Privacy Policy

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1. About this policy

Family Day Care Alliance Limited ("the Alliance," "we," "us") collects personal information to run the organisation — to admit and manage members, meet our legal obligations, resolve disputes fairly, and advocate effectively for the sector. This policy explains what we collect, why, how we protect it, and — the question members ask most — what happens to your information after you leave.

A note on legal status. Based on the Alliance's expected size, we currently fall under the *Privacy Act 1988* (Cth)'s small business exemption (broadly, organisations with annual turnover of $3 million or less aren't required to comply with the Australian Privacy Principles). That exemption is under active government review and may be narrowed or removed in coming years, and the Alliance may in any case grow past the threshold. Rather than wait for either, **the Board has chosen to follow the Australian Privacy Principles (APPs) as a voluntary standard**, because members disclosing language, cultural background, and conflict-of-interest information are entitled to know it's handled properly regardless of what the law strictly requires of an organisation our size. *[Solicitor to confirm current exemption status and any applicable exceptions before adoption.]*

2. What we collect

To administer your membership (Educator and Manager members): name, contact details, address, membership category, application and approval records, joining-fee and subscription payment records, and your entry on the statutory register of members (clause 7 of the constitution).

To support Parents & Friends supporters: name and contact details, and your acceptance of the Code of Conduct — supporters are on a separate list, not the register of members, and give no financial guarantee.

For governance and conduct: conflict-of-interest disclosures and the related party interests register (clauses 16 and 16A), Board and committee role records, meeting attendance, and — where relevant — Code of Conduct complaint, investigation, and outcome records (clause 25).

To represent our members well: language, cultural and ethnic background, and broad employment category, collected against the ABS's standard classifications. These fields are entirely **optional**.

Through the platform itself: account and login details, posts and comments (including anonymous posts, handled as described in the Code of Conduct), and standard technical data

(device, browser, access logs) generated by using the site.

3. Why we collect it

- To assess and process membership applications, and to keep the register of members the Corporations Act requires.
- To collect the joining fee and subscription payments, and keep the member ledger described in our membership business rules.
- To run elections, proxies, and general meetings, and to enable voting rights under the constitution.
- To manage conflicts of interest and related party arrangements as clauses 16 and 16A require.
- To run the complaints and discipline process fairly under clause 25 — including giving a member proper notice and a genuine chance to respond, which isn't possible without keeping adequate records.
- To communicate with you — compliance updates, meeting notices, newsletters, and (for paying members) the support described in your membership.
- To understand and represent the diversity of our membership in our advocacy work with government and regulators — this is the only purpose the optional language/cultural/employment fields are used for.

We don't use your personal information to make automated decisions about you, and we don't sell it.

4. Sensitive information — handled with extra care

Language, cultural and ethnic background, and (to a lesser extent) some employment-status information are treated by Australian privacy law as **sensitive information**, a higher-protection category. For these fields specifically:

- They're always optional, with a clear "prefer not to say" option — declining to answer never affects your membership, voting rights, or standing.
- We only use them in aggregate, or in a form that doesn't identify you individually, for advocacy and representation purposes — never to include or exclude anyone from anything.
- We collect them only with your clear consent at sign-up, separate from the rest of the form.

5. How we hold and protect it

Your information is held on our membership platform and associated systems, protected by standard access controls and encryption in transit. Access inside the Alliance is limited to the Board, staff, and contractors who need it for the purposes above — for example, only the Secretary and independent directors see the related party interests register; only the Board or Conduct Committee sees a complaint under clause 25, subject to the conflict-of-interest recusal

rule in clause 25(b).

6. Who we may share it with

- Our membership and payment platform provider, and any other service provider we use to run the Alliance (e.g. email, accounting) — bound by their own confidentiality and security obligations.
- Professional advisers (lawyers, accountants, auditors) where reasonably necessary.
- Regulators, courts, or government bodies where the law requires it, or ASIC in connection with our statutory obligations as a company.
- Other members, to the limited extent the Corporations Act gives members a right to inspect the register of members — this is a statutory transparency right, not something the Alliance can withhold, though the Act also restricts what an inspecting member may use that information for.

We don't share your information with anyone else without your consent, unless the law requires it — see Section 7 for the specific, limited situations where the law itself permits us to share without consent.

7. When we may share information without your consent

In most situations, we only share your information as described in Section 6. Australian privacy law also recognises a small number of situations where an organisation may use or disclose personal information — yours, or someone else's — **without consent**, because withholding it would be worse:

- **A serious threat to someone's life, health, or safety.** Where we reasonably believe sharing information is necessary to prevent or lessen a serious threat, we may share what's genuinely needed with the people who can help — for example, a child safety concern raised about a member's service, or a member telling us they're thinking about harming themselves or someone else. This can mean sharing information with emergency services, Victoria Police, Child Protection, the relevant regulator, or a person's emergency contact. This is a recognised exception under the *Privacy Act 1988* (the "permitted general situations"), not something we rely on lightly — see our Code of Conduct, Section 5, for how we handle these situations in practice.
- **Suspected serious misconduct or unlawful conduct.** Where we reasonably suspect this has happened and disclosure is necessary to take appropriate action, we may share relevant information with police or the appropriate authority.
- **Where the law otherwise requires or authorises it** — already covered in Section 6 (regulators, courts, ASIC).

Whenever we rely on this section, we share only what's genuinely necessary, with the specific people or authorities who need it to act — never as a general disclosure to the Board, other members, or the community. This section is an exception to the rest of this policy, not a replacement for it: outside these situations, your information is only ever used and shared as Sections 3 and 6 describe.

8. What happens when you leave the Alliance

This depends on why you're leaving and what kind of member you were.

Educator and Manager members. Resigning, lapsing for non-payment, or being expelled removes you from the *active* register, but the Corporations Act requires the Company to keep a **former member's entry on the register — including that you were a member and the dates you joined and ceased — for at least 7 years** after you leave. This isn't something the Alliance can shorten by policy; it's a statutory record-keeping obligation. Financial records connected to your membership (joining fee, subscription payments) are kept for the period tax and accounting law requires (generally at least 5 years).

Parents & Friends supporters. You're not on the statutory register, so there's no equivalent statutory retention requirement. Leaving the supporter list removes your active status and stops all communications; we retain only what's needed to show you were validly on the list and had accepted the Code of Conduct while you were, in case that's ever relevant to a dispute.

Optional demographic information (language, cultural background, employment category). Deleted or fully de-identified when you leave, unless it's already been folded into aggregate, non-identifying advocacy statistics — those aren't traceable back to you and aren't affected by your leaving.

Conduct and complaint records (clause 25). If you were the subject of, or a party to, a complaint, we keep a record of the outcome for a defined period after the matter closes, because a future concern about the same person may need that history, and because these records may be relevant if a decision is ever challenged. This includes a safety-related report handled under Section 5 of the Code of Conduct. *[The Board should set and publish a specific retention period here — commonly aligned to the relevant state limitation period for a legal claim, typically 6 years in Victoria — rather than "indefinitely."]*

Community posts. Posts you've made stay part of the community record (consistent with how any public discussion works) unless you ask for a specific post to be removed; we don't delete your account's post history automatically just because you've left, but we do stop associating new activity with you.

Board and related-party records. If you served as a director, staff member, or had a disclosed related-party arrangement, those governance records (clauses 13, 16, 16A) are retained as part of the Company's permanent corporate history — they're not personal in the same sense, and directors' duties and disclosures are part of the public record of how the Company was governed.

9. Your rights

Even though the Alliance may currently sit under the small business exemption, we'll treat every member and supporter as if the Australian Privacy Principles applied in full: you can ask what personal information we hold about you, ask us to correct it, and make a complaint if you think we've mishandled it. Contact the Executive Officer in writing, and we'll respond within a

reasonable time.

10. Changes to this policy

Like the Code of Conduct, this policy is adopted and updated by ordinary Board resolution — no member vote is required. We'll post the current version and note the date it last changed.