



**Policy 1.12 – Privacy**

<b>Policy Topic:</b>	AUTHORITY TO OPERATE <b>PRIVACY (DRAFT 2, amended October 2006 by Freehills)</b>		
<b>Policy No:</b>	1.12	<b>Date Issued:</b>	2002 Page 1 of 1
<b>Source of Authority:</b>	NAA Minutes		
<b>Dates:</b>	12 April 2002	<b>Review Date:</b>	November 2006

**Preamble:**

The Duke of Edinburgh's Award in Australia Inc (**National Award Authority**) is committed to ensuring the privacy and protection of personal information in accordance with the requirements of the Privacy Act 1988 (Cth) and any other applicable laws (the **Privacy Laws**). The National Award Authority is bound by the ten National Privacy Principles (**NPPs**) contained in the Privacy Act, which regulate the collection, storage, use, disclosure and other processing of personal information.

Certain National Award Authority activities with respect to employee records are exempt from this regulation.

Any organisation or person licensed to administer, manage or coordinate the Award Program in Australia (including without limitation the National Award Authority, State Award Authorities, Registered Operators, assessors, volunteers or award coordinators) must comply with this policy.

**Purpose of the Privacy Policy:**

This policy sets out how DEA handles the personal information of the Award Program volunteers, supporters and participants.

**Definitions:**

**“Award Program”** means the Duke of Edinburgh's Award, which was established by the Trust Deed dated 18 January 1961, for the purposes described in the International Declaration set out in Schedule 1;

**“DEA”** includes any organisation or person licensed to administer, manage or coordinate the Award Program, including without limitation the National Award Authority, State Award Authorities, Registered Operators, Instructors, assessors, volunteers or award coordinators.

**Personal information** is any information or opinion (including information or opinion forming part of a database), whether true or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion. An individual's name, age, photograph, gender, contact details and financial/fundraising information are examples of personal information..

**Sensitive information** is a special type of personal information, being any information or opinion about an individual's health, racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices or criminal record. There are additional restrictions on the collection, use and disclosure of sensitive information in the Privacy Laws.

**PRIVACY POLICY:****1. Collection of personal information**

- 1.1 DEA only collects personal information that is necessary for one or more of its functions or activities. Personal information is only collected lawfully and fairly, and not in an unreasonably intrusive way.
- 1.2 DEA generally collects personal information in order to manage, administer, record and support participation in the Award Program. Information is also collected to keep employees, volunteers, supporters and participants informed about Award Program activities and events. When collecting relevant personal information, the identity of the collecting organisation, contact details the purposes for which the information is required and to whom it will be provided will be clearly identified, together with any other matters required by the Privacy Laws.
- 1.3 DEA generally collects personal information directly from the relevant individual or their authorised intermediaries. The DEA will take reasonable steps to ensure that when information is collected from a third party that the subject of the information has been made aware of this action.
- 1.4 In certain circumstances, DEA may collect sensitive information about individuals. For example, an individual may provide information on their health or racial origin in the Participant Application Form. DEA only collects, uses and discloses sensitive information with consent or otherwise in accordance with law.

**2. Use and disclosure of personal information**

- 2.1 DEA generally limits its use and disclosure of personal information to the purpose for which it was collected and other related purposes that would be expected by the individual.
- 2.2 In special circumstances, DEA may also use and disclose personal information where it is otherwise allowed under the Privacy Laws (for example, disclosure to government regulatory and law enforcement agencies or in emergency situations).
- 2.3 If DEA wishes to use or disclose personal information in other circumstances, it will obtain the individual's consent to do so.
- 2.4 Personal information may also be used to inform volunteers, supporters and participants of Award Program activities and events. Individuals who no longer wish to receive such promotional information may advise DEA using the contact details below. DEA's records will normally be amended in five working days.
- 2.5 Personal information may be shared between the various DEA organisations and persons responsible for administering the Award Program in Australia. Each of these organisations and persons agree to comply with this policy. DEA may also transfer personal information (including sensitive information) to DEA organisations located outside of Australia such as the International Award Association (for example delegate details including health information for international exchanges/camps). Once this personal information is held outside of Australia it may not receive the level of privacy protection required by the Privacy Laws. Individuals who object to the overseas transfer of their personal information may advise the relevant DEA organisation using the contact details below.
- 2.6 DEA may also disclose personal information to its contractors and service providers that assist in the operation or administration of the Award Program from time to time (for example, DEA's mailing house or internet services provider).

**3. Access to and correction of personal information**

- 3.1 An individual may request access to the personal information that DEA holds about them or request DEA to correct their personal information using the contact details below. Requests to provide access to personal information will be dealt with in a reasonable time.

- 3.2 In some circumstances, DEA may not be required by law to provide an individual with access or to correct their personal information. In these circumstances, DEA will provide the individual with the reason(s) for refusal.

#### **4. Data quality**

- 4.1 DEA will take reasonable steps to ensure that personal information it collects, uses or discloses is accurate, complete and up-to-date.

#### **5. Security of personal information**

- 5.1 DEA will take reasonable steps to protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure.
- 5.2 DEA will take reasonable steps to destroy or permanently de-identify personal information collected which is no longer required.

#### **6. ONLINE-PRIVACY POLICY:**

- 6.1 DEA recognises and appreciates the importance of responsible handling of personal information collected through electronic means. This section outlines the way DEA handles personal information collected when an individual uses the national DEA website under the domain name [www.dukeofed.org.au](http://www.dukeofed.org.au) (national website).

##### **6.1.1 Collection of personal information**

- 6.1.1.1 An individual may visit the national website without providing any personal information.
- 6.1.1.2 If an individual emails DEA through the national website, the email may contain personal information about that individual (such as their name, mailing address or email address). Except as specifically provided below, DEA will treat personal information collected on the national website in accordance with the general personal information management practices in this Privacy Policy.
- 6.1.1.3 An individual who participates in the 'Chat Line' on the national website may also provide DEA with personal information. Any information posted on the Chat Line is available to all persons accessing that location.

##### **6.1.2 Disclosure of personal information**

- 6.1.2.1 DEA outsources the development, maintenance and hosting of the national website to third party service providers. DEA may disclose personal information collected on the national website to its third party service providers so that they can effectively provide these services.

##### **6.1.3 Links**

- 6.1.3.1 DEA may, from time to time, include links on the national website to the websites of other organisations. DEA is not responsible for the privacy practices of these websites.

##### **6.1.4 Website security**

- 6.1.4.1 As with any internet transaction, the transmission of data over the internet is not completely secure. While DEA takes reasonable steps to protect all the personal information in its possession that it has collected via the national website in accordance with its general personal information management practices, DEA cannot guarantee the security of all data submitted to it over the internet.

#### **7. Complaints**

- 7.1 Any individual who believes that DEA has not complied with this Privacy Policy or the National Privacy Principles with respect to the handling of their personal information

should write to the relevant DEA organisation using the contact details below. The letter should describe in detail the nature of the enquiry or the ways in which the individual believes that this policy has not been complied with.

- 7.2 [If the matter cannot be resolved at the State Award Authority level, or is a national level matter, it will be referred to a standing Complaints and Grievance Disputes Panel via the Australian Award Office.
- 7.3 The National Award Authority will elect an independent Chair and Panel Members to deal with matters as required.
- 7.4 The Panel is to review privacy related matters and make recommendations to the parties involved. They will inform the National Chairman and National Award Authority of the privacy matter and outcomes.]  
[It is not necessary to include the bracketed section in the publicly available Privacy Policy.]
- 7.5 If a privacy complaint cannot be resolved between DEA and the individual, the individual may contact the Office of the Federal Privacy Commissioner. Such complaints should be made in writing to the Privacy Commissioner at GPO Box 5218, SYDNEY, NSW, 1042.

**8. CONTACT DETAILS:**

- 8.1 Any individual who has a question or complaint about how DEA handles their personal information or who wishes to access or correct the personal information that DEA holds about them should contact:

Simon Pugh  
 Secretary  
 National Award Authority  
 PO Box R1959  
 ROYAL EXCHANGE NSW 1225

Ph: 0438 411 774

[Name, address, phone & email contact details of privacy officers (or similar) in the relevant State Award Authorities to be inserted]

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 National Chairman