

## Operational Policy

# PRIVACY POLICY



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## 1. PRIVACY POLICY

This Privacy Policy sets out how NSW Snowsports Association (NSWSA) manages personal information provided to or collected by it. The Association is bound by the **Australian Privacy Principles** contained in the Commonwealth *Privacy Act 1988* and the *Privacy Amendment (Enhancing Privacy Protection) Act 2012*. In relation to health records, the Association is also bound by the New South Wales Health Privacy Principles which are contained in the *Health Records and Information Privacy Act 2002* (Health Records Act). NSWSA may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to its operations and practices and to make sure it remains appropriate to the changing sports environment.

## 2. WHAT KIND OF INFORMATION IS COLLECTED AND HOW IS IT COLLECTED?

The type of information NSWSA collects and holds includes (but is not limited to) personal information, including health and other sensitive information, about:

- members and parents and/or guardians before, during and after the course of their membership
- Athletes attendance as a part of a training camp or other activity;
- Job applicants, staff members, volunteers and contractors; and
- Other people who come into contact with the association.

**2.1 Personal Information provided by parents or athletes:** NSWSA will generally collect personal information held about an individual by way of forms filled out by parents or athletes, face-to-face meetings and interviews, emails and telephone calls. On occasions people other than parents and pupils provide personal information.

**2.2 Personal Information provided by other bodies:** In some circumstances NSWSA may be provided with personal information about an individual from a third party.

**2.3 Exception in relation to employee records:** Under the Privacy Act and *Health Records and Information Privacy Act 2002 (NSW)*, the **Australian Privacy Principles** (and Health Privacy Principles) do not apply to an employee record. As a result, this Privacy Policy does not apply to the Association's treatment of an employee record where the treatment is directly related to a current or former employment relationship between NSWSA and employee.

## 3. HOW WILL NSWSA USE THE PERSONAL INFORMATION PROVIDED TO IT?

NSWSA will use personal information it collects from persons for the primary purpose of enabling the organisation to provide for its members, and for such other

secondary purposes that are related to the primary purpose of collection and reasonably expected by such persons, or to which they have consented.

### **3.1 Athletes and Parents:**

In relation to personal information of members, NSWSA's primary purpose of collection is to enable the organisation to provide for their members. This includes satisfying the needs of parents, the needs of the athlete and the needs of the association throughout the whole period the person is a member of NSWSA or attends its events.

The purposes for which NSWSA uses personal information of members include:

- To keep parents informed about matters related to their child's development, through correspondence, newsletters and magazines;
- Day-to-day administration of the association;
- Looking after athletes' physical, social and medical wellbeing;
- Seeking donations and marketing for the association; and
- To satisfy NSWSA legal obligations and allow the association to discharge its duty of care.

In some cases where NSWSA requests personal information about an athlete or parent, if the information requested is not provided, the association may not be able to endorse the membership of the athlete or permit the athlete to take part in a particular activity.

### **3.2 Job applicants, staff members and contractors**

In relation to personal information of job applicants, staff members and contractors, NSWSA's primary purpose of collection is to assess and (if successful) to engage the applicant, staff member or contractor, as the case may be. The purposes for which NSWSA uses personal information of job applicants, staff members and contractors include:

- In administering the individual's employment or contract, as the case may be;
- For insurance purposes;
- Seeking donations and marketing for the association; and
- To satisfy NSWSA legal obligations, for example, in relation to child protection legislation.

### **3.3 Volunteers**

NSWSA also obtains personal information about volunteers who assist the association in its functions or conduct associated activities.

### 3.4 Marketing and Sponsorship

The association treats marketing and sponsorship for the future growth and development of NSWSA as an important part of ensuring that the organisation continues to provide a quality sporting environment in which both athletes and staff thrive. Personal information held by the association may be disclosed to organisations that assist in the organisations funding, for example, The Department and Sport and Recreation. Parents, staff, contractors and other members of the wider snowsports community may from time to time receive marketing and sponsorship information. NSW Snowsport publications, like newsletters, which include personal information, may be used for marketing purposes.

## 4. WHO MIGHT NSWSA DISCLOSE PERSONAL INFORMATION TO AND STORE INFORMATION WITH?

The association may disclose personal information, including sensitive information, held about an individual to:

- Government departments including the peak body 'Ski and Snowboard Australia'
- Medical practitioners;
- People providing services to the association, including coaches and team managers;
- Recipients of NSWSA publications, such as newsletters and magazines;
- Parents;
- Anyone an individual authorises the association to disclose information to; and
- Anyone to whom we are required to disclose the information to by law.

### 4.1 Sending information overseas

The association may disclose personal information about an individual to overseas recipients, for instance, for an event or competition. However, the association will not send personal information about an individual outside Australia without:

- Obtaining the consent of the individual (in some cases this consent will be implied); or
- Otherwise complying with the **Australian Privacy Principles** or other applicable privacy legislation.

## 5. HOW DOES NSWSA TREAT SENSITIVE INFORMATION?

In referring to 'sensitive information', NSWSA means: information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, philosophical beliefs, sexual orientation or practices or criminal record, that is also personal information; health information and biometric information about an individual. Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly

related secondary purpose, unless the provider agrees otherwise, or the use or disclosure of the sensitive information is allowed by law.

## **6. MANAGEMENT AND SECURITY OF PERSONAL INFORMATION**

The association's staff are required to respect the confidentiality of an individual's personal information and the privacy of individuals.

The association will take all reasonable measures to protect the personal information the organisation holds from misuse, interference and loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and password access rights to computerised records.

Once the stored individual's personal information is no longer required, we will take reasonable steps to destroy it in a secure manner or remove identifying features from it. This is subject to any legal obligation (such as the Archives Act, 1983) that requires the association to keep information for a certain period of time.

## **7. ACCESS AND CORRECTION OF PERSONAL INFORMATION**

Under the Commonwealth Privacy Act (and the Health Records Act), an individual has the right to obtain access to any personal information which the organisation holds about them and to advise NSWSA of any perceived inaccuracy. Individuals will generally be able to access and update their personal information by contacting NSWSA Executive Officer. There are some exceptions to these rights set out in the applicable legislation. To make a request to access or update any personal information the association holds about them as a parent or an athlete, please contact the Executive Officer in writing. The association may require them to verify their identity and specify what information they require. NSWSA may charge a fee to cover the cost of verifying an application and locating, retrieving, reviewing and copying any material requested. If the information sought is extensive, the association will advise the likely cost in advance. If we cannot provide them with access to that information, we will provide them with written notice explaining the reasons for refusal.

## **8. CONSENT AND RIGHTS OF ACCESS TO THE PERSONAL INFORMATION OF INDIVIDUALS**

NSWSA respects every parent's right to make decisions concerning their child. Generally, the association will refer any requests for consent and notices in relation to the personal information of a child to the child's parents. The association will treat consent given by parents as consent given on behalf of the child, and notice to parents will act as notice given to the child. As mentioned above, parents may seek access to personal information held by the association about them or their child by contacting the Executive Officer. However, there will be occasions when access is denied. Such occasions would include where release of the information would have unreasonable impact on the privacy of others, or where the release may result in a breach of the association's duty of care to the child. NSWSA may, at its discretion, on the request of a child grant that child access to information held by the association about them, or allow a child to give or withhold consent to the use of their personal information, independently of their parents. This would normally be done

only when the maturity of the child and/or the child's personal circumstances so warranted.

## 9. WEBSITE PRIVACY STATEMENT

This Privacy policy supports the associated NSWSA Media policy with the inclusion of the following website statement.

The association is committed to protecting online privacy in accordance with guidelines for Federal and State Government World Wide Websites issued by the Privacy Commissioner.

The association records visits to this website and logs the following information for statistical purposes:

- user's server or proxy address
- date/time/length of the visit
- files requested
- user's cookies
- user's searches

The information is used to analyse our server traffic. No attempt will be made to identify users or their browsing activities except where authorised by law. For example in the event of an investigation, a law enforcement agency may exercise their legal authority to inspect the internet service provider's logs.

When users choose to join a mailing list their details are added to that specific mailing list and used for the stated purpose of that list only. You will not be added to any mailing list without your consent. As a user, you need to be aware of inherent risks associated with the transmission of information via the Internet. If you have concerns in this regard, the association has other ways of obtaining and providing information. Regular mail, telephone and fax facilities are available.

The association is not responsible for the privacy practices or the content of the linked web sites and the other pages hosted by the association on behalf of non-related agencies and organisations.

## 10. ENQUIRIES AND COMPLAINTS

If anyone would like further information about the way NSWSA manages the personal information it holds, or wish to complain that they believe that the association has breached the **Australian Privacy Principles** please contact the Executive Officer. The association will investigate any complaint and will notify the complainant of the making of a decision in relation to the complaint as soon as is practicable after it has been made.