

Employee Privacy Policy of Marcoola Surf Club

1. Purpose

- 1.1 Marcoola Surf Club ('the Club') is committed to safeguarding workers' privacy and ensuring the confidentiality and security of the personal and sensitive information we may collect from workers.
- 1.2 The purpose of this Privacy Policy is to:
 - a) ensure that the Club protects the privacy of all of its' workers; and
 - b) explain how the Club complies with its' privacy obligations and manages the personal or sensitive information that it collects.
- 1.3 To comply with legal requirements and run our business effectively, it is necessary for the Club to collect certain personal information from employees.

2. Application

- 2.1 This Privacy Policy applies to personal information collected by the Club.
- 2.2 The Club is bound by the *Privacy Act 1988* (Cth) which governs the way private sector organisations collect, use, keep, secure and disclose personal information.
- 2.3 This Privacy Policy. Outlines how the Club complies with the Australian Privacy Principles including:
 - a) how and when the Club collects personal information;
 - b) how the Club uses and discloses personal information;
 - c) how the Club keeps personal information secure, accurate and up to date;
 - d) how an individual can access and correct their personal information; and
 - e) how the Club can facilitate or resolve any privacy complaint.

3. Scope

- 3.1 The Privacy Policy applies to all employees, including full time, part time, fixed term and casual employees of the Club.
- 3.2 The Privacy Policy also applies to all persons who work at the direction of, or on behalf of the Club, including agents, contractors, subcontractors, consultants, volunteers, temporary staff, commission workers and persons on work experience placements.
- 3.3 We recommend that you read and understand this Privacy Policy and keep it for future reference.
- 3.4 This policy will be made available via <https://www.marcoolasurfclub.com.au/staff-portal/>.

4. Definitions

- 4.1 **Personal information** is defined under the *Privacy Act 1988* to mean information or an opinion, whether true or not, and whether recorded in material form or not, about an individual whose identity is reasonably identifiable, from the information or opinion.
- 4.2 **Sensitive information** is defined under the *Privacy Act 1988* to mean information or an opinion about an individual's racial or ethnic origin, political opinions, membership of a political organisation, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, criminal record, health information about an individual, genetic information, biometric information that can be used for the purpose of automated biometric verification or biometric identification or biometric templates.

5. Personal Information

- 5.1 We will only collect your personal information that is incidental to your employment at the Club.
- 5.2 The type of personal information we may collect includes, but is not limited to, the following:
- a) your contact information such as your full name, date of birth, e-mail address, current postal address, current residential address (if different to your postal address) and phone numbers;
 - b) details relating to your current or previous engagement or employment at the Club, which can include, but is not limited to, your tax file number and superannuation details;
 - c) records required to be kept an employer in accordance with Part 3-6, Division 3 of the *Fair Work Regulations 2009*;
 - d) proof of your identity (including, but not limited to, driver's licence, passport, birth certificate);
 - e) any sensitive personal information listed in paragraph 4.2;
 - f) your emergency contact details;
 - g) whether you participated in any training, activity or event organised by the club;
 - h) use of POS (point of sale terminals) to sell and/or purchase goods;
 - i) activity undertaken on the club's computer equipment;
 - j) photographs or video footage taken at our premises, which may include footage of you;
 - k) details of any enquiries or complaints made by you; and
 - l) your opinions, statements and endorsements collected personally or via surveys and questionnaires.
- 5.3 As far as possible or unless provided otherwise under this privacy policy, we will collect your personal information directly from you. If we collect details about you from someone else, we will, whenever reasonably possible, make you aware that we have done this and the reason that we have collected that information from someone else.

- 5.4 If we receive unsolicited personal information about or relating to you and we determine that such information could have been collected in the same manner if we had solicited the information, then we will treat it in the same way as solicited personal information and in accordance with the Australian Privacy Principles.
- 5.5 If we determine that such information could not have been collected in the same manner as solicited personal information, and that information is not contained in a Commonwealth record, we will, if it is lawful and reasonable to do so, destroy the information or de-identify the information.
- 5.6 Depending upon the reason for requiring the information, some of the information we ask you to provide may be identified as mandatory or voluntary.

6. Sensitive information

6.1 Collection of sensitive information

6.2 In general, we attempt to limit the sensitive information we may collect from you. This may not always be possible, and we may collect sensitive information from time to time during the course of your employment.

6.3 We will not collect sensitive information from you without your consent.

6.4 We do not use sensitive information to send you Direct Marketing Communications without your consent.

6.5 Consent to collection of certain types of sensitive information

6.6 We may collect certain types of sensitive information where you have consented and agreed to the collection of such information.

6.7 We will obtain your consent at the point in time in which we collect the information.

6.8 The main type of sensitive information that we may collect (if any) will usually relate to your:

- a) criminal record (if any);
- b) special food or dietary requirements due to medical, cultural or religious reasons;
- c) biometric identification, such as fingerprint scans;
- d) membership of a trade union or of a professional or trade association;
- e) racial origin and religious beliefs, to the extent these are ascertainable from any photographic identification (such as a driver's licence or passport); and
- f) health or medical information,

but only if the sensitive information is necessary for, or incidental to, the purposes of collection set out in paragraph 7.

7. Use and Disclosure of your Personal Information

7.1 We will only use or disclose your personal information for:

- the primary purposes for which it was collected; or

- any purpose for which you have consented to its' disclosure; or
- as set out in paragraph 7.2.

7.2 You consent to us using and disclosing your personal information to facilitate a purpose in connection with:

- a) your employment at the Club;
- b) the Club's legal obligation to keep particular employee records in accordance with Part 3-6, Division 3 of the *Fair Work Regulations 2009*;
- c) facilitating medical assistance in the event of a medical emergency, or to provide you with medical treatment as requested by you;
- d) your participation in any activity or event organised by the Club or a third-party organisation in connection with your employment;
- e) co-ordinating, managing and maintaining good order and security of the Club and our premises, which shall include but is not limited to protecting the rights and safety of other parties on our premises;
- f) investigating and reporting information to third parties regarding any accidents or incidents that have occurred on our premises;
- g) the improvement of our services;
- h) the maintenance and development of our products and services, business systems and infrastructure;
- i) our compliance with applicable laws;
- j) any transfer, and matters in connection with a potential transfer, of the club to another entity; and
- k) any other matters reasonably necessary in relation to your employment at the Club.

7.3 We may also use or disclose your personal information for the following reasons without seeking your consent:

- a) for a purpose related to the primary purposes of the collection of that information where you would reasonably expect your personal information to be used or disclosed for such a purpose;
- b) if the Club reasonably believes that the use or disclosure is necessary to lessen or prevent a serious or imminent threat to an individual's life, health or safety or to lessen or prevent a threat to public health or safety;
- c) if we have reason to suspect that unlawful activity has been, or is being, engaged in; or
- d) if it is required or authorised by law.

7.4 In the event we propose to use or disclose such personal information other than for reasons in 7.1, 7.2 or 7.3 above, we will first seek your consent prior to such disclosure or use.

8. The Types of Organisations to which we may Disclose your Personal Information

- 8.1 We may disclose your personal information to other organisations. Examples of organisations and/or parties that your personal information may be provided to include:
- a) Clubs Queensland and its related bodies;
 - b) related entities and subsidiaries of the club;
 - c) third parties, such as trade suppliers, club sponsors and like companies; and
 - d) our contractors and agents, including but not limited to our professional advisors such as accountants, solicitors and auditors or other companies who assist us.
- 8.2 Your personal information is disclosed to these organisations and/or parties only in relation to your employment at the Club or a purpose permitted by this Privacy Policy.
- 8.3 We take reasonable steps to ensure that these organisations and/or parties are aware of the provisions of this privacy policy in relation to your personal information (under the Australian Privacy Principles) and are committed to the safeguarding of same.

9. Photographs and Closed-Circuit Television

- 9.1 We use closed circuit televisions (**CCTV**) at certain locations throughout our premises and surrounding areas. CCTV is integral to our security system and CCTV images are stored for a minimum period of 28 days.
- 9.2 If an incident occurs, CCTV footage for the period leading up to, during or following the incident must be retained for a minimum period of one year unless the footage is given to the relevant authority (e.g. the Queensland Police Service). The CCTV footage must be archived if requested by the relevant authority.
- 9.3 The Club may take photographs of you working at the Club and we may wish to use them for marketing and advertising purposes. Unless you advise us otherwise, you expressly agree and consent to the use of any photographs, which may include you, for the use of marketing and advertising purposes, without compensation.

10. Cross Border Disclosure

- 10.1 Any personal information that you provide to us may be transferred to, and stored at, a destination outside Australia, where we may utilise overseas data and website hosting facilities or have entered into contractual arrangements with third party service providers to assist us with providing our goods and services. Personal information may also be processed by staff or by other third parties operating outside Australia who work for us or for one of our suppliers, agents, partners or related companies.
- 10.2 By submitting your personal information to us, you expressly agree and consent to the disclosure, transfer, storing or processing of your personal information outside of Australia. In providing this consent, you understand and acknowledge that countries outside Australia do not always have the same privacy protection obligations as Australia in relation to personal information. However, we will take steps to ensure that your information is used by third parties securely and in accordance with the terms of this privacy policy.
- 10.3 The *Privacy Act 1988* requires us to take such steps as are reasonable in the circumstances to ensure that any recipients of your personal information outside of Australia do not breach the privacy principles contained within the *Privacy Act 1988*. By providing your consent, under the *Privacy Act 1988*, we are not required to take such steps as may be reasonable in the

circumstances. However, despite this, we acknowledge the importance of protecting personal information and have taken reasonable steps to ensure that your information is used by third parties securely and in accordance with the terms of this privacy policy.

- 10.4 If you do not agree to the transfer of your personal information outside Australia, please contact us via the details set out at the end of this document.

11. Data Quality and Security

11.1 We have taken steps to help ensure your personal information is safe. You will appreciate, however, that we cannot guarantee the security of all transmissions or personal information, especially where the internet is involved.

11.2 Notwithstanding the above, we will take reasonable steps to:

- a) make sure that the personal information we collect, use or disclose is accurate, complete and up to date;
- b) protect your personal information from misuse, loss, unauthorised access, modification or disclosure both physically and through computer security methods; and
- c) destroy or permanently de-identify personal information if it is no longer needed for its purpose of collection.

11.3 However, the accuracy of personal information depends largely on the information you provide to us, so we recommend that you:

- a) let the Club know if there are any errors in your personal information; and
- b) keep the Club up to date with changes to your personal information (such as your name or address).

11.4 Personal information which is held by the Club will be destroyed after **seven (7) years** of the termination date of your employment.

12. Notifiable Data Breaches

12.1 The Club has taken steps to help ensure your personal information is safe. You will appreciate, however, that we cannot guarantee the security of all transmissions or personal information, especially where the internet is involved.

12.2 If the Club suspects that there has been a data breach it will take immediate steps to contain the extent of the breach and limit any further access to the information.

12.3 Once the data breach has been contained, the Club will, within thirty (30) days of the date of the breach, assess the breach and investigate how the incident occurred. Once the club has investigated the breach, it will make an evidence-based decision as to whether it is likely that serious harm may result from the breach.

12.4 If it is deemed that serious harm is likely to result from the breach, the Club will both notify the individual whose data has been breached and the Australian If the Club suspects that

there has been a data breach it will take immediate steps to contain the extent of the breach and limit any further access to the information.

- 12.5 Where a breach occurs, the Club will review the circumstances surrounding the breach and take action to prevent any further breaches.

13. Storage of Personal Information

- 13.1 The Club holds physical documents and files which contain personal information in restricted access areas. All files are accessible, strictly by approved personnel.
- 13.2 Electronic personal information may be stored on servers that are owned and controlled by the Club. The servers will be password protected and feature a secured login.
- 13.3 All 'back-up' stores are held off site and maintained by contracted IT Service Providers.
- 13.4 If the Club wishes to do so, personal information may also be stored in a secure web-based application on a data server, which is owned and operated by a third party (e.g. cloud sharing services). The Club will take reasonable steps to ensure that any third party providers comply with the Australian Privacy Principles.
- 13.5 At such time that the Club does not require your personal information (and is not obligated to keep records by law), the Club will take all reasonable steps to ensure that the information is de-identified and destroyed.

14. Access to and Correction of your Personal Information

- 14.1 You are entitled to have access to any personal information relating to you which we possess, except in some exceptional circumstances provided by law. You are also entitled to edit and correct such information if the information is inaccurate, out of date, incomplete, irrelevant or misleading.
- 14.2 If you would like access to, or if you would like to correct any records of personal information we have about you, you are able to access and update that information by contacting us via the details set out at the end of this document.
- 14.3 Prior to accessing any confidential information, you may be required to produce acceptable photographic identification. Failure to comply with this requirement, may result in your request for information being denied.

15. Consent

- 15.1 We reserve the right to modify the privacy policy as our business needs require. We will notify you of such change. If you do not agree to our continued use of your personal information due to the changes in our privacy policy, please contact us via the details set out at the end of this document.

16. Resolving Privacy Complaints

- 16.1 We have put in place an effective mechanism and procedure to resolve privacy complaints. We will ensure that all complaints are dealt with promptly.
- 16.2 If you have any concerns or complaints about the manner in which we have collected, used or disclosed and stored your personal information, you can tell us by contacting the Privacy Officer and Compliance Manager.

- Telephone: 07 5448 8605
- Email: manager@marcoolasurfclub.com.au
- Post: 64-76 Marcoola Esplanade, Marcoola QLD 4564

To ensure confidentiality, please clearly mark your correspondence to the attention of the Privacy Officer and Compliance Manager.

16.3 In order to resolve a complaint, we:

- a) will liaise with you to identify and define the nature and cause of the complaint;
- b) may request that you provide the details of the complaint in writing;
- c) may request that you provide any and all supporting documentation;
- d) will keep you informed of the likely time within which we will respond to your complaint; and
- e) will inform you of the legislative basis (if any) of our decision in resolving such complaint.

16.4 We will keep a record of the complaint and denote any action taken in a privacy register

16.5 If the Club takes more than thirty (30) days to respond to your privacy complaint, or if you are dissatisfied with the outcome, you can make a complaint to the Privacy Commissioner at the Office of the Australian Information Commissioner. The OAIC can be contacted on 1300 363 992 or at www.oaic.gov.au

Last reviewed: Jun 2022