

Adelaide Eisteddfod Privacy Policy

Purpose

This policy outlines how the Adelaide Eisteddfod Society Inc uses and manages personal information.

This policy is also a guide to Convenors and the Adelaide Eisteddfod (ADELAIDE EISTEDDFOD) Council as to the standards to be applied in respect of handling personal information. It is intended to ensure consistency in the Society's approach to privacy.

The Society is bound by the Australian Privacy Principles contained in the Privacy Act 1988 (Commonwealth). The Society will collect, use and retain personal information in accordance with those Principles.

Australian Privacy Principles

From 12 March 2014, thirteen Australian Privacy Principles (APPs) replaced the National Privacy Principles and Information Privacy Principles.

The Society is required to comply with the APPs.

The APPs set minimum standards that relate to the collection, security, storage, use, correction and disclosure of personal information, as well as access to that information.

The principles are as follows:

- APP1: Open and transparent management of personal information
- APP2: Anonymity and pseudonymity
- APP3: Collection of solicited personal information
- APP4: Dealing with unsolicited information
- APP5: Notification of the collection of personal information
- APP6: Use of or disclosure of personal information
- APP7: Direct marketing
- APP8: Cross-border disclosure of personal information
- App9: Adoption, use or disclosure of 'government related identifiers'
- App10: Quality of personal information
- APP11: Security of personal information
- App12: Access to personal information
- App13: Correction of personal information

Scope

This policy applies to all current and past competitors, parents and guardians of competitors, Council and Sub-Committee Members, consultants, volunteers and contractors of the Society.

This policy also applies in relation to all events and activities conducted by the Society and events attended by representatives of the Society.

This policy also covers other members of the community who deal with the Society.

Definitions

The APPs regulate how the Society deals with the following types of information:

Personal information is information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information is true or not, and whether the information is recorded in a material form or not. It includes all personal information, regardless of its source. Personal information does not include information about an individual that has been de-identified so that the individual is no longer identifiable.

Sensitive information is a type of personal information that is given extra protection and must be treated with additional care. Sensitive information included any personal information about an individual's race or ethnic origin, political opinions, members of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, or criminal record. Sensitive information also includes health information.

Procedure

Types of personal information collected and held by the Society

The type of information the Society collects and holds includes (but is not limited to) personal information, including name address, email contact and phone number, date of birth and other sensitive information, about;

- Competitors and parents and/or guardians before, during and after the course of a competitor's enrolment in the Society's competitions
- Council members, Adelaide Eisteddfod Development Fund Committee members, volunteers and contractors; and
- Other people who have contact with the Society

Some examples of information that the Society collects and holds include, contact details, competitor enrolment information.

Personal information provided by an individual: The Society will generally collect personal information held about an individual directly from that individual (or, in the case of a competitor under the age of 18, directly from the parents) by ways of forms (paper and/ or electronic) filled out by parent or competitors, face-to-face meetings and interview, online surveys, emails and telephone calls.

Personal information provided by other people: In some circumstance the Society may be provided with personal information about an individual from a third party. For example, the Society may receive a recommendation for a volunteer by a colleague or associate.

Exception in relation to volunteer, sponsor and adjudicator records: Under the Privacy Act the APPs do not apply to a volunteer, sponsor and adjudicator record. Accordingly, this Privacy Policy does not apply to the Society's treatment of a volunteer, sponsor or adjudicator record, where the treatment is directly related to a current or former role between the Society and a said volunteer, sponsor or adjudicator.

Use of personal information by the Society

From time to time, the Society will collect, use and disclose personal information for a particular purpose *the primary purpose).

The Society may use or disclose the personal information it holds about you for other purposes (secondary purposes) if you (or, in the case a competitor, the competitor's parents) consents to use or disclosure for the secondary purpose.

The ADELAIDE EISTEDDFOD may also use or disclose the personal information it holds about you for a secondary purpose, without specific consent, if the secondary purpose:

- is something you would reasonably expect; and
- is related to the primary purpose (or, in the special case of sensitive information, directly related to the primary purpose).

The following examples may assist.

Competitors and parents

In relation to personal information of competitors and parents, including prospective competitors and parents, the ADELAIDE EISTEDDFOD's primary purpose of collection is to enable the ADELAIDE EISTEDDFOD to provide a competition platform for the competitor who has registered in the ADELAIDE EISTEDDFOD competitions.

The purposes for which the ADELAIDE EISTEDDFOD uses personal information of competitors and parents include:

- keeping parents informed about matters related to their child's registration in Adelaide Eisteddfod competitions, through email correspondence;
- day-to-day administration of the ADELAIDE EISTEDDFOD competitions;
- seeking donations and marketing for the Adelaide Eisteddfod; and
- satisfying the Adelaide Eisteddfod's legal obligations and allowing the ADELAIDE EISTEDDFOD to discharge its duty of care to the participants.

Volunteers, staff members, Council & Sub-Committee Members and contractors

In relation to personal information of volunteers, sponsor and adjudicators, Council & Sub-Committee members and contractors, the ADELAIDE EISTEDDFOD's primary purpose of collection is to assess suitability for positions and (if successful) to engage the applicant.

The purposes for which the Adelaide Eisteddfod uses personal information of volunteers, sponsors and adjudicators, Council & Sub-Committee Members and contractors include:

- administering the individual's contract, as the case may be;
- for insurance purposes;
- seeking donations and marketing for the ADELAIDE EISTEDDFOD; and
- satisfying the ADELAIDE EISTEDDFOD's legal obligations.

Marketing and philanthropy

The ADELAIDE EISTEDDFOD treats marketing and philanthropy for the future growth and development of the ADELAIDE EISTEDDFOD as an important part of ensuring that the ADELAIDE EISTEDDFOD continues to provide a quality competition environment in which competitors thrive.

Parents, volunteers, contractors and other members of the wider ADELAIDE EISTEDDFOD community may from time to time receive fundraising information. ADELAIDE EISTEDDFOD publications, like newsletters and Facebook posts, may include personal information and may be used for marketing purposes.

If you do not wish to receive direct marketing communications from the ADELAIDE EISTEDDFOD, please advise the ADELAIDE EISTEDDFOD Secretary.

Sending information overseas

Personal information about an individual may be sent to overseas recipients, for instance, when staff or students utilise digital tools to conduct on-line surveys, when storing personal information with 'cloud' service providers that are situated outside Australia, or to facilitate a school exchange.

However, the School will not directly disclose personal information about an individual to an overseas recipient without:

- obtaining the consent of the individual (or, in the case of a student, the student's parents), which in some cases may be implied; and
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- otherwise complying with the APPs.

Treatment of sensitive information

Sensitive information will be used and disclosed only for the primary purpose for which it was provided or a directly related secondary purpose.

Sensitive information may be used and disclosed for other purposes if the person to whom the information relates (or, in the case of a competitor, the competitors' parents) agrees otherwise, or the use or disclosure of the sensitive information is required or allowed by law.

Management and security of personal information

ADELAIDE EISTEDDFOD staff members are required to respect the confidentiality of personal information and the privacy of individuals.

Through the use of various methods, including locked storage of paper records, data encryption and password access rights to computerised records, the Adelaide Eisteddfod takes active steps to protect the personal information it holds from misuse, interference, loss and unauthorised access, modification or disclosure.

Access and correction of personal information

Under the APPs an individual has the right to obtain access to any personal information that the ADELAIDE EISTEDDFOD holds about them, and to advise the ADELAIDE EISTEDDFOD of any perceived inaccuracy and request correction.

The ADELAIDE EISTEDDFOD will respond to all requests for access or correction within a reasonable time, and will give access to the information in the manner requested by the individual if it is reasonable and practicable to do so.

Competitors will generally be able to access and update their personal information through their parents, but older competitors may seek access and request corrections themselves. Requests to access or update any personal information the ADELAIDE EISTEDDFOD holds about an individual should be made by the individual (or, in the case of a competitor, their parents) to Secretary in writing. The ADELAIDE EISTEDDFOD may require an individual to verify their identity and specify what information is required.

There are some exceptions to the access rights set out in the APPs. There may be circumstances where these exceptions apply, and access to personal information may not be allowed. Such circumstances include where release of the information might have an unreasonable impact on the privacy of others, or where the release may result in a breach of the ADELAIDE EISTEDDFOD's duty of care to an individual. If the ADELAIDE EISTEDDFOD cannot provide an individual with access to personal information as requested, the ADELAIDE EISTEDDFOD will provide a written explanation of the reasons.

The ADELAIDE EISTEDDFOD may charge a reasonable fee to cover the cost of verifying an application for access and locating, retrieving, reviewing and copying any material requested. If the information sought is extensive, the ADELAIDE EISTEDDFOD will advise the likely cost in advance.

Consent and rights of access to the personal information of students

The ADELAIDE EISTEDDFOD respects every parent's right to make decisions concerning their child's musical education.

Generally, the ADELAIDE EISTEDDFOD will refer any requests for consent and notices in relation to the personal information of a competitor to the competitor's parents. The ADELAIDE EISTEDDFOD will treat consent given by parents as consent given on behalf of the student, and notice to parents will act as notice given to the student.

Parents may seek access to personal information held by the ADELAIDE EISTEDDFOD about them or their child by contacting the Secretary in writing. However, there may be occasions when access is denied. Such occasions would include where release of the information would have an unreasonable impact on the privacy of others, where the disclosure may result in a breach of the ADELAIDE EISTEDDFOD's duty of care to the competitor, or where competitors have provided information in confidence.

The ADELAIDE EISTEDDFOD may, at its discretion, on the request of a competitor grant that competitor access to personal information held by the ADELAIDE EISTEDDFOD about them, or allow a competitor 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 competitor and/or the competitor's personal circumstances warrant this.

Notifiable data breaches

A data breach occurs when personal information is lost or subject to unauthorised access, modification, disclosure, or other misuse or interference. A data breach may be intentional or unintentional.

Examples of a data breach which may meet the definition of an eligible data breach under the Privacy Act include when:

- a device (such as a laptop) containing a member of the ADELAIDE EISTEDDFOD community's personal information is lost or stolen;
- a database containing personal information is hacked; or
- personal information is mistakenly provided to the wrong person.

The Privacy Act only requires notification when an 'eligible data breach' occurs, and this policy relates only to eligible data breaches as defined by the Privacy Act. A data breach will not be an eligible data breach unless the data breach is likely to cause serious harm to an individual to whom the information relates.

Where the Adelaide Eisteddfod suspects that an eligible data breach may have occurred, the ADELAIDE EISTEDDFOD will carry out a reasonable and prompt assessment of whether there are reasonable grounds to believe that an eligible data breach has occurred.

If, based on that assessment, there are reasonable grounds to believe that an eligible data breach has occurred, the ADELAIDE EISTEDDFOD will:

- immediately take appropriate steps, decided on a case-by-case basis, to contain the breach and prevent further breaches;
- prepare an eligible data breach statement as prescribed under the Privacy Act, and submit the statement to the Office of the Australian Information Commissioner (OAIC);
- notify individuals to whom the relevant information relates or who are at risk from the breach either:
 - directly, by taking such steps as are reasonable in the circumstances to notify the contents of the statement to each of the individuals; or
 - if that is not possible, by publishing the contents of the statement to OAIC about the breach on the ADELAIDE EISTEDDFOD's website and taking reasonable steps to publicise the contents of the statement; and
- review the incident and consider action to prevent future breaches.

Enquiries and complaints

If you would like further information about the way the ADELAIDE EISTEDDFOD manages the personal information it holds, or wish to complain that you believe that the ADELAIDE EISTEDDFOD may have breached the Australian Privacy Principles, please contact the Secretary in writing.

The ADELAIDE EISTEDDFOD will investigate any complaint and will notify you of a decision in relation to your complaint as soon as is practicable.