P16 Privacy Policy

24 November 2026

cancercouncil.com.au

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1. Introduction

1.1 Cancer Council NSW (Cancer Council) recognises that respecting and protecting individuals' privacy is fundamental to maintaining the trust and confidence of the people and communities we serve, our supporters, and others with whom we work and engage.

1.2 Cancer Council is committed to protecting Personal Information, and to managing privacy in accordance with applicable privacy laws.

1.3 Cancer Council is an "APP entity" under the *Privacy Act* 1998 (Cth) and is bound by the Australian Privacy Principles (APPs). Cancer Council is also subject to the *Health Records and Information Privacy Act 2002* (NSW) in relation to its handling of health information.

1.4 This policy sets out Cancer Council's approach to privacy and the management of Personal Information, including how it is collected, used, disclosed and protected. It also explains how to access or request correction of your Personal Information and raise a privacy related query or concern.

2. Application of Policy

2.1 **General Application**

(a) This policy applies to Personal Information handled by Cancer Council in connection with its functions and activities.

2.2 **Cancer Connect**

(a) This policy does not apply to Personal Information handled through Cancer Connect, a national telephone and digital information, support and referral service for individuals impacted by cancer in Australia that Cancer Council delivers in collaboration with Cancer Council Australia (CCA) and the other State and Territory Cancer Councils. A separate Cancer Connect Privacy Policy applies to Personal Information handled through that service.

(b) If Cancer Connect makes a referral to Cancer Council for local support, the Personal Information associated with that referral will be handled in accordance with this Policy.

2.3 **Employee Records**

(a) The Privacy Act contains an exemption for certain Employee Records relating to current and former employees. Where that exemption applies, some of the requirements described in this policy may not apply.

2.4 **Research**

(a) Where Cancer Council collects, uses or discloses Personal Information, including health information, in connection with research it will do so in accordance with applicable privacy laws. Where a research study has been approved by a Human Research Ethics Committee, Cancer Council will also handle Personal Information in accordance with the requirements of the relevant ethics approval, including any specific requirements relating to its collection, use, disclosure or overseas disclosure.

3. Review of Policy

3.1 This policy was last updated on 24 November 2026 and replaces all other versions of this policy. It may be amended from time to time to meet the ongoing needs of the organisation and will be reviewed no less than once every two years.

4. Definitions

4.1 In this policy:

APP means an Australian Privacy Principle, as set out in the Privacy Act.

Cancer Council means Cancer Council NSW.

Client means an individual who seeks, is assessed for, is offered or receives cancer information, support, referral or other client services from Cancer Council.

Cross Border Disclosure means the Disclosure of Personal Information by Cancer Council to an overseas recipient.

Disclosure means making Personal Information accessible to a person or entity outside Cancer Council and releasing the subsequent handling of Personal Information from its effective control.

Employee Record has the same meaning as in the Privacy Act.

Government-related identifier has the same meaning as in the Privacy Act.

Health Records Act means the *Health Records and Information Privacy Act 2002* (NSW).

Personal Information has the same meaning as in the Privacy Act.

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

Sensitive information has the same meaning as in the Privacy Act.

Use means Cancer Council accessing, handling or otherwise using Personal Information within its effective control.

Worker means any person Cancer Council employs or engages, including paid employees, volunteers, contractors, consultants, student and intern placements.

5. Compliance with the Privacy Act and APPs

5.1 Cancer Council takes reasonable steps to comply with its obligations under the Privacy Act including through this policy, supporting data management and information security procedures, appropriate training and its Data Breach Response Plan.

5.2 Cancer Council periodically reviews these measures to support ongoing compliance and actively maintains processes for managing privacy.

6. Collection of Personal Information

6.1 **General principle**

(a) Cancer Council will only collect Personal Information about you where the collection is reasonably necessary for one or more of Cancer Council's functions or activities. Where Cancer Council can perform a function or activity without collecting certain personal information, then it will not collect that personal information. For example, if only your name and phone number are needed, then other identifying information, such as your address or date of birth will not be collected.

6.2 **Anonymity**

(a) Where practicable, you will be given the opportunity to engage with Cancer Council on an anonymous basis or use a pseudonym or alias.

(b) If you ask not to be identified, and Cancer Council does not need your Personal Information to engage with you or to provide you with a service or support, Personal Information will not be collected.

6.3 Consequences of not providing Personal Information

(a) If you choose not to provide us with some or all of your Personal Information, Cancer Council may not be able to provide you with services, communicate with you, or otherwise carry out functions and activities in relation to you.

6.4 Types of information collected

(a) Cancer Council collects Personal Information from people who are connected to its functions and activities, including donors and supporters, customers, event participants, research participants, Clients, participants in advocacy campaigns or health promotion activities, health professionals, suppliers, service providers, Workers and people who apply to work or volunteer with Cancer Council.

(b) Cancer Council collects different types of Personal Information, depending on how you interact with us. This may include:

- your identity and contact details, such as your name, address, email address and telephone number;
- demographic information, such as your date of birth, sex, gender and preferred language;
- your employment or professional information, such as your job title, qualifications, training and skills;
- information about your interactions with Cancer Council, such as services or support you seek or receive, events or programs you participate in, and enquiries you make;
- transaction and donation information, such as information about purchases, donations, payments and billing;
- information you provide to us, including through surveys, questionnaires, research or other activities; and
- account information associated with accounts you establish with Cancer Council.

(c) Cancer Council may also collect Sensitive Information from you, including

- information about your health such as your current cancer diagnosis, past diagnoses, and treatment;
- information about your ethnicity;
- whether you identify as Aboriginal and/or Torres Strait Islander; and
- information about your sexual orientation or gender identity.

(d) Cancer Council may also collect or receive confidential information (such as financial information or usernames and passwords) about you in connection with its functions and activities. Where confidential information also contains Personal Information, Cancer Council will handle that Personal Information in accordance with this policy.

6.5 Government-related identifiers

(a) A Government-related identifier is typically used to verify that an individual has truthfully identified themselves or a fact about themselves, for example, that they hold a valid driver's license or working with children check clearance.

(b) Cancer Council will not collect Government-related identifier information from you unless it is reasonably necessary to collect that information to accurately identify you, for example for employment purposes.

(c) If it is necessary to verify your identity using a Government-related identifier, then wherever possible, this will be done without collecting a copy of that information. For example, your Government-related identifier may be sighted by a Cancer Council Worker in order to establish your identity or that the relevant fact about you is accurate, without taking a copy or recording any details of the Government-related identifier.

(d) If it is not reasonable or practicable to only sight a Government-related identifier, then it may be reasonable to collect a copy of it. For example, where Cancer Council is assisting you with an application for access to a government service requiring verification of identity.

(e) If Government-related identifier information is collected in accordance with this policy, or if it is received on an unsolicited basis, it will be destroyed as soon as possible after your identity has been established.

6.6 Collection method

(a) Cancer Council will generally collect Personal Information directly from you, unless it is impractical or unreasonable to do so, or you have consented to your Personal Information being disclosed to Cancer Council from third parties.

(b) Third parties may include contractors, service providers, vendors, health professionals, government agencies, social and community workers, referees, family members or your representatives.

(c) Where your Personal Information is collected from a third party, Cancer Council will take reasonable steps to ensure that you are aware of the collection as required by law.

6.7 Unsolicited Personal Information

(a) Where you provide Personal Information that has not been requested by Cancer Council and that could not have been lawfully collected if it had been solicited by Cancer Council, it will be destroyed as soon as is reasonably practicable.

(b) Information that could have been lawfully obtained if it had been solicited by Cancer Council will be managed in accordance with this policy.

6.8 Website usage information, cookies and tracking technologies

(a) When you access Cancer Council's websites or other digital services, Cancer Council may use cookies, tracking pixels, analytics tools and similar technologies to collect information about your use of those services. The information collected may include your IP address, device and browser information, the pages you visit, how you reached those pages, your interactions with website content, and the time and duration of your visit. Depending on the circumstances, information about your use of Cancer Council's websites or other digital services may be Personal Information.

(b) Cancer Council may use this information to operate and improve its websites and digital services, understand how they are used, measure the effectiveness of communications and campaigns, create audiences for advertising purposes and improve its marketing and fundraising activities.

(c) Some of these technologies are provided by third-party analytics, advertising and social media platforms. Information collected through these technologies may be disclosed to those platforms and combined with other information they hold. Depending on the platform and technology involved, this may enable an individual to be identified or profiled and may be used for purposes such as targeted advertising or measure advertising performance.

(d) Cancer Council's websites and other digital services may contain links to other websites. We are not responsible for the privacy practices of those sites.

7. Notification of collection of Personal Information

7.1 Collection notices

(a) Where Cancer Council collects Personal Information about you, Cancer Council will take reasonable steps to notify you of, or otherwise ensure you are aware of, relevant matters about the collection.

Depending on the circumstances, this may include:

- Cancer Council's identity and contact details;
- how and why the Personal Information is being collected, including if it is collected from someone other than you;
- whether the collection is authorised or required by law;
- the consequences for you if some or all of the Personal Information is not provided;
- the types of people or entities to which Cancer Council usually discloses that kind of Personal Information;
- how you can access and seek correction of your Personal Information and make a privacy complaint; and
- whether Cancer Council is likely to disclose Personal Information to overseas recipients, and if practicable, the countries in which recipients are likely to be located.

(b) Cancer Council will do this at or before the time of collection or, if that is not practicable, as soon as practicable afterwards.

8. Use of Personal Information

8.1 The purposes for which Cancer Council may use Personal Information include, but are not limited to:

- marketing: to communicate with you about donations, products, services, campaigns, causes and events;
- support services: to provide you with information and support services, and to evaluate and report on these services;
- research: to conduct and/or fund research into cancer causes, as well as prevention, diagnosis, treatment and survivorship;
- health promotion: to provide you with information about cancer risk factors, such as UV exposure, tobacco and obesity, and to seek your support for campaigns;
- recruitment at Cancer Council: to assess your suitability for a role, verify qualifications and experience, and undertake relevant pre-employment checks;
- volunteering and other support: to enable you to assist us with volunteering, community fundraising, advocacy and other activities where we seek the community's assistance; and
- communicating with you in relation to our operations, activities and objectives, to verify your identity, to improve and evaluate our programs and services and to comply with relevant laws.

9. Use of Personal Information for direct marketing

9.1 **Direct marketing**

(a) Cancer Council may use or disclose your Personal Information for direct marketing where permitted by law, including where:

- we collected the information directly from you, and you would reasonably expect us to use it for direct marketing; or
- you have consented to Cancer Council using or disclosing the information for direct marketing.

(b) Where Cancer Council has collected your direct marketing contact details from a third party, and you ask us where we have obtained them, we will tell you unless it is impracticable or unreasonable to do so.

9.2 **Opting out of direct marketing**

(a) Where Cancer Council communicates with you for the purpose of direct marketing, we will provide a simple method to opt out of receiving further communications via that communications channel (for example, an unsubscribe link in an email, an option to stop SMS communications in the SMS communication).

(b) You can also choose to opt out of all direct marketing communications by contacting Cancer Council NSW, Supporter Care, PO Box 572, Kings Cross NSW 1349, or calling 1300 780 113, or emailing feedback@nswcc.org.au.

(c) Opting out of direct marketing will not prevent Cancer Council from contacting you for other purposes that are not direct marketing, for example to administer your relationship with Cancer Council or where Cancer Council is required or permitted by law to contact you.

(d) If you have previously opted out of direct marketing but subsequently provide us with your Personal Information for a purpose where you would reasonably expect to receive direct marketing communications (for example by making a donation or registering for an event), you will be taken to have 'opted in' again and may receive direct marketing communications. However, you will still be given the opportunity to opt out, as described above.

10. Disclosure

10.1 **Usual Disclosures**

(a) Cancer Council may disclose your personal information to others in order to carry out our functions and activities. Depending on the circumstances this may include:

- external support services, including health care professionals, counsellors, lawyers, financial advisers, other professional advisers, coordinators, volunteers, service providers, agencies and not-for-profits that provide support services;
- researchers and research institutions that conduct research studies into cancer causes, prevention, diagnosis, treatment and survivorship;
- contractors and service providers that provide services to Cancer Council, including mailing houses, printers, information technology services providers (including offshore cloud computing service providers), data matching and data washing service providers, database contractors and telemarketing agencies; and
- CCA and State and Territory Cancer Councils.

10.2 **Cross-border uses and disclosures**

(a) Cancer Council may use overseas service providers to support its functions and activities, including providers of data hosting, cloud computing and other technology services.

(b) As a result, Cancer Council may disclose Personal Information to overseas recipients, with locations including but not limited to New Zealand, Netherlands, China, Singapore, Hong Kong, Ireland, Canada, Germany, India, Japan, United States of America and the United Kingdom.

(c) Before disclosing Personal Information to an overseas recipient, Cancer Council will take reasonable steps to ensure that the recipient does not breach the APPs in relation to that information, including through contractual arrangements, unless an exception applies.

11. Automated Decision Making

(a) Cancer Council operates computer programs to assess, provide and administer support-service activities and as part of its recruitment and employment processes. The kinds of Personal Information used by these programs vary depending on the particular program and its purpose and may include:

- name
- contact information
- location
- employee record information
- demographic information
- age, and
- health information.

(b) Depending on the particular computer program and its purpose, this information may be used by Cancer Council to support or make decisions about:

- assessing candidates for recruitment
- determining eligibility for support services
- prioritising and triaging requests for support services
- assessing Clients for provision of referral information
- assessing Clients for referral to external service providers, and
- closing support service cases.

12. Protection and retention of Personal Information

12.1 **General principle**

(a) Cancer Council takes reasonable steps to protect the Personal Information that it holds from misuse, interference, loss and unauthorised access, modification or disclosure, including by:

- making sure that Personal Information is accurate, complete and up to date;
- protecting Personal Information from misuse, interference and loss, unauthorised access, modification or disclosure including through physical, organisational and technical security measures, and
- destroying or permanently de-identifying Personal Information if it is no longer needed for any authorised purpose.

12.2 **Information security**

(a) Cancer Council takes reasonable steps to ensure that electronic records and documentation are handled with appropriate technical security measures, in accordance with its internal policies and procedures.

(b) Cancer Council takes reasonable steps to prevent unauthorised access to documentation containing Personal Information.

12.3 **Retaining Personal Information**

(a) Cancer Council retains Personal Information for as long as it is needed for the purposes for which it was collected, or for another purpose required or authorised by law.

(b) Cancer Council takes a conservative approach when determining the appropriate retention period for Personal Information after your last interaction with Cancer Council, taking into account the possible benefit to Cancer Council or to you (for example as a recipient of Cancer Council's services or as a participant in Cancer Council activities) balanced against the risk of harm to the individual in the event of a data breach.

12.4 **Destroying or de-identifying Personal Information**

(a) Cancer Council will take reasonable steps to securely destroy or de-identify Personal Information when it is no longer needed for any authorised purpose.

12.5 **Responding to a Data Breach**

(a) A data breach can occur where Personal Information held by Cancer Council is (or is suspected to have been) lost or subjected to unauthorised access, modification, disclosure or other misuse or interference.

(b) Cancer Council's Data Breach Response Plan sets out the roles and responsibilities of its Workers in managing an appropriate response to a data breach and the steps to be taken if a breach occurs.

13. Access, Correction and Deletion

13.1 **Access**

(a) You may ask to access the Personal Information Cancer Council holds about you. Cancer Council may need to verify your identity (for example, by asking you to confirm your name, address and date of birth) before providing access.

(b) In some circumstances the law allows Cancer Council to refuse access to your Personal Information, including where:

- access would pose a serious threat to the life, safety or health of any individual or to public health or public safety;
- access would have an unreasonable impact on the privacy of other individuals;
- the request is frivolous or vexatious;
- denying access is required or authorised by a law or a court or tribunal order:
- access would be unlawful; or
- access may prejudice commercial negotiations, legal proceedings, enforcement activities or appropriate action being taken in respect of a suspected unlawful activity or serious misconduct.

(c) Participants in research studies should note that access to Personal Information such as DNA sequences is not generally granted. This is notified to participants where applicable, at the time of committing to the research study.

13.2 **Correction**

(a) You may ask Cancer Council to correct the Personal Information it holds about you. Cancer Council consider your request, and subject to applicable privacy laws, take reasonable steps to correct the information.

(b) Due to the complexity of Cancer Council's operations, individuals' Personal Information may be stored simultaneously in more than one database or location. Where a correction is requested, Cancer Council will take reasonable steps to update relevant records.

13.3 **Requests for Personal Information to be deleted**

(a) You may ask Cancer Council to delete Personal Information we hold about you. We will consider your request having regard to the purposes for which we hold the information and any legal or other requirements that apply to its retention.

13.4 **Responding to requests for access, correction or deletion of Personal Information**

(a) Requests for access, correction or deletion may be made to the Privacy Officer at privacy@nswcc.org.au**.** We will respond in a timely manner, and within 30 days.

(b) If Cancer Council refuses a request for access to, deletion of or correction of Personal Information, it will provide you with a written notice setting out the reasons for the refusal or why the request has been handled in a particular way.

14. How to ask questions or make a complaint

14.1 **Queries and Complaints handling**

(a) If you have a question or complaint about how Cancer Council has handled your Personal Information, including a decision about a request to access, correct or delete your Personal Information, you can contact the Privacy Officer at privacy@nswcc.org.au.

(b) All privacy complaints will be referred to the Privacy Officer.

(c) We will respond to you within 30 days. If you are not satisfied with our response or if we have not responded to you within 30 days, you may refer the matter to the Office of the Australian Information Commissioner:

- Website: www.oaic.gov.au
- Telephone: 1300 363 992
- Email: enquiries@oaic.gov.au

15. Version control

Version control			
Document name	P16 Privacy Policy		
Document owner	General Counsel (Privacy Officer)		
Commencement date	24 November 2026	**Approved by**	Board
Current version #	2.0	**Next review date**	November 2028

Document history		
Version #	**Commencement date**	**Summary of changes**
1.0	30 April 2024	Previous update before insertion of document control table.
2.0	24 November 2026	Update to reflect regulatory requirements and guidance, and to align with current CCNSW activities and practices. Clarification of application to Cancer Connect. Insertion of automated decision-making section.