

New South Wales Policy Legacy

PRIVACY POLICY



Version Control

Purpose

The purpose of this Policy is to protect personal information we may hold at any time in respect of any individual and in accordance with the requirements of the Australian Privacy Principles which came into effect on the 12th March 2014. "Personal Information" for the purposes of this Privacy Policy is information about and which identifies an individual.

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1.0 INTRODUCTION TO THE NSW POLICE LEGACY – PRIVACY POLICY STATEMENT

This Privacy Policy applies to NSW Police Legacy Limited (ABN 59 601 251 804) ("NSW Police Legacy Limited"), and by definition to the Directors, members of staff and volunteers.

The terms "we", "us" or "our" means NSW Police Legacy.

We are bound by the Australian Privacy Principles ("APP") which came into effect on the 12th March 2014. These principles have drawn together the National Privacy Principles 1988 (Cth) and the Information Privacy Principles (Government) into one unified set of privacy principles, governing privacy law in Australia. We now have the same rules for the private sector and government.

New South Wales Police Legacy is an APP entity and as such is committed to protecting personal information we may hold at any time in respect of any individual, in accordance with the requirements of those Principles. "Personal information" for the purposes of this Privacy Policy is information about and which identifies individuals. It includes information obtained from an individual or a third party such as personal and sensitive information, bank account details and health or medical information. In general, we will not use or disclose personal information collected about you otherwise than for a purpose set out in this Privacy Policy, for a purpose you would reasonably expect, a purpose required or permitted by law, or a purpose otherwise disclosed to, or authorised by you.

We may, in connection with particular services we offer or provide to you, make other privacy disclosures to you or seek your authority to use your personal information in ways which are different from or more specific than those stated in this Privacy Policy. In the event of any inconsistency between the provisions of this Privacy Policy and those other disclosures, the other disclosures will prevail.

We have certain obligations as to handling personal and sensitive information as an APP entity. NSW Police Legacy Ltd is dedicated to keeping your details private. Any information, we collect in relation to you, is kept strictly secured and stored. We do not pass on/sell/swap any of your personal details with any person, organisation or entity. We use this information to identify you, provide you with our quarterly newsletter (if requested) and to personalise any correspondence to you.

Whenever you use our web site, or any other web site, the computer on which the web pages are stored (the Web server) needs to know the network address of your computer so that it can send the requested web pages to your Internet browser. The unique network address of your computer is called its "IP address," and is sent automatically each time you access any Internet site. From a computer's IP address, it is possible to determine the general geographic location of that computer, but otherwise it is anonymous.

We do not keep a record of the IP addresses from which users access our site.

2.0 Personal Information Collected

The National Privacy Principles came into force on 21 December 2001, but some of the Principles have application to personal information collected prior to as well as after that date. This means that for personal information we hold, which was collected prior to 21 December 2001, we will, in accordance with those particular Principles:

- take reasonable steps to ensure that such information, if used, is accurate, complete and up-to-date;
- take reasonable steps to protect it from misuse, loss or unauthorised access, use or disclosure;
- provide you with access to the information if we still use it;
- not use any government identifier to identify you; and
- only transfer such information overseas with your consent or as authorised by the Principles. Except in so far as this Privacy Policy further addresses the particular Principles reflected in these five instances, the remainder of this document is concerned with personal information which is collected on or after 21 December 2001.

3.0 Collection of Personal Information

We have an obligation to ensure that the quality of personal information we collect is accurate and up to date. Any requested changes must be made within a reasonable time frame.

We do all that is reasonable to ensure that the information is protected from misuse, interference, loss, unauthorised access, modification and disclosure.

We will not ordinarily collect any information about you except where you provide it to us or it is provided to us with your authority. This information is directly related to our activities and is collected in a lawful and fair manner.

We only collect information that we actually need to identify you to be able to provide benefits and services to you and so that you have access to our activities.

If information is received by us in error we destroy the information immediately.

We will notify you when we have received your information and we will store it on the NSW Police Legacy database. You can arrange for it to be removed from the database at any time.

You may choose to not provide us with any personal information it and we will clearly outline the consequences of you not providing that information.

We will not disclose any of your information to anyone else unless you would reasonably expect us to use or disclose the information for secondary purpose and then we would notify you accordingly.

The types of personal information we collect generally includes your name, postal and residential address, telephone number(s) and email address. To perform our role we will also collect family details.

In certain circumstances, we may also collect personal information about you which is sensitive. Sensitive information includes information about your health, religious or philosophical beliefs, membership of professional or trade associations or a criminal record. Unless the collection of sensitive information is required or permitted by or under law, we will obtain your consent to its

collection. If the sensitive information relates directly to your ability to meet a financial obligation to us, you consent to our collection of it.

We will collect personal information directly from you when you complete an application form for us, deal with us over the telephone or in person, send us a letter or visit our website.

On occasions, we may need to collect personal information about you from third parties, such as credit reporting agencies, our business alliances, your agents or third party brokers. If your consent to this collection is required by law, we will first obtain your consent prior to collecting the information.

We only collect personal information about you that is necessary for our functions and activities and, ordinarily, you will be told the purposes for which we collect that information when it is collected.

As a general rule the collection of your personal information will be necessary for us to provide a product or service to you or to maintain our relationship with you.

Additionally, the purposes for which we will generally collect and use your personal information will include:

- complying with legislative and regulatory requirements;
- considering any application you make to us;
- performing our administrative operations, including accounting, risk management, record keeping, archiving, systems development and testing and staff training;
- managing our rights and obligations in relation to external payment systems;
- conducting customer satisfaction research;
- developing and identifying services that may interest you or be of benefit to you and your family; and
- (unless you ask us not to) telling you about our services.

You can elect not to identify yourself when dealing with an APP entity in relation to a particular matter. However, this does not apply where Australian law/Court orders prohibit this. It also does not apply if it is unworkable or impossible not merely inconvenient for the APP to deal with individuals who have not identified themselves.

4.0 Personal Information about Third Parties

If at any time you supply us with personal information about another person (for example, a referee or a person to whom you may wish a payment to be directed), you should ensure that you are authorised to do so and you must agree to inform that person who we are, that we will use and disclose their personal information and that they may gain access to their personal information should we hold it.

5.0 Use and Disclosure of Personal Information

We will not use or disclose information collected about you other than for a purpose made known to you, a purpose you would reasonably expect, a purpose required or permitted by or under any law or a purpose otherwise authorised by you.

You must authorise us to disclose necessary information to related companies and to any agents or contractors who provide services to us in connection with the provision of products or services you have sought from us.

These parties are prohibited from using your personal information except for the specific purpose for which we supply it to them.

Subject to what is permitted by law, the types of third parties we may disclose your personal information to include, where relevant:

- credit reporting agencies;
- our agents, contractors and external advisers whom we engage from time to time to carry out, or advise on, our functions and activities;
- your agents and contractors
- your legal or financial adviser;
- your executor, administrator, trustee, guardian or attorney;
- your referees;
- regulatory bodies, government agencies, law enforcement bodies and courts;
- any person or organisation who introduces you to us;
- other organisations with whom we have alliances or arrangements for the purpose of promoting our respective products and services (and any agents used by us and our business partners in administering such an arrangement or alliance);
- debt collecting agencies;
- other financial institutions;
- external payment systems operators;
- your and our insurers or prospective insurers and their underwriters;
- any person to the extent necessary, in our view in order to carry out any instruction you give to them by us; and

(unless you tell us not to) other organisations (including our related bodies corporate) and their agents for the marketing of specific products and services.

In some cases, we may need to transfer your personal information overseas. If we believe that the overseas third party is not subject to privacy obligations equivalent to those which apply to us we will seek your consent to transfer the information, except where the Australian Privacy Principles do not require us to do so.

6.0 Your Access to your Personal Information

If at any time you wish to know what personal information we are holding about you, you are welcome to apply for your details by telephoning us. You have a right to know why personal information is being collected, how it is being used, to whom it was disclosed and to be able to access your own records.

Under certain circumstances, we may not be able to tell you what personal information we hold about you. This includes where:

- It would pose a serious threat to the life, health or safety of any individual
- It would be a public health/safety risk;
- It would have an unreasonable impact on the privacy of other individuals
- The request is frivolous or vexatious
- The information relates to existing or anticipated legal proceedings
- Giving access would reveal the intention of the entity in relation to negotiations with the individual which would prejudice those negotiations. Access is unlawful or prohibited by and Australian law/Court order.
- The access is required for potential misconduct/illegal conduct by the individual and withholding it would assist in stopping that conduct taking place, or
- Access would reveal information in relation to commercially sensitive decision making processes.

If access is refused by NSW Police Legacy, they must disclose the reasons for the refusal, the mechanisms to complain about the refusal and any other matter prescribed by the regulations.

We will take reasonable steps to ensure that your personal information is accurate, complete and up-to-date. If at any time you believe that personal information that we hold about you is inaccurate, incomplete or out of date, please advise us by telephoning us. If you do not wish to receive any correspondence from us please also advise us.

7.0 Security of your Personal Information

We maintain strict procedures and standards and take all reasonable care to prevent unauthorised access to, and modification and disclosure of, your personal information. We will take all reasonable steps to protect your personal information from misuse and loss. It is all held on a database that requires password access and has restricted users.

However, no data transmission over the Internet can be guaranteed as fully secure and accordingly, we cannot guarantee or warrant the security of any information you send to us using the internet. You submit information over the Internet at your own risk. If we no longer need your information, we will destroy or de-identify it.

8.0 Direct Marketing

NSW Police Legacy does not engage in cold calling or telemarketing. Personal information will not be used for the purposes of direct marketing except where you have provided the information and would reasonably expect us to disclose it for direct marketing. If you have been called by anyone purporting to be an employee of NSW Police Legacy please call us on (02) 9264 1311.

9.0 Government Identifiers

We do not use your tax file number, Medicare number, pension number or any other government identifier as your account number. We will only use and disclose these numbers for the purposes required by law.

10.0 Complaints about Breaches of Privacy

If you believe that the privacy of your personal information has been compromised or is not being adequately protected, you should contact us by telephoning us. We will make every effort to resolve your complaint internally according to our Complaints Policy.

If we do not resolve your complaint to your satisfaction, you may apply to the Federal Privacy Commissioner to have your complaint investigated. For more information about how you may lodge a complaint with the Federal Privacy Commissioner, please contact the Commissioner's hotline service on 1300 363 992

11.0 Changes to this Privacy Policy

This statement sets out our current Privacy Policy. It replaces any of our other Privacy Policies or website Privacy Policy to date.

Please note that this Privacy Policy may change from time to time. Our current Privacy Policy is available from our website, www.nswpolicelegacy.org.au or by telephoning us.

We encourage you to periodically review our Privacy Policy for any changes.

12.0 Our Internet Website

This Privacy Policy applies to any website operated by us under the domain name www.nswpolicelegacy.org.au - ("The NSW Police Legacy Website").

When you use a link from the NSW Police Legacy Website to the websites of third parties, those websites are not subject to our privacy standards. Those third parties are responsible for informing you of their own privacy policies.

We do not have any arrangements in place where your personal information is collected by third parties on any websites you have accessed through our website.

13.0 Fundraising

When collecting personal information from donors or sponsors, volunteers or clients we will tell them how their personal information will be handled and used if at all.

If we have existing information that we wish to use in a different context, we will tell those affected how it will be used it and give them an option as to whether they wish their information to be used for that purpose.

14.0 Review of Policy

This Policy will be reviewed every two (2) years by a member of the relevant committee a second member of the Board of Directors. Any changes to the documents will be submitted to the Board for their approval.

15.0 Contacting Us

If you have any questions regarding this Privacy Policy or would like more information about the way we manage your personal information, telephone us on (02) 9264 1311