



## 6.02 Privacy

<b>Title:</b>	Privacy
<b>Document Number:</b>	6.02
<b>Last Review Date:</b>	June 2023
<b>Next Review Date:</b>	June 2024
<b>Responsible Portfolio:</b>	Governance
<b>Authority:</b>	This Policy is made under clause 39 of the SLSA Constitution. It is binding on all Members of SLSA and is to be interpreted in accordance with the SLSA Constitution.

The protection of personal information is important to Surf Life Saving Australia (**SLSA**). SLSA is committed to respecting the right to privacy and the protection of personal information.

For the purposes of this Policy, **SLS Entity** includes:

- SLSA
- State Centres, being the governing body of Surf Life Saving in each affiliated State or Territory;
- Branches, being those entities that are recognised by the respective State Centre; and
- Affiliated Clubs, being those Clubs, which are members of or affiliated to a Branch or State and SLSA.

This document sets out:

- What personal and sensitive information SLSA collects;
- How SLSA collects personal and sensitive information;
- How SLSA uses or discloses personal and sensitive information
- How individuals can access or seek correction of information held by SLSA ; and
- Who to contact regarding privacy issues and complaints

By providing your personal information to SLSA, you consent to its use, storage and disclosure in accordance with this Privacy Policy.

This Policy provides for the way in which SLS Entities may collect, use, store and disclose information. Third party commercial entities and subsidiaries, whether owned or acting on behalf of any SLSA Entity, may be subject to the same privacy laws and may be governed by their own privacy policies. SLSA will always do its utmost to ensure that personal information is respected and protected.

## 1. WHAT PERSONAL AND SENSITIVE INFORMATION DOES SLSA COLLECT?

### 1.1 Personal Information

Generally, **personal information** is information or an opinion (including information or an opinion forming part of a database) from which it is possible to determine someone's identity.

The information collected by a SLSA about a particular person will vary depending on the circumstances of collection. It may include, but is not limited to, a person's contact details (name, email and/or postal address, phone number), date of birth, gender, credit card details,

driver licence number, passport number, insurance details, employment history, qualifications or communication history with SLISA.

## 1.2 Sensitive Information

Sensitive information is a type of personal information that also includes information or an opinion about:

- a. racial or ethnic origin;
- b. political opinions;
- c. membership of a political association, professional or trade association or trade union;
- d. religious beliefs or affiliations or philosophical beliefs;
- e. sexual preferences or practices;
- f. criminal record; or
- g. health, genetic information or disability.

If it is reasonably necessary in the circumstances, SLISA may also collect sensitive information such as a person's medical history, nationality, their ethnic background or disabilities.

SLISA is required by law to obtain consent when collecting sensitive information. SLISA assumes and will assume consent to the collection of all sensitive information that is provided to it for use in accordance with this Privacy Policy, unless told otherwise.

## 2. HOW DOES SLISA COLLECT PERSONAL AND SENSITIVE INFORMATION?

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Information may be collected when you:

- a. become a member of any SLS Entity or other body which is a member of or affiliated with SLISA;
- b. subscribe to any publication of any SLS Entity, including electronic publications;
- c. provide details to any SLS Entity in an application form, consent form, survey, feedback form or incident report;
- d. enter personal information into, or agree to having your personal information entered into, an SLS Entity online system such as 'Surf Guard' or another SLISA online system;
- e. access any SLS Entity website;
- f. contact any SLS Entity via email, telephone or mail or engage with SLISA via social media;
- g. participate in any program, activity, competition or event run by any SLS Entity;
- h. purchase tickets to a surf lifesaving or sporting event from SLISA or an authorised agent;
- i. purchase merchandise, products or services from any SLS Entity;
- j. are elected or appointed to the Board or a committee of an SLS Entity;
- k. apply for employment or a volunteer position with any SLS Entity; or

- I. where an SLS Entity is required to do so by law (for education, VET training, child protection, Work health and safety laws, AVETMISS, charitable collections, Good Samaritan, Medical Treatment or other legislation in Australia).

## 2.1 Providing information

Depending on the circumstances, some types of information will be required and others might be optional. If you do not provide some or all of the information requested, this may affect an SLS Entity's ability to communicate with you or provide the requested products or services.

By not providing requested information, you may jeopardise your ability to participate in programs or competitions or apply for employment or volunteer positions with SLSA or an SLS Entity. If it is impracticable for any SLS Entity to deal with you as a result of you not providing the requested information or consents, that entity may refuse to do so.

## 2.2 Collection from third parties

Any SLS Entity may collect personal information regarding a child from the parent or other responsible person associated with that child.

In some circumstances, SLSA collects information from other SLS Entities or other third parties.

Examples of such third parties could include, without limitation, Sport Australia, Sport Integrity Australia, the Australian Olympic Committee, non-affiliated surf lifesaving organisations or government and law enforcement bodies.

## 2.3 Information storage and protection

SLSA stores information in different ways, including in paper and electronic form. Much of the information collected from and about our members is added to SLSA's 'Surfguard' database which is hosted by a third-party data storage provider. When your information is entered into the Surfguard database, the information may be combined or linked with other information held about you.

Security of personal information is important to SLSA. SLSA has taken steps to protect the information we hold from misuse, loss, unauthorised access, modification or disclosure. Some of the security measures SLSA uses includes strict confidentiality requirements of our employees, volunteers, SLSA Affiliates and service providers, as well as security measures for system access, and security measures for our website such as firewalls and system encryption.

SLSA is required to comply with the Federal Government Notifiable Data Breaches Scheme (**NDBS**). When SLSA has had a data breach that could result in serious harm, SLSA will notify the individual(s) that is/are affected. SLSA when notifying the individual(s) and Australian Information Commissioner, will also outline what steps will be undertaken in response to the breach. A review of the breach will be undertaken, and action(s) implemented to prevent a future breach. SLSA ensures that all members abide by the Privacy policy in conjunction with the Terms of Use Policy and do not download and disclose personal data. Such behaviour can now result in large fines up to \$50 Million, in line with the *Privacy Act 1988* (Cth).

### 3. HOW DOES SLSA USE AND DISCLOSE PERSONAL AND SENSITIVE INFORMATION?

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#### 3.1 Use

SLSA, and third parties to whom we may disclose personal information in accordance with this Privacy Policy, may use your personal information to:

- a. verify your identity;
- b. complete background checks;
- c. research, develop, run, administer and market competitions, programs, activities and other events relating to a variety of surf lifesaving sports and activities including but not limited to 'Nippers', 'Rescue and Resuscitation' events, Ironman and Ironwoman competitions, emergency management information, membership management, education offerings and organisation, social events, police or other legal agencies for the purposes of medical treatment amongst others;
- d. research, develop and market products, services, merchandise and special offers made available by us and third parties;
- e. respond to emergency situations involving or requiring medical treatment;
- f. administer, manage and provide you with access to [sls.com.au](https://sls.com.au), 'Surfguard' database, self service portal and other IT based applications; and
- g. keep you informed of news and information relating to various surf lifesaving events, activities and opportunities via various mediums.

SLSA may use health information to ensure that programs we operate are run safely and in accordance with any special health needs participants may require. Health information may also be kept for insurance purposes. In addition, we may use de-identified health information and other sensitive information to carry out research, to prepare submissions to government or other regulatory bodies, or to plan events and activities. SLSA does not provide a Health Service as defined under the *Privacy Act 1988* and will not use health information for the purposes of providing a Health Service as defined under the *Privacy Act 1988*.

#### 3.2 Disclosure

SLSA may disclose your personal information to a range of organisations which include, but are not limited to:

- a. SLSA affiliates and other organisations involved in surf lifesaving and emergency management;
- b. companies we engage to carry out functions and activities on SLSA's behalf, including direct marketing;
- c. our professional advisers, including our accountants, auditors and lawyers;
- d. our insurers;
- e. police and other legal agencies;
- f. SLS companies, subsidiaries and affiliates;
- g. relevant sporting bodies such as the Australian Sports Commission, the Australian Sports Anti-Doping Authority, the Australian Olympic Committee, the Australian Paralympic Committee, the Australian Commonwealth Games Association, Australian Institute of Sport, Australian Sports Anti-Doping Authority, various National Sporting bodies, and Federal and State Departments of sport amongst others; and in other circumstances permitted by law.

In some circumstances, personal information may also be disclosed outside of Australia. In such circumstances, SLSA will use its best endeavours to ensure such parties are subject to a law, binding scheme or contract which effectively upholds principles for fair handling of the information that are suitably similar to the Australian Privacy Principles.

Any disclosure will be on such terms and conditions as SLSA determines taking into account the circumstances of the disclosure but always with the best interests of the parties whose personal information is being disclosed.

### **3.3 Direct marketing**

SLS will assume consent to use non-sensitive personal information to provide to you better services and marketing purposes (including disclosure of such information to service providers).

Every person whose data is collected by SLSA has the option to refuse e-mail, SMS or posted offers. You may do this by updating the direct marketing settings in your user portal/Life Saving Online in SurfGuard, or via the opt-out procedures included in any communication from us (information relating to the option to unsubscribe from those communications may be retained).

If you are still not satisfied at the communication you are receiving, you can also write to SLSA's Privacy Officer via the contact details set out below.

### **3.4 Other disclosures**

In addition, SLSA may also disclose personal information:

- a. with your express or implied consent;
- b. when required or authorised by law;
- c. to an enforcement body when reasonably necessary; or
- d. to lessen or prevent a threat to an individual or public health or safety.

### **3.5 SLSA website**

When users visit the SLSA website, our systems may record certain information about their use of the site, including the web pages visited and the time and date of their visit. SLSA uses this information to help analyse and improve the performance of the SLSA website.

In addition, we may use "cookies" on the SLSA website. Cookies are small text files that help a website to remember the preferences of users to improve the experience of using that website. In some cases, the cookies that we use may collect some personal information. SLSA will treat this information in the same way as other personal information we collect. You are free to disable cookies on your internet browser to prevent this information being collected; however, you may lose the benefit of an enhanced website experience that the use of cookies may offer.

Websites linked to the SLSA website are not subject to SLSA's privacy standards, policies or procedures. SLSA does not take any responsibility for the collection, use, disclosure or security of any personal information that you provide to a third-party website.

## 4. ACCESSING AND SEEKING CORRECTION OF INFORMATION HELD BY SLSA

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SLSA will take all reasonable steps to ensure that the personal information it collects, uses or discloses is accurate, complete and up-to-date. However, we rely on the accuracy of personal information as provided to us both directly and indirectly.

SLSA also relies on Affiliates and volunteers to enter data and make their best endeavours to ensure data is accurately recorded.

We encourage all users to regularly review and update their personal information on the Surfguard database and via the "members portal" link.

Individuals may also request access to their personal information held by us by making a request via the contact details set out below. We will respond to your request for access within 14 days and endeavour to provide the requested information within 30 days. If you find that the personal information, we hold about you is inaccurate, incomplete or out-of-date, please contact us immediately and we will see that it is corrected.

## 5. RESOLVING PRIVACY ISSUES AND COMPLAINTS

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Any issues or complaints in relation to the collection, use, disclosure, quality, security of and access to your personal information may be made to the SLSA Privacy Officer at this address:

### **Privacy Officer**

Surf Life Saving Australia

Email: [privacy@slsa.asn.au](mailto:privacy@slsa.asn.au)

Ph: 02 9215 8000

Level 1, 1 Notts Ave

Bondi Beach NSW 2026

We will respond to your complaint within 30 days and try to resolve it within 90 days. If we are unable to resolve your complaint within this time, or you are unhappy with the outcome, you can contact the Office of Australian Information Commissioner via its enquiries line 1300 363 992 or website <http://www.oaic.gov.au/> to lodge a complaint.

For further information on SLSA's management of personal information, please contact SLSA. SLSA may amend this Privacy Policy from time to time.

## **SCHEDULE 1 – Template Privacy Declaration for Third Party Systems**

The new privacy laws require organisations to notify individuals at the time that the information is collected. Below is a declaration that can be used by States/Clubs at the point of data collection (as a suggestion) in order to comply with the new requirements:

*“Privacy: I understand that the information I have provided in this form is necessary for the proper management of this activity and for the administration of Surf Life Saving related activities in Australia.*

*The information is collected in accordance with the SLSA Privacy Policy (available at [www.sls.com.au](http://www.sls.com.au)).*

*SLS may share my information with SLS affiliates in accordance with the Privacy Policy and it may also be used to notify me of other events, news, and to offer the provision of services, including by third-party providers, to me.*

*I understand that the SLSA Privacy Policy contains information about how I may access and request correction of my personal information held by SLS, or make a complaint about the handling of my personal information, and provides information about how a complaint will be dealt with by SLS. If the information is not provided, my application may be rejected or services may be unable to be provided to me.*

*I acknowledge that if I do not wish to receive promotional material from SLS sponsors and third parties I may advise in writing or via the opt-out process provided in the relevant communication.*

*Privacy complaints should be directed to the Organising entity, Club, Branch or State in the first instance or to [privacy@slsa.asn.au](mailto:privacy@slsa.asn.au).”*