

## **Privacy Complaints Policy**

Area – Governance

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C&K is committed to maintaining the privacy of individuals' personal information at all times to ensure it fully complies with its obligations under the Australian Privacy Principles (APPs) set out in the *Privacy Act 1988* (Cth) (the Privacy Act).

C&K is committed to providing an effective, efficient and responsive privacy complaints handling regime, which promotes transparency and openness.

Central to C&K's privacy complaints handling regime is this document which, among other things, sets out the principles that C&K will follow in the event that a privacy complaint is received.

A privacy complaint is taken to be a complaint made by or on behalf of an individual about C&K's collection and use of an individual's personal information in providing early childhood education care services, training and related ancillary purposes, and any alleged breach of those obligations under the Privacy Act. These procedures are not intended to apply to requests for access to, or correction of, personal information held by C&K.

### **1. Making a privacy complaint**

Please note that for the protection of everyone's privacy, C&K only accepts complaints made by the persons directly affected or an authorised representative. As such, if you wish to make a privacy complaint on someone's behalf, please provide proof of authority to do so.

#### ***How do I make a privacy complaint?***

If you believe that C&K has not dealt with your personal information in accordance with an APP, you can make a privacy complaint to C&K.

The first step is to lodge your complaint in writing. To assist you do this we have included a Privacy Complaint Form (Attachment A) that you can use.

#### ***What information should I include in my privacy complaint?***

In order to properly and efficiently respond to your privacy complaint you should ensure that your complaint contains sufficient information to enable C&K to understand the nature of your complaint and the outcome you are seeking. To assist you in this regard, things you may wish to think about include:

1. What happened?
2. When did it happen or come to your attention?
3. Where did it happen?
4. Who was involved?

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5. What APPs do you believe have been breached?
6. How do you believe your personal information has been mishandled?
7. What outcome are you seeking?

Please address your complaint to C&K's Privacy Officer as follows:

C&K Privacy Officer  
257 Gympie Road  
Kedron QLD 4061

info@candk.asn.au

### *Anonymous complaints*

Please note that C&K will generally accept anonymous complaints. However, if we do not know your identity, it may not be possible for C&K to properly investigate or respond to your complaint. An example of where an anonymous complaint would be investigated is where an alleged breach involved the privacy of multiple individuals, such as data leakage.

### *Third parties*

It may be necessary to contact any third parties named in your privacy complaint in the course of conducting the investigation. This may necessitate disclosing the nature of your privacy complaint and your identity. You can advise us that you do not wish for C&K to do this, however, please be aware that this may mean that C&K cannot properly investigate and resolve your privacy complaint.

### *How long will the Privacy Officer take?*

The Privacy Officer will acknowledge your privacy complaint within five business days of it being received by the Privacy Officer.

How long it takes for the Privacy Officer to investigate your privacy complaint and respond to you will ultimately depend on the nature and complexity of the issues involved. However, generally, the Privacy Officer will provide you with written notification of the outcome of its investigation into your privacy complaint within 30 business days.

### *What happens if I am not satisfied with the Privacy Officer's response?*

If you are unhappy with the response to your privacy complaint you can lodge a written complaint with the Office of the Australian Information Commissioner (OAIC) (details provided

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below). More information about the OAIC and how to lodge a complaint can be found on the OAIC website. The OAIC generally prefers that individuals complain to the agency in the first instance before complaining to the OAIC.

### 2. Contacts

C&K Privacy Officer  
257 Gympie Road  
Kedron QLD 4061

info@candk.asn.au

Office of the Australian Information Commissioner

Telephone: 1300 363 992

Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

Facsimile: +61 2 9284 9666

Website: [www.oaic.gov.au](http://www.oaic.gov.au)

Post:

Sydney Office  
GPO Box 5218  
SYDNEY NSW 2001

Canberra Office  
GPO Box 2999  
CANBERRA ACT 2601

We appreciate your feedback regarding this policy. If you have any comments or queries, please contact C&K via email on [info@candk.asn.au](mailto:info@candk.asn.au)

### 3. Amendments to the policy

We may change this policy at any time without prior notice. When we do make any changes, we will notify you of the changes by posting an updated version of the policy to the website.

This policy was last updated on 28 November 2018.

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### Attachment A – Privacy Complaint Form

This form is provided to assist you in making a privacy complaint about an act or practice of C&K that you allege is in breach of C&K's obligations under the Privacy Act.

For the protection of everyone's privacy, C&K only accepts complaints made by the relevant individual or an authorised representative. As such, if you wish to make a privacy complaint on someone's behalf, please provide proof of authority to do so.

#### Complainant details

Name: \_\_\_\_\_

Address: \_\_\_\_\_

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Phone: \_\_\_\_\_

Mobile: \_\_\_\_\_

Email: \_\_\_\_\_

If you are complaining on behalf of someone else please include that person's name and your relationship to that person below:

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NOTE: please submit proof of your authorisation with this form (e.g. written authorisation by the individual)

#### Complaint details

How do you believe your privacy has been breached? (Please provide sufficient detail to enable the Privacy Officer to appropriately investigate your complaint, e.g. what happened, when did it happen or come to your attention, where did it happen, who was involved, what Australian Privacy Principles (APPs) do you believe have been breached, how do you believe your personal information has been mishandled?)

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What impact has this had on you?

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What outcome are you seeking?

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### Documents

Please attach copies of any documents you consider may assist the Privacy Officer to investigate your privacy complaint.

Complainant's signature: \_\_\_\_\_

Date: \_\_\_\_\_

### Lodgement

Mail:  
Privacy Officer  
257 Gympie Road  
Kedron QLD 4061

Email: [info@candk.asn.au](mailto:info@candk.asn.au)