informed whenever they interact directly with advanced AI tools or when AI tools operate autonomously without human intervention (i.e. chatbots). Refer to BHC Responsible Use of Advanced AI Policy for further details.

### 14. Destruction of Information

BHC aims to keep as little information for as little time as possible.

Personal information will be destroyed in a timely and appropriate manner in accordance with the relevant minimum retention requirements provided in BHC's Data Retention Guidelines (e.g. records relating to taxation matters are to be kept for a minimum of 5 years, employee service history records



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are to be kept for a minimum of 7 years after the date of separation, notifiable work health and safety incidents are to be kept for 80 years). Record retention requirements stipulated in contractual agreements take precedence over BHC's Data Retention Guidelines.

Where personal information is provided to BHC that is not required by BHC to meet its obligations and perform its duties under relevant legislation and funding agreements, this information will be deidentified and destroyed in a timely and appropriate manner (provided it is lawful and reasonable to do so).

### 15. Non-compliance with this Policy

Disciplinary action, up to and including termination of employment, may be taken against any staff member who is found to have breached this policy (refer to BHC Employee Discipline, Conduct and Performance Management Policy).

Allegations involving contractor caretakers will be performance managed by the Assets Team and may result in termination of services.

Where an allegation involves the CEO or a BHC director, appropriate action for the circumstances will be taken.

### Review

The Privacy and Confidentiality Policy and its related documents are reviewed periodically.

### Related Documents, Policies & Procedures

- Anti-Discrimination Policy
- Australian Privacy Principles (APPs)
- BHC Privacy Collection Statement
- Code of Conduct
- Code of Conduct for BHC Contractors
- Complaints and Feedback Policy
- Conflicts of Interest Policy
- Cyber Security Policy
- Data Retention Guidelines
- Incident Management Policy
- Information Management Policy
- *Information Privacy Act 2009* (Qld)
- Information Privacy Principles (IPPs)
- *Privacy Act 1988* (Cth)
- Privacy and Information Management Procedure
- Responsible Use of Advanced AI Policy
- Retirement Villages Complaints and Feedback Policy
- Risk Management Policy
- SDA Incident Management Policy
- Whistleblowing Policy

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### DOCUMENT CHANGE HISTORY

Version Number	Approved by	Date	Description of Change
1.0	Board	February 2014	New policy.
2.0	Board	May 2021	Significant update – comprehensive review completed. Strengthened alignment with APPs re. collection, use and disclosure of personal information, sensitive information and destruction of information. New sections included for direct marketing, accidental or unauthorised disclosure, overseas disclosure and government service agreements. Policy format updated.
3.0	Board	April 2025	Significant update (incl. external review by McCullough Robertson to ensure alignment with Privacy Act and APPs). Expanded definitions (in general) and specifically for 'Director' and 'Board' to ensure appropriate coverage for the Special Purpose Vehicle (SPV). Added roles and responsibilities. Alignment with Information Management Policy. Added Internet Users (Section 1.5), Video Surveillance Protocols (Section 12) and Automated Decision-Making (Section 13). Updated template and general formatting.