

7. Privacy Policy and Procedures

Summary

All employees, volunteers, members, and Board members at Lord Somers Camp and Power House (LSC&PH) will comply with the requirements of the Commonwealth *Privacy Act 1988*, the Victorian *Privacy and Data Protection Act 2014*, and the Australian Privacy Principles.

People will be authorised to have access to information on a **needs to know** basis i.e. they will only have access to personal information regarding participants and others that they require in order to do their job.

Collection, access, and disclosure of information will be done on a **needs to know** basis i.e. it will only be undertaken if it is an essential requirement to provide a program or activity or to meet LSC&PH's duty of care or legal requirements.

All information collected will be stored securely in a manner that supports the **needs to know** principle.

Scope

This policy applies to all people within LSC&PH who have access to private or sensitive information or are requesting access to private or sensitive information. This refers to employees with access to private and personal details as part of their employment; it may also apply to members, leaders, volunteers, or other relevant personnel who are given temporary or long term access to private information in the process of program administration.

NOTE: The Privacy Act only applies to an employee record if the information is used for a purpose **not directly** related to the employment relationship.

Policy Statement

LSC&PH recognises the essential right of individuals to have their information administered in ways that they would reasonably expect - protected on one hand and made accessible to them on the other.

Lord Somers Camp and Power House respects people's privacy. Employees, volunteers, members and Board members will undertake all reasonable actions to protect the privacy of people using its programs and activities will comply with the requirements of the *Privacy and Data Protection Act 2014* (Vic.) *Privacy Act 1988* (Commonwealth) and [Australian Privacy Principles](#).

People will be authorised to have access to personal information on a **needs to know** basis i.e. they will only have access to personal information regarding clients and others that they require in order to do their job.

LSC&PH collects and administers a range of personal information for the purposes of undertaking its

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activities. The type of information that LSC&PH collects and holds relates to:

- Children and young people participating in programs and activities
- Employees, prospective employees and volunteers
- Contractors / Consultants
- LSC&PH Board members
- Representatives of community, government and private agencies

LSC&PH will have procedures relating to:

- Information collection and usage
- Storage of information
- Direct marketing
- Information security
- Disclosure of information including transferring information overseas
- Accessing and amending information
- Archiving and destruction of information
- Complaints about breaches of privacy or confidentiality

If other companies or organisations collect, store, use or disclose personal information on behalf of LSC&PH, or if they have access to the personal information in LSC&PH’s information systems, LSC&PH will include privacy clauses in contracts and agreements to ensure that personal information is protected from authorised access, use or disclosure.

Definitions

Employee	Any person employed by Lord Somers Camp and Power House.
Executive Team	A leadership team for a specific LSC&PH program or activity. Specific members/ roles of an Executive Team are at the discretion of the Program or Activity Leader.
Leader	Any person (paid or unpaid) over the age of 18 who is responsible for the control and safety of members/volunteers placed in their care whilst

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	<p>holding a formal position in Lord Somers Camp and Power House. A leader could include but is not limited to:</p> <ul style="list-style-type: none"> • Camp Leaders • Deputy Camp Leaders • Executive Officers • Programs Leader • Slushie King and Slushee Queen • Heads of Departments
Member	Any person who has a current membership subscription to LSC&PH, including various life memberships, term membership or honorary life membership.
Participant	Any person who attends an LSC&PH program as a participant or a grouper.
Personal information	Any information or any opinion, whether true or not and whether recorded in a material form or not, from which an individual's identity is apparent, or can reasonably be ascertained.
Sensitive information	A sub-set of personal information and it refers to information about a person's racial or ethnic origin, political opinions or associations, religious beliefs or affiliations, philosophical beliefs, trade and professional memberships, sexual preferences or practices, gender identity, criminal record, or health, genetic or biometric information.
Volunteer	Any Non-Member who attends LSC&PH activities as a member of the camp's staff under direction of a Camp Leader.

Responsibilities

Board	Establish LSC&PH's position with respect to management of personal information.
CEO	Ensure that all staff are aware of and can fulfil the requirements their obligations under this Policy.
All staff (employees and volunteers)	Collect, store, access, and disclose personal information in line with the Procedures below.

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Procedures

Collecting, storing and using personal information

LSC&PH may need to collect personal information about participants and others including names, addresses, phone numbers and other contact details as well as details regarding employment history, bank account details and credit card information. LSC&PH may also collect details about age, date of birth, hobbies, interests and other personal information about participants or others.

LSC&PH may collect and use personal information for purposes that include:

- to identify staff, participants, members or volunteers
- to offer or provide products, services (e.g. programs, workshops, courses or events) or other benefits
- to discharge its duty of care and other legal obligations
- to direct participants and others to third-party contractors who LSC&PH appoint from time to time to collect personal information directly (particularly medical information) in accordance with their own privacy obligations
- to inform participants or others of any programs or initiatives LSC&PH think may be of interest to them, including camps, leadership skills courses and theatre productions
- to accept donations and conduct charitable and business activities in a professional and efficient manner
- to develop and implement initiatives to improve products and services.
- to tailor services to accommodate social, cultural, medical and other individual requirements of participants, members and volunteers and to discharge its duty of care and other legal obligations
- to derive or aggregate anonymous information from which individuals cannot be identified
- to prevent or lessen a threat to a person's life or health
- where disclosure is reasonably necessary for the establishment, exercise or defence of a legal or equitable claim
- for the purpose for which it was collected, or for a related purpose (or a directly related purpose in the case of sensitive information)
- where the individual concerned would reasonably expect them to use the information

Unless it is unreasonable or impractical, LSC&PH will collect personal information directly from the individual concerned. However, LSC&PH may also collect personal information from an individual's parent, guardian, medical practitioner and/or health professional. Where LSC&PH are at liberty to do so, LSC&PH will use their best endeavours to seek an individual's consent (or that of a parent or guardian)

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before obtaining his or her personal information from third parties.

Personal information may be collected by LSC&PH:

- when external individuals or groups are contacted about LSC&PH products, programs, workshops, courses, events or other services, in person or over the telephone or internet
- when participants or others provide us information (including by completing various application forms, medical forms and membership renewal forms) or when they enter information on the website, subscribe to newsletters (including *The Journal*) or post content on any social media pages or online forums
- when individuals receive information in response to an inquiry made in accordance with this Privacy Policy
- when individuals or groups respond to an enquiry, where LSC&PH consider personal details are required or appropriate to fulfil the query.

The personal information of staff, participants, members and volunteers will usually be stored in hard copy or digital files designated for the purpose for which the personal information was collected and updated on LSC&PH's computer database and/or data storage service provider.

LSC&PH digital files are stored on servers within Australia.

Any additional purpose for which the information is collected (not included in this policy) will be identified when LSC&PH collect the personal information, or as soon as practicable afterwards.

Collecting sensitive information

LSC&PH may need to collect sensitive information about participants or others, including details regarding any health or medical conditions, dietary requirements, cultural or religious identity and criminal history. LSC&PH collect sensitive information so that LSC&PH can tailor its services to its staff, participants, members and volunteers, discharge its duty of care, and deliver services in accordance with legal obligations.

Where LSC&PH is required to and it is practicable to do so, they will seek consent before collecting sensitive information and inform the person of the purpose of the collection at that time. Consent to collection of sensitive information may be implied in limited circumstances.

Disclosure of information

Except where indicated above, LSC&PH will not disclose personal information to a third party unless:

- the disclosure is for a primary purpose for which the information was collected
- the individual concerned has consented to the disclosure

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- the third party is an agent or contractor of LSC&PH, in which case LSC&PH will require them to disclose and to use the personal information only for the purpose for which it was disclosed
- there are reasonable grounds to believe that disclosure is necessary to prevent or lessen a threat to a person's life or health
- there is suspected child abuse or neglect
- LSC&PH staff reasonably believe that the use or disclosure is reasonably necessary to allow an enforcement body to enforce laws, protect the public revenue, prevent seriously improper conduct, or prepare or conduct legal proceedings
- the disclosure is to a related body corporate
- the disclosure is reasonably necessary for the establishment, exercise or defence of a legal or equitable claim or
- the disclosure is permitted, required or authorised by or under law.

Information collected via our website

To ensure LSC&PH are meeting the needs and requirements of our website users, and to develop its online services, LSC&PH may collect aggregated information by using cookies. Cookies are unique identification numbers like tags that are placed on the browser of our website users. The cookies do not in themselves identify users personally but are linked back to a database record about them.

LSC&PH may use cookies to track use of its website, and to compile statistics on visits to the site in an aggregated form and log anonymous information such as:

- the address of a user's server
- a user's top level domain (such as .com or .au)
- the date and time of a user's visit
- the pages a user accessed and downloaded
- the search engine a user used
- the type of browser that was used.

When a user visits LSC&PH's site a cookie may be placed on their machine. Where a user has visited LSC&PH before, the cookie may be read each time they re-visit the site. LSC&PH do not use this technology to access any other personal information of a user in its records and a user cannot be personally identified from a cookie.

If users choose not to have their browser accept cookies from the LSC&PH site, they will still be able to

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view the text on their screens.

Marketing

LSC&PH may use personal information to distribute *The Journal* and e-newsletter to participants, members and volunteers and to advise them of new products, services and marketing initiatives that LSC&PH think may be of interest to them. Those who prefer not to receive marketing information can contact LSC&PH (info@lordsomerscamp.org.au) and request to be removed from the relevant circulation list.

LSC&PH will not disclose personal information to a third party to enable that party to directly market their products or services to an individual unless that individual has expressly consented to that disclosure. LSC&PH may require written confirmation of a request to be removed from its circulation list, for example where legislation requires them to provide particular communications to the individual concerned.

Updating personal information

LSC&PH ask that participants and others tell them of any changes to the personal information holds about them. This can be done by contacting LSC&PH on info@lordsomerscamp.org.au. LSC&PH will then take reasonable steps to correct the information in the manner requested.

If LSC&PH consider that the personal information LSC&PH retain does not require amendment, LSC&PH will annotate the request on their files.

Security

The protection of personal information is a priority for LSC&PH.

LSC&PH are committed to maintaining:

- Safeguards to protect personal information against unauthorised use, disclosure, access, interference, modification, destruction and accidental loss. All personal information LSC&PH hold is dealt with in accordance with the APPs.
- Industry standards for the security and protection of information. Personal information is stored securely and access is restricted to authorised personnel only. LSC&PH computer systems require access passwords and these are kept securely.
- Internal policies on management of personal information and staff training to ensure compliance with these policies. All staff members are required to read this policy and understand their responsibilities regarding personal information.

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Destruction of records

LSC&PH will destroy or de-identify any personal information that LSC&PH hold which is no longer needed for any purpose permitted by the APPs unless LSC&PH are required by law to retain such personal information.

Access to personal information

LSC&PH will generally allow an individual access to any personal information that LSC&PH hold about them on request – subject to any restrictions on access. LSC&PH will try to give the individual concerned access in a form and manner that suits their needs. To request such access please contact LSC&PH on info@lordsomerscamp.org.au.

Restrictions on access

LSC&PH are entitled to restrict access to personal information in accordance with the APPs. Participants and others may not be allowed access to personal information LSC&PH hold where access would reveal information generated by LSC&PH in connection with a confidential decision-making process. Instead, LSC&PH may provide an explanation for the decision, rather than direct access to the information.

If LSC&PH have given such an explanation and the person believes that direct access to the information is necessary to provide a reasonable explanation of the reasons for the decision, LSC&PH will, at the person's request, review the decision. Personnel other than the original decision-maker will conduct the review.

Wherever direct access is impractical or inappropriate, LSC&PH will consider whether the use of a mutually agreed intermediary would allow sufficient access to meet the needs and concerns of both parties.

Other instances where it may not be appropriate to provide individuals with access to the personal information LSC&PH hold, include where:

- providing access would pose a serious and imminent threat to the life or health of any individual
- providing access would have an unreasonable impact upon the privacy of others
- the request for access is frivolous or vexatious
- the information relates to an anticipated or existing legal dispute and disclosure would compromise LSC&PH's position or the position of others.

Charges for access

An individual will not incur charges for lodging a request to access personal information. However,

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LSC&PH may levy a reasonable charge for providing access to that information. LSC&PH will provide an estimate of any charge on request, or if it appears that the work will be onerous or otherwise warrants a charge.

Transferring information overseas

LSC&PH typically do not transfer personal information to any entity outside Australia. However, in the event that LSC&PH do disclose information to an overseas' recipient, LSC&PH will take reasonable steps to ensure that the overseas recipient does not breach the APPs in relation to the disclosed personal information unless:

- LSC&PH reasonably believe that the recipient of the information is subject to legal obligations that uphold principles for the protection and fair handling of personal information that are substantially the same as the APPs
- LSC&PH are given consent by the individual concerned to do so, expressly or by implication after they are expressly informed that the Act will not apply in relation to the management of personal information by the overseas recipient and the individual may not be able to seek redress under the Act for any subsequent breaches of the APPs or
- LSC&PH are legally authorised or required to do so.

Complaint resolution

LSC&PH are committed to constantly improving their procedures so that personal information is treated appropriately.

If any individual or organisation feel that LSC&PH have failed to deal with their personal information in accordance with the APPs or this policy, there are strongly encouraged to advise LSC&PH so that improvements can be made.

LSC&PH will manage the complaint process by:

- listening to any concerns and grievances regarding their handling of personal information
- discussing ways in which LSC&PH can remedy the situation, and
- putting in place an action plan to resolve the complaint and improve information handling procedures (if appropriate).

If this process does not result in an outcome that is satisfactory to the person raising the issue, they may contact the Office of the Australian Information Commissioner's Office. LSC&PH will work together with the Information Commissioner's Office to resolve the issues between us.

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The contact details for the Office of the Australian Information Commissioner's Office are as follows:

Street address: Level 3, 175 Pitt Street, Sydney NSW 2000

Telephone: 1300 363 992 (for the cost of a local call anywhere in Australia)

TTY: 133 677 followed by 1300 363 992

Post: GPO Box 5218, Sydney NSW 2001

Email: enquiries@oaic.gov.au

Further information about privacy and privacy rights can be obtained at the Office of the Australian Information Commissioner's website at www.oaic.gov.au

Contact information

Lord Somers Camp and Power House

34 Lakeside Drive

Albert Park VIC 3206

Email: info@lordsomerscamp.org.au

Other relevant policies and procedures

- Code of Conduct
- Client Protection Policy and Procedure
- Social Media Policy
- Complaints Policy and Procedure

Policy review

This Policy will be reviewed every three years by the LSC&PH Board, or sooner if warranted by internal or external events or changes.

The policy may be change or updated at other times. When this occurs, the updated Policy will be placed on the LSC&PH website.