|  |  |
| --- | --- |
| **Title** | BBI PRIVACY POLICY |
| **Description** | This Policy discloses some or all of the ways a party gathers, uses, discloses, and manages a customer or client's data |
| **Created By** | Hamish Cain, General Manager |
| **Date Created** | Unknown |
| **Maintained By** | BBI MANAGEMENT COMMITTEE |
| **Version Number** | **Modified By** | **Modifications Made** | **Date Modified** | **Status** |
| V1.0 | GM | FORMAT UPDATED | 02.04.2024 | Final |
|  |  |  |  |  |

**BRISBANE BASKETBALL PRIVACY POLICY**

**OVERVIEW**

The Association recognises that it is both necessary and required by law for The Association

to store a variety of records of factual information about Employees and Customers.

The Association accepts that the general principles of confidentiality and privacy apply to

the use and availability of its records. Where information about a person includes personal

details as defined by the Privacy Act 1988 (as amended) (Cth), that person expects that The

Association will maintain confidentiality, except where disclosure is required for legitimate

and legal purposes.

The application of the Act generally applies to organisations that have an annual turnover of $3million or more. However if may still apply if:

* The organisation falls under the umbrella of a larger state or national sporting organisationn that has a turnover or more than $3m; or
* You collect and hold health information about the participant or member, such as whether they have an injury, illness or require medication; or
* You provide a health service (as defined), even if you do not consider your primary activity.

A health service under the Act includes any activity that involves:

* Assessing, maintaining, or improving a person’s physical or pyschological health (YES)
* Diagnosing or treating a person’s illness, disability or injury
* Recording a person’s physical or pyschological health for the purposes of assessing, maintaining, improving or managing the person’s health (YES)
* Dispensing a prescription drug or medical preparation by a pharmacist
* Where a person’s health cannot be maintained or improved – managing the person’s physical or psychological health

As some of these apply our association needs to be cognisant of our obligations when dealing with information.

1. **DEFINITIONS**
	1. **SENSITIVE INFORMATION**

Sensitive information includes but is not limited to the following:

* racial or ethnic origin;
* religious beliefs or affiliations;
* sexual orientation or practices;
* health information;
* genetic information that is not otherwise health information;
* criminal record;
* biometric templates;
	1. **PERSONAL INFORMATION**

Personal information is broadly defined as any information or opinion that can identify a

person.

1. **AUTHORISED ACCESS TO RECORDS**

The Association defines authorised access as that which is required for work-related

purposes. For example, reaching selection decisions or providing vocational guidance.

1. **THE ASSOCIATION RESPONSIBILITIES**

Where a new Employee enters the Association, the Supervisor/Manager will educate the Employee on this policy.

1. **COLLECTION OF PERSONAL INFORMATION**

The Association will only collect personal information where the information is necessary for

one or more of its functions or activities. The Association will collect this information in a

way that is fair, lawful and not intrusive.

Where information about an individual is collected from a third party, the Association will

take reasonable steps to notify the individual of this.

1. **USE AND DISCLOSURE OF INFORMATION**

The Association will only use or disclose information for the following reasons:

* The purposes it was collected (unless the person has consented);
* A secondary purpose that is related to the primary purpose and reasonably expected by the individual and/or
* In circumstances related to public interest such as law enforcement and public health.

The Association will endeavour to receive an individual’s written consent for disclosure of

his/her information.

1. **MAINTENANCE OF INFORMATION QUALITY**

The Association will take reasonable steps to make sure that the personal information

collected, used or disclosed is accurate, complete and up-to-date.

1. **DATA STORAGE**

Reasonable steps will be taken to protect personal information from misuse, loss and

unauthorised access modification or disclosure.

Reasonable steps will be taken 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.

The following guidelines will be followed for the storage of information:

* No personal information will be given over the phone unless it has been established
* that the caller has legitimate grounds to access the information and has given proof of identify;
* No personal information will be left on voicemail unless requested by the owner of the voicemail and the voicemail is secure;
* Fax machines used for transmission of personal health information be secure;
* Only authorised individuals receive personal information and are not to forward such information without consent;
* Paper records containing personal information will not be copied unless it is essential to do so;
* All paper records will be kept secure and will be shredded or burned when no longer required; and
* Personal information will not be left unattended or discussed in public areas where others may overhear.

Employees and other persons who are directly involved with the activities of the Association

are required to consent to applicable confidentiality obligations in writing. (action required)

1. **AVAILABILITY OF THIS POLICY**

This policy will be made available to anyone who asks for it.

On request by a person, the Association will take reasonable steps to let the person know

what sort of personal information it holds, for what purposes it is held and the purpose for

which it would be disclosed. Any such requests are to be directed to the General Manager in writing.

1. **ACCESS AND CORRECTION**

The Association acknowledges that it must give individuals access to their personal request information. This is limited by a number of things. For example, In the case where it could pose a threat to the life of any individual;

·       Where the request for access is frivolous or vexatious or

·       Where denying access is required or authorised by law.

Providing access would reveal evaluative information generated within the Association, in connection with a commercially sensitive decision-making process. The Association may give the individual an explanation for the commercially sensitive decision rather than directly access  the information.

If the individual can establish that the information is not accurate, complete or up-to-date, The Association will take reasonable steps to correct the information so that it is accurate, complete and up-to-date.

Where an individual and the Association disagree about whether the information is accurate, complete and up-to-date, and an individual asks the Association to attach a statement with the information that identifies the information to be inaccurate, incomplete or not up-to-date, The Association will take reasonable steps to do so.

The Association will provide reasons for a denial of access or a refusal to correct personal information.

All inquiries regarding access or correction in accordance with this policy must be communicated to the General Manager.

Generally, the Association will not adapt, use or disclose, an identifier that has been assigned by a Commonwealth Government agency.

1. **RESPECT FOR ANONYMITY**

Where it is lawful and practicable to do so, individuals dealing with the Association are not

expected to identify themselves.

1. **FORWARDING OF INFORMATION OVERSEAS**

The Association does not generally transmit information overseas; however, in such an

unlikely event, the Association will only transfer personal information to a recipient in a

foreign country in circumstances where the information will have appropriate protection.

1. **HANDLING OF SENSITIVE INFORMATION**

Sensitive information will not be collected unless:

* The individual has consented;
* It is required by law;
* The collection is necessary to prevent or lessen a serious and imminent threat to the
* life or health of any individual, where the subject of the information is physically or
* legally incapable of giving consent; and
* The collection is necessary for the establishment, exercise or defence of a legal
* claim.
1. **COMPLAINTS**

Complaints about breaches of personal privacy should be reported to the General Manager

in the first instance in writing.

1. **SUMMARY OF KEY POINTS**

Personal information is stored securely and is only accessible to authorised

* Employees who have a genuine need to access the information as part of their employment.
* Unless required by law or permitted by consent, the information collected by The Association is not used for any purpose other than the purpose for which it was collected, or a related and reasonably foreseeable secondary purpose.
* The Association will endeavour to ensure that all Employees, contractors, agents and other people working within The Association are familiar with this policy