

B W H A

BRISBANE WOMEN'S HOCKEY ASSOCIATION INC.

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Privacy Policy

as at November 2004

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BRISBANE WOMEN'S HOCKEY ASSOCIATION

PRIVACY POLICY

Introduction

On 21/12/2001 the amendments made by the Privacy Amendments (Privacy Sector) Act 2000 to the Privacy Act 1988 became law.

The Privacy Act 1988 ("The Act") now applies to private sector organisations, the definitions of which includes incorporated associations, and so includes Brisbane Women's Hockey Inc.

The Act provides protection for "personal information" which is understood as information or an opinion that can identify a person. It applies to recorded information, including information recorded electronically.

This privacy policy explains in general terms how Brisbane Women's Hockey protects the privacy of your personal information as detailed in the Act which requires organisations to comply with National Privacy Principles (NPP's).

It will tell you how we collect, use, disclose, and how to contact us if you have any queries.

Minimum Standards

The NPP's provide guidance in dealing with personal information.

1. Collection;
2. Use and disclosure;
3. Data quality;
4. Data security;
5. Openness;
6. Access and correction;
7. Identifiers;
8. Anonymity;
9. Transborder data flows;
10. Sensitive information.

(See Annexure "1" attached, "Privacy Principles" (Schedule 3 of the Privacy Act 1988)).

Information will be collected from you when:

- You become a member of a club affiliated to Brisbane Women's Hockey
- You are selected and/or nominated for a Representative Team or Squad
- You are elected onto a committee with a club affiliated to Brisbane Women's Hockey
- You subscribe to the Brisbane Women's Hockey Web site e-mail database or to any publication of Brisbane Women's Hockey
- You are elected onto a committee of Brisbane Women's Hockey
- You are selected and/or are nominated as an official for a State Championship.

In most cases the only information collected by Brisbane Women's Hockey includes name, address, telephone numbers, e-mail addresses, credit card details, playing club, date of birth, feedback, membership numbers, communications between you and us, and transactional information about your use of our services, such as surveys and feedback and medical information.

This Privacy Policy does not apply to Brisbane Women's Hockey's employee records, which are generally exempt from the legislation.

The types of information we collect from you depend on the circumstances of collection and on the type of service you request from us or that we provide you with. For example, when you are selected for a state team we will ask for your name, address, telephone numbers, e-mail address, medical and health information relevant to your trip and body measurements for uniform sizes.

As we are requested by law to obtain your consent of "sensitive information" we will assume that you have consented to collection of all information that is provided to us for use in accordance with this statement, unless you tell us otherwise. Sensitive information includes (but is not limited to) information that reveals racial or ethnic origin, political opinion, religious or philosophical beliefs or affiliations, health information or details of criminal records. Brisbane Women's Hockey will disclose personal information when required by law, and may disclose it when reasonably necessary to assist an enforcement body, or to lessen or prevent a threat to individual or public health or safety.

Brisbane Women's Hockey will before or at the time of collection, take reasonable steps to ensure that the individual is aware of:

- The purpose for which the information is collected
- The organisations (or types of) to which the organisation usually discloses information of that kind

Linked Websites

Websites linked to the Brisbane Women's Hockey website (www.bwha.com.au) are not subject to the Brisbane Women's Hockey privacy standards, policies or procedures. These individual websites would need to be contacted or reviewed directly to determine their privacy standards, policies and procedures.

Privacy Policy

Brisbane Women's Hockey is committed to the protection of personal information. Our commitment is based on an adherence to the National Privacy Principle.

1. Collection

Brisbane Women's Hockey collects a minimum of personal information from a prospective member, such as their name, contact details and date of birth.

Brisbane Women's Hockey collects medical information from individuals seeking selection as a representative individual of the BWA Association. This information usually concerns emergency contacts and health care details.

2. How We Use and Disclose Your Personal Information

All personal information collected by Brisbane Women's Hockey is only made available to those authorised individuals who need to handle that information for the purposes outlined in this policy. In some circumstances, personal information may also be disclosed outside Brisbane Women's Hockey. That is, information that is not sensitive information, and the use of the information is for the reason of direct marketing (eg. this may include receiving up to date information about events and news editions and sponsors products/services offers).

If you do not want to receive e-mail or posted offers from Brisbane Women's Hockey, please let us know by sending an e-mail to admin@bwha.com.au or by contacting the Brisbane Women's Hockey's Privacy Officer at the address listed below. To do so you must supply Brisbane Women's Hockey with your complete name and address.

Medical information obtained by Brisbane Women's Hockey is maintained solely by the Association's Privacy Officer for the purpose of ensuring an individuals safety if injured in competition while representing the Association. Individuals' medical information will at all times remain protected and will be released only to designated medical practitioners if the individual is injured in competition while representing the Association. An individual has the right to refuse consent for the use of the collected medical information. An individual also has the right to refuse to supply the information. If an individual refuses to provide the requested medical information or not consent to the use of that information in the case of injury or other medical emergency, then Brisbane Women's Hockey will not assume any liability for any resulting action or disability that the individual may suffer as a result of his or her refusal.

3. How Brisbane Women's Hockey Manages Data Quality, Collection and Security

Brisbane Women's Hockey will take reasonable steps to make sure that the personal information it collects, uses or discloses is accurate, complete and up-to-date.

Brisbane Women's Hockey will destroy or permanently de-identify personal information if it is no longer needed for any reasonable purposes for which the information may be used or disclosed under the above section.

If requested Brisbane Women's Hockey will take reasonable steps to let a person know generally what types of information we hold, for what purpose it is held, how we collect it, hold it and use and disclose the information.

4. Access and Correction

You can ask to obtain access to your personal information that Brisbane Women's Hockey hold, although under certain circumstances permitted by law, we may not provide such information to you.

If you wish to access information held by Brisbane Women's Hockey, then you should address your request, in writing, to our Privacy Officer. Please note that in the interests of information held by us, we will need to identify you properly. To do this, we may telephone you or require your current drivers license or passport.

We will assume, unless you tell us otherwise, that your request relates to our current records about you. This will include the personal information about you which is held on our database and files. Generally, we will not charge you for our costs of providing access to our current records about you.

For legal and administrative reasons, Brisbane Women's Hockey may also store records containing personal information in its archives. You may seek access to the records held by Brisbane Women's Hockey which are not current records, but if you do so, we may charge you for the cost of providing access.

It is important to us that the personal information we hold about you is accurate, complete and up to date. If you are aware that this is not the case and would like your personal information corrected, or simply desire access to your personal information, please contact the Brisbane Women's Hockey's Privacy Officer with your request for correction:

5. Removal From Our Lists

If you don't want to receive e-mail or posted offers and/or be removed from our lists, please let us know by sending an e-mail message to admin@bwha.com.au or by contacting the Privacy Officer at the address detailed below.

Brisbane Women's Hockey Privacy Officer
C/O Brisbane Women's Hockey
16 Melbourne Street
Windsor QLD 4030
PH: 07 3357 9560
Fax: 07 3357 7234
E-Mail: admin@bwha.com.au
Website: www.bwha.com.au

If you have any queries about the privacy policy, please contact the number above, or visit our website. If in doubt, go to www.privacy.gov.au or call the toll free Privacy Office Hotline on 1300 636 992.

This tagline will appear at the bottom of relevant forms where information is being sought (eg player registration forms)

“Privacy Statement: Brisbane Women's Hockey collects information about you to provide services to you, and to facilitate your involvement in the game of hockey, conduct marketing activities and market research. If the information is not provided Brisbane Women's Hockey may not be able to provide the service requested. Brisbane Women's Hockey may disclose your non-sensitive information to uniform suppliers, sponsors, **Hockey Queensland and Hockey Australia** and to those organisations required by law. Further details can be found in our privacy policy at www.bwha.com.au, Hockey Queensland at www.hockeyqld.com.au and Hockey Australia's Privacy Policies at www.hockey.org.au . You can gain access to the information Brisbane Women's Hockey holds about you by contacting Brisbane Women's Hockey on 07 3357 9560.

HockeyNet Specific

Hockey Australia (HA) requires the information requested for use in relation to HockeyNet. Any personal information provided will only be used in accordance with the objects and purposes of HA, HA general business and in relation to HockeyNet. If the requested personal information is not provided, you may not be able to receive the benefits of registration with the HockeyNet system. Individuals will be able to access their personal information through HA upon reasonable notice. For further information on Hockey Australia's Privacy Policy, please refer to www.hockey.org.au

ANNEXURE 1

National Privacy Principles

1 Collection

- 1.1 An organisation must not collect personal information unless the information is necessary for one or more of its functions or activities.
- 1.2 An organisation must collect personal information only by lawful and fair means and not in an unreasonably intrusive way.
- 1.3 At or before the time (or, if that is not practicable, as soon as practicable after) an organisation collects personal information about an individual from the individual, the organisation must take reasonable steps to ensure that the individual is aware of:
 - (a) the identity of the organisation and how to contact it; and
 - (b) the fact that he or she is able to gain access to the information; and
 - (c) the purposes for which the information is collected; and
 - (d) the organisations (or the types of organisations) to which the organisation usually discloses information of that kind; and
 - (e) any law that requires the particular information to be collected; and
 - (f) the main consequences (if any) for the individual if all or part of the information is not provided.
- 1.4 If it is reasonable and practicable to do so, an organisation must collect personal information about an individual only from that individual.
- 1.5 If an organisation collects personal information about an individual from someone else, it must take reasonable steps to ensure that the individual is or has been made aware of the matters listed in subclause 1.3 except to the extent that making the individual aware of the matters would pose a serious threat to the life or health of any individual.

2 Use and disclosure

- 2.1 An organisation must not use or disclose personal information about an individual for a purpose (the **secondary purpose**) other than the primary purpose of collection unless:
 - (a) both of the following apply:
 - (i) the secondary purpose is related to the primary purpose of collection and, if the personal information is sensitive information, directly related to the primary purpose of collection;
 - (ii) the individual would reasonably expect the organisation to use or disclose the information for the secondary purpose; or
 - (b) the individual has consented to the use or disclosure; or
 - (c) if the information is not sensitive information and the use of the information is for the secondary purpose of direct marketing:
 - (i) it is impracticable for the organisation to seek the individual's consent before that particular use; and
 - (ii) the organisation will not charge the individual for giving effect to a request by the individual to the organisation not to receive direct marketing communications; and
 - (iii) the individual has not made a request to the organisation not to receive direct marketing communications; and
 - (iv) in each direct marketing communication with the individual, the organisation draws to the individual's attention, or prominently displays a notice, that he or she may express a wish not to receive any further direct marketing communications; and
 - (v) each written direct marketing communication by the organisation with the individual (up to and including the communication that involves the use) sets out the organisation's business address and telephone number and, if the communication with the individual is made by fax, telex or other electronic means, a number or address at which the organisation can be directly contacted electronically; or
 - (d) if the information is health information and the use or disclosure is necessary for research, or the compilation or analysis of statistics, relevant to public health or public safety:

- (i) it is impracticable for the organisation to seek the individual's consent before the use or disclosure; and
 - (ii) the use or disclosure is conducted in accordance with guidelines approved by the Commissioner under section 95A for the purposes of this subparagraph; and
 - (iii) in the case of disclosure—the organisation reasonably believes that the recipient of the health information will not disclose the health information, or personal information derived from the health information; or
 - (e) the organisation reasonably believes that the use or disclosure is necessary to lessen or prevent:
 - (i) a serious and imminent threat to an individual's life, health or safety; or
 - (ii) a serious threat to public health or public safety; or
 - (f) the organisation has reason to suspect that unlawful activity has been, is being or may be engaged in, and uses or discloses the personal information as a necessary part of its investigation of the matter or in reporting its concerns to relevant persons or authorities; or
 - (g) the use or disclosure is required or authorised by or under law; or
 - (h) the organisation reasonably believes that the use or disclosure is reasonably necessary for one or more of the following by or on behalf of an enforcement body:
 - (i) the prevention, detection, investigation, prosecution or punishment of criminal offences, breaches of a law imposing a penalty or sanction or breaches of a prescribed law;
 - (ii) the enforcement of laws relating to the confiscation of the proceeds of crime;
 - (iii) the protection of the public revenue;
 - (iv) the prevention, detection, investigation or remedying of seriously improper conduct or prescribed conduct;
 - (v) the preparation for, or conduct of, proceedings before any court or tribunal, or implementation of the orders of a court or tribunal.
- 2.2 If an organisation uses or discloses personal information under paragraph 2.1(h), it must make a written note of the use or disclosure.
- 2.3 Subclause 2.1 operates in relation to personal information that an organisation that is a body corporate has collected from a related body corporate as if the organisation's primary purpose of collection of the information were the primary purpose for which the related body corporate collected the information.
- 2.4 Despite subclause 2.1, an organisation that provides a health service to an individual may disclose health information about the individual to a person who is responsible for the individual if:
- (a) the individual:
 - (i) is physically or legally incapable of giving consent to the disclosure; or
 - (ii) physically cannot communicate consent to the disclosure; and
 - (b) a natural person (the **carer**) providing the health service for the organisation is satisfied that either:
 - (i) the disclosure is necessary to provide appropriate care or treatment of the individual; or
 - (ii) the disclosure is made for compassionate reasons; and
 - (c) the disclosure is not contrary to any wish:
 - (i) expressed by the individual before the individual became unable to give or communicate consent; and
 - (ii) of which the carer is aware, or of which the carer could reasonably be expected to be aware; and
 - (d) the disclosure is limited to the extent reasonable and necessary for a purpose mentioned in paragraph (b).
- 2.5 For the purposes of subclause 2.4, a person is **responsible** for an individual if the person is:
- (a) a parent of the individual; or
 - (b) a child or sibling of the individual and at least 18 years old; or
 - (c) a spouse or de facto spouse of the individual; or

- (d) a relative of the individual, at least 18 years old and a member of the individual's household; or
- (e) a guardian of the individual; or
- (f) exercising an enduring power of attorney granted by the individual that is exercisable in relation to decisions about the individual's health; or
- (g) a person who has an intimate personal relationship with the individual; or
- (h) a person nominated by the individual to be contacted in case of emergency.

2.6 In subclause 2.5:

child of an individual includes an adopted child, a step-child and a foster-child, of the individual.

parent of an individual includes a step-parent, adoptive parent and a foster-parent, of the individual.

relative of an individual means a grandparent, grandchild, uncle, aunt, nephew or niece, of the individual.

sibling of an individual includes a half-brother, half-sister, adoptive brother, adoptive sister, step-brother, step-sister, foster-brother and foster-sister, of the individual.

3 Data quality

An organisation must take reasonable steps to make sure that the personal information it collects, uses or discloses is accurate, complete and up-to-date.

4 Data security

- 4.1 An organisation must take reasonable steps to protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure.
- 4.2 An organisation must take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for any purpose for which the information may be used or disclosed under National Privacy Principle 2.

5 Openness

- 5.1 An organisation must set out in a document clearly expressed policies on its management of personal information. The organisation must make the document available to anyone who asks for it.
- 5.2 On request by a person, an organisation must take reasonable steps to let the person know, generally, what sort of personal information it holds, for what purposes, and how it collects, holds, uses and discloses that information.

6 Access and correction

- 6.1 If an organisation holds personal information about an individual, it must provide the individual with access to the information on request by the individual, except to the extent that:
 - (a) in the case of personal information other than health information—providing access would pose a serious and imminent threat to the life or health of any individual; or
 - (b) in the case of health information—providing access would pose a serious threat to the life or health of any individual; or
 - (c) providing access would have an unreasonable impact upon the privacy of other individuals; or
 - (d) the request for access is frivolous or vexatious; or
 - (e) the information relates to existing or anticipated legal proceedings between the organisation and the individual, and the information would not be accessible by the process of discovery in those proceedings; or
 - (f) providing access would reveal the intentions of the organisation in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
 - (g) providing access would be unlawful; or
 - (h) denying access is required or authorised by or under law; or
 - (i) providing access would be likely to prejudice an investigation of possible unlawful activity; or
 - (j) providing access would be likely to prejudice:
 - (i) the prevention, detection, investigation, prosecution or punishment of criminal offences, breaches of a law imposing a penalty or sanction or breaches of a prescribed law; or
 - (ii) the enforcement of laws relating to the confiscation of the proceeds of crime; or
 - (iii) the protection of the public revenue; or

- (iv) the prevention, detection, investigation or remedying of seriously improper conduct or prescribed conduct; or
 - (v) the preparation for, or conduct of, proceedings before any court or tribunal, or implementation of its orders;
- by or on behalf of an enforcement body; or
- (k) an enforcement body performing a lawful security function asks the organisation not to provide access to the information on the basis that providing access would be likely to cause damage to the security of Australia.
- 6.2 However, where providing access would reveal evaluative information generated within the organisation in connection with a commercially sensitive decision-making process, the organisation may give the individual an explanation for the commercially sensitive decision rather than direct access to the information.
- Note: An organisation breaches subclause 6.1 if it relies on subclause 6.2 to give an individual an explanation for a commercially sensitive decision in circumstances where subclause 6.2 does not apply.
- 6.3 If the organisation is not required to provide the individual with access to the information because of one or more of paragraphs 6.1(a) to (k) (inclusive), the organisation must, if reasonable, consider whether the use of mutually agreed intermediaries would allow sufficient access to meet the needs of both parties.
- 6.4 If an organisation charges for providing access to personal information, those charges:
- (a) must not be excessive; and
 - (b) must not apply to lodging a request for access.
- 6.5 If an organisation holds personal information about an individual and the individual is able to establish that the information is not accurate, complete and up-to-date, the organisation must take reasonable steps to correct the information so that it is accurate, complete and up-to-date.
- 6.6 If the individual and the organisation disagree about whether the information is accurate, complete and up-to-date, and the individual asks the organisation to associate with the information a statement claiming that the information is not accurate, complete or up-to-date, the organisation must take reasonable steps to do so.
- 6.7 An organisation must provide reasons for denial of access or a refusal to correct personal information.

7 Identifiers

- 7.1 An organisation must not adopt as its own identifier of an individual an identifier of the individual that has been assigned by:
- (a) an agency; or
 - (b) an agent of an agency acting in its capacity as agent; or
 - (c) a contracted service provider for a Commonwealth contract acting in its capacity as contracted service provider for that contract.
- 7.1A However, subclause 7.1 does not apply to the adoption by a prescribed organisation of a prescribed identifier in prescribed circumstances.
- Note: There are prerequisites that must be satisfied before those matters are prescribed: see subsection 100(2).
- 7.2 An organisation must not use or disclose an identifier assigned to an individual by an agency, or by an agent or contracted service provider mentioned in subclause 7.1, unless:
- (a) the use or disclosure is necessary for the organisation to fulfil its obligations to the agency; or
 - (b) one or more of paragraphs 2.1(e) to 2.1(h) (inclusive) apply to the use or disclosure; or
 - (c) the use or disclosure is by a prescribed organisation of a prescribed identifier in prescribed circumstances.
- Note: There are prerequisites that must be satisfied before the matters mentioned in paragraph (c) are prescribed: see subsection 100(2).
- 7.3 In this clause:
identifier includes a number assigned by an organisation to an individual to identify uniquely the individual for the purposes of the organisation's operations. However, an individual's name or ABN (as defined in the *A New Tax System (Australian Business Number) Act 1999*) is not an **identifier**.

8 Anonymity

Wherever it is lawful and practicable, individuals must have the option of not identifying themselves when entering transactions with an organisation.

9 Transborder data flows

An organisation in Australia or an external Territory may transfer personal information about an individual to someone (other than the organisation or the individual) who is in a foreign country only if:

- (a) the organisation reasonably believes that the recipient of the information is subject to a law, binding scheme or contract which effectively upholds principles for fair handling of the information that are substantially similar to the National Privacy Principles; or
- (b) the individual consents to the transfer; or
- (c) the transfer is necessary for the performance of a contract between the individual and the organisation, or for the implementation of pre-contractual measures taken in response to the individual's request; or
- (d) the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the individual between the organisation and a third party; or
- (e) all of the following apply:
 - (i) the transfer is for the benefit of the individual;
 - (ii) it is impracticable to obtain the consent of the individual to that transfer;
 - (iii) if it were practicable to obtain such consent, the individual would be likely to give it; or
- (f) the organisation has taken reasonable steps to ensure that the information which it has transferred will not be held, used or disclosed by the recipient of the information inconsistently with the National Privacy Principles.

10 Sensitive information

10.1 An organisation must not collect sensitive information about an individual unless:

- (a) the individual has consented; or
- (b) the collection is required by law; or
- (c) the collection is necessary to prevent or lessen a serious and imminent threat to the life or health of any individual, where the individual whom the information concerns:
 - (i) is physically or legally incapable of giving consent to the collection; or
 - (ii) physically cannot communicate consent to the collection; or
- (d) if the information is collected in the course of the activities of a non-profit organisation—the following conditions are satisfied:
 - (i) the information relates solely to the members of the organisation or to individuals who have regular contact with it in connection with its activities;
 - (ii) at or before the time of collecting the information, the organisation undertakes to the individual whom the information concerns that the organisation will not disclose the information without the individual's consent; or
- (e) the collection is necessary for the establishment, exercise or defence of a legal or equitable claim.

10.2 Despite subclause 10.1, an organisation may collect health information about an individual if:

- (a) the information is necessary to provide a health service to the individual; and
- (b) the information is collected:
 - (i) as required by law (other than this Act); or
 - (ii) in accordance with rules established by competent health or medical bodies that deal with obligations of professional confidentiality which bind the organisation.

10.3 Despite subclause 10.1, an organisation may collect health information about an individual if:

- (a) the collection is necessary for any of the following purposes:
 - (i) research relevant to public health or public safety;
 - (ii) the compilation or analysis of statistics relevant to public health or public safety;
 - (iii) the management, funding or monitoring of a health service; and
- (b) that purpose cannot be served by the collection of information that does not identify the individual or from which the individual's identity cannot reasonably be ascertained; and
- (c) it is impracticable for the organisation to seek the individual's consent to the collection; and
- (d) the information is collected:

- (i) as required by law (other than this Act); or
- (ii) in accordance with rules established by competent health or medical bodies that deal with obligations of professional confidentiality which bind the organisation; or
- (iii) in accordance with guidelines approved by the Commissioner under section 95A for the purposes of this subparagraph.

10.4 If an organisation collects health information about an individual in accordance with subclause 10.3, the organisation must take reasonable steps to permanently de-identify the information before the organisation discloses it.

10.5 In this clause:
non-profit organisation means a non-profit organisation that has only racial, ethnic, political, religious, philosophical, professional, trade, or trade union aims.

THE END