PRIVACY POLICY

1 – Application

1.1 This policy applies to any persons about whom the Company currently holds, or may in the future collect, personal information.

2 – Definition

2.1 In this policy:

(a) ***Act*** means the *Privacy Act 1988*; and

(b) ***personal information*** has the meaning given in the *Privacy Act 1988*;

3 – Personal information

3.1 Why the Company collects personal information:

(a) the Australian Privacy Principles require that the Company collect personal information only if it is necessary for one or more of its functions or activities;

(b) the way it collects personal information must be lawful, fair and not unreasonably intrusive; and

(c) the Company uses information that is collected directly from the individual, the entity that employs or engages the individual, or from the Company's service providers who have collected the information directly from the individual or entity.

3.2 How the Company collects personal information:

(a) the Company collects personal information directly from an individual when that individual meets with it, communicates with it by letter, telephone, email or fax, gives it a business card, subscribes to its publications, registers for or attends its events or submits information through its websites, blogs or other social media outlets; and

(b) the Company may also collect information about an individual from its customers, potential customers and their business contacts, from the individual's employer and from publicly available records or a third party e.g., a provider of an employment or other reference.

3.3 The personal information that the Company collects:

(a) the type of personal information the Company collects includes:

(i) the name and contact details of its conference and seminar attendees;

(ii) the name, date of birth, tax file number ,contact details, emergency contact information, bank account details and right to work information of individuals who seek employment with it, including employment experience, qualifications and other information provided by applicants;

(iii) the name and contact details of individuals who purchase goods or services from it;

(iv) the name and contact details of individuals who contact it seeking information or assistance;

(v) credit card and bank account information for payment of invoices;

(vi) the name and contact details of individuals that are members of reference and advisory groups or similar;

(vii) the name and contact details of individuals who represent it on external committees;

(viii) the name and contact details of individuals who access information made available by it through electronic means such as the internet;

(ix) the name of individuals and entities that are classified as related parties to its key management personnel;

(x) the information preferences nominated by individuals and expressed to it in writing;

(xi) historical financial data about specific transactions entered into between it and individuals;

(xii) still or video images of a person at Company hosted events;

(xiii) some of the information above may be collected by an event provider engaged by the Company; and

(b) more generally, the Company may collect an individual's name and contact details, and information about the individual's occupation, employer and relationship with it or its customers and potential customers, and about the individual's relationship with its other business contacts.

(c) Other sensitive information may be collected, as required, from employees as part of their employment such as incident and accident reports, medical and doctor's certificates, sick leave and attendance records, workers compensation claims and related information, and medical histories and assessments, including for insurance purposes.

3.4 If a person dealing with the Company (**the first person**) provides personal information about someone other than themselves (**the second person**), then the first person agrees that they have the second person's consent to provide the information and they have told the second person about the privacy policy.

4 – Collection of information on web site activity

4.1 For statistical purposes, the Company collects information on web site activity – such as the number of users who visit the web site, the date and time of the visits, the number of pages viewed and navigation patterns – through the use of cookies.

4.2 This information on its own does not identify an individual, but it does provide the Company with statistics that it can use to analyse and improve its web site.

4.3 Cookies are generated when users log onto the Company's website to facilitate authorisation into some services.

4.4 The Company does not use the cookies to collect data about its website users.

5 – Anonymity and pseudonyms

5.1 Individuals have the right not to identify themselves, or to use a pseudonym when dealing with the Company.

5.2 However, if the Company requests personal information and it is not provided, it may not be able to provide services to or otherwise assist the relevant individual.

6 – Use and disclosure of personal information

6.1 Holding personal information:

(a) the Company takes reasonable steps to:

(i) protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure; and

(ii) destroy personal information if it is no longer needed for the purpose for which it was originally obtained;

(b) the Company uses physical and electronic security measures including restricting physical access to its offices, firewalls and secure databases to keep personal information secure;

(c) the Company also destroys or permanently de-identifies personal identification which is no longer needed for the purpose for which it was originally collected;

(d) the Company typically keep records required for reporting obligations for seven years;

(e) the Company require all of its contractors and others to whom it discloses personal information or who may have access to personal information it collects to keep such personal information private and to protect such personal information from misuse and loss and from unauthorised access, modification or disclosure;

(f) any credit card details provided to the Company for the purposes of making any payment are destroyed when processing the payment is finalised; and

(g) the Company uses secure sockets layer (SSL) technology and industry standard 128-bit encryption in its payment system.

6.2 Using and disclosing personal information:

(a) the Company uses and discloses personal information for the primary purpose for which it was collected, related purposes and other purposes authorised by the Act;

(b) in general, the purposes for which the Company collect information include organising conferences and seminars, responding to questions, circulating its newsletter; advocacy and communication products, developing policies on behalf of our members (information collected for advocacy and policy development purposes will be deidentified, unless with permission);

(c) the Company may also disclose personal information to its employees, members, service providers or other persons in order to deliver requested services, or to anyone to whom the individual authorises it to disclose the information, or as otherwise authorised by the Act; and

(d) the Company will not use or disclose personal information about an individual for a purpose other than the primary purpose of collection unless:

(i) the individual would reasonably expect it to use or disclose the information for the other purpose and the secondary purpose relates to the primary purpose;

(ii) the individual has consented to the use or disclosure;

(iii) the use of the information is for the secondary purpose of direct marketing, and an opportunity has been provided to the individual to decline the use of the information for direct marketing purposes; or

(iv) it is reasonably necessary for the information to be used or disclosed in the public interest or for law enforcement or public safety purposes.

6.3 Accessing information:

(a) the Company's contractors may have access to some personal information it collects, for example, contractors may distribute some of its publications and develop and maintain its computer systems, electronic records, websites, blogs and other social media outlets; and the Company auditors, insurers and legal and other professional advisers may also access its records to protect its interests and to ensure that it complies with its obligations.

(b) The Company will (as far as reasonably practicable) endeavour to ensure those contractors, auditors, insurers, legal and other professional advisers maintain the confidentiality of the personal information that needs to be disclosed in the course of their engagement.

6.4 Direct marketing:

(a) the Company will only use personal information for the purpose of direct marketing where it has collected the personal information from the individual, the individual would reasonably expect it to use or disclose the information for that purpose, and the individual has not made a request to cease the communication; and

(b) an individual is entitled to request not to receive direct marketing communications from the Company by contacting the Privacy Officer (see item 11.1).

6.5 Overseas disclosure:

(a) the Company does not have any business requirements relating to overseas parties and therefore it is not likely to disclose personal information to any overseas recipient;

(b) however, the Company may disclose personal information to overseas recipients where:

(i) it has the individual's consent and the disclosure is required by law; or

(ii) the disclosure is reasonably necessary to assist a law enforcement agency.

7 – Accessing personal information

7.1 An individual in respect of whom the Company holds personal information has the right to access and correct the information.

7.2 Except in the circumstances specified in Australian Privacy Principle 12.3, individuals are allowed to inspect the personal information the Company holds about them, take notes about the information, and obtain and keep copies of the information.

7.3 If the Company needs to refuse a request either for access to personal information or the manner in which the information is being sought, the individual will be informed of this.

7.4 Generally, this will only be in circumstances where providing access would be unlawful or contrary to law.

7.5 If an individual wants to access their personal information, the request for access should be directed in writing the Privacy Officer (see item 11.1).

7.6 An administration fee may apply for the provision of information.

8 – Correcting personal information

8.1 The Company takes reasonable steps to ensure that the personal information it collects is accurate, up-to-date and complete, and that the personal information it uses or discloses is accurate, up-to-date, complete and relevant, having regard to the purpose of such use or disclosure.

8.2 Individuals have the right to request a correction to any personal information held by the Company.

8.3 The details of the correction should be directed to in writing the Privacy Officer (see item 11.1).

8.4 All corrections will be actioned within 5 business days.

8.5 The Company may, in limited circumstances permitted by the Act, refuse to correct the information.

8.6 If the Company so refuses, the individual will be informed of this.

8.7 All correspondence will be treated confidentially.

9 – Notifiable data breach

9.1 Eligible data breach: an eligible data breach is unauthorised access or disclosure of information, or loss of information, that a reasonable person would conclude is likely to result in serious harm to any individuals to whom the information relates.

9.2 Suspected eligible data breach: there may be reasonable grounds for the Company to suspect there has been a data breach and the Company will take all reasonable steps to carry out an assessment as soon as practicable, and within 30 days after it becomes aware of the suspected breach, as to whether or not the data breach is an eligible data breach.

9.3 Notification of eligible data breach:

(a) if there are reasonable grounds for the Company to believe that there has been an eligible data breach, and no exception under the Act applies, it will prepare a written statement including:

(i) a description of the eligible data breach;

(ii) the kinds of information concerned; and

(iii) recommendations about the steps that individuals should take in response to the eligible data breach;

(b) if there is an eligible data breach of more than one entity, the Company will set out the details of those other entities in the manner described above;

(c) the Company will provide this statement to the Office of the Australian Information Commissioner;

(d) if required by the Act, the Company will then notify the contents of the statement to each of the individuals to whom the relevant information relates and to individuals who are at significant risk from the eligible data breach; and

(e) if it is not practical to contact the relevant individuals in this way, the Company may publish the statement on its website.

9.4 Exceptions to an eligible data breach: there are exceptions under the Act which may not require the Company to notify individuals of an eligible data breach, for example, where it has taken action before any serious harm occurs or before any unauthorised access or disclosure occurs, or where the Office of the Australian Information Commissioner has declared that the Company is not required to give any notification.

10 – Complaints

10.1 If an individual has a complaint concerning this policy or the Company's collection, use or disclosure of personal information held by it, they are requested to please contact it in the first instance, directing the complaint in writing the Privacy Officer (see item 11.1).

10.2 All complaints will be investigated by the Company's Privacy Officer, who will try to promptly resolve any complaint directly with the complainant.

10.3 The complainant will be kept up-to-date with the progress of their matter and notified of any action identified to be undertaken.

10.4 All complaints will be treated confidentially.

10.5 If a complainant is not satisfied with the outcome, they may make a complaint to the Office of the Australian Information Commissioner.

10.6 For information about how to make such a complaint, a complainant should refer to http://www.oaic.gov.au/.

11 – The Privacy Officer

11.1 The Company's Privacy Officer can be reached at :

The Privacy Officer

Australian Local Government Association

Ltd 8 Geils Court

DEAKIN ACT 2600