

Privacy Policy

Policy Name: Privacy Policy

Policy Number: As Per SOP

Document Type: Policy

Effective Date: July 2020

Last Reviewed: September 2023

Next Review: December 2026

Applicable Legislation: Privacy Act 1988 (Cth)



Purpose Statement

The protection of personal information is important to Volleyball WA (VWA) and the VWA respects the right to privacy and the protection of personal information.

VWA takes steps to protect all personal information from misuse and to use your information only in the ways described in this privacy policy and in accordance with the Privacy Act 1988 (Cth) (Privacy Act) and the Australian Privacy Principles contained within.

This Privacy Policy explains in general terms how VWA collects and manages personal information.

Policy Application

This policy applies to all VWA members, volunteers, contractors and all other people or organisations which by agreement, or otherwise, are bound to comply with this policy.

This policy applies to behaviour occurring during VWA business, activities, competitions, and events.

Definitions

The following definitions are provided to provide clarity for this policy.

- **Express consent** is given openly and obviously, either verbally or in writing (for example a signature or electronic signature). Express consent must be given before handling sensitive information.¹
- **Implied consent** means an assumption that consent has been given through a person's actions. Implied consent is required by an organisation to handle non-sensitive personal information. For example, "it's not sufficient for an organisation or agency simply to tell you of their collection, use or disclosure of your personal information. Unless they presented you with an opt-out option they cannot assume your implied consent."²
- **Personal information** includes a "broad range of information or opinion that could identify an individual".³ For example: An individual's name, signature, phone number, date of birth or photographs.
- **Sensitive information** means personal information that includes information or an opinion about an individual. For example: racial or ethnic origin, political opinions or associations, sexual orientation or practices, criminal record, health information.
- **Services** means all activities conducted by VWA in the operations of its core business information.

¹ <https://www.oaic.gov.au/privacy/your-privacy-rights/your-personal-information/consent-to-the-handling-of-personal-information/>

² <https://www.oaic.gov.au/privacy/your-privacy-rights/your-personal-information/consent-to-the-handling-of-personal-information/>

³ <https://www.oaic.gov.au/privacy/your-privacy-rights/your-personal-information/what-is-personal-information/>

Background

As an Incorporated Association, VWA needs to ensure that the Association complies with its legal requirements regarding the collection, use and disclosure of personal information of volunteers, members and customers.

Any personal information collected will be kept private and confidential and individuals have a right to:⁴

- Have their privacy rights respected.
- Be assured their information will not be passed onto a third person unless it is authorised by law, or they have given their consent.
- Know what information will be kept and why.
- Be assured that information will only be used for the purpose it was supplied.

Collection of Personal Information

VWA only collects non-sensitive and sensitive personal information where reasonably necessary for our functions or activities as a not-for-profit sporting association, and to provide people involved in volleyball in Western Australia or who otherwise interact with the VWA with a high level of service. VWA collects personal information only by lawful and fair means.

Information will be collected from a person when they:

- Engage with VWA.
- Become a member of VWA and/or a club and/or association which is an affiliate of VWA.
- Are elected or appointed to the Board or a committee position with VWA or an affiliate of VWA.
- Enter a VWA competition or event.
- Participate in a VWA program or activity (including education courses and workshops).
- Purchase or hire items/venue from VWA.
- Subscribe to any publications of VWA.
- Participate in research; however, research outcomes and reports will not identify an individual, unless consent for this purpose has been obtained.
- Make a general enquiry to VWA via our website, by telephone, in person, by documents posted to us or handed in or collected by VWA.
- Via VWA Facebook, Instagram or other social media.

We may store your personal information in hard copy, in electronic form, on electronic devices or on computer databases.

Where possible, VWA will collect personal information directly from the individual. However, there may also be occasions when VWA will collect information from / or on behalf of third parties, for example, from affiliates or partner associations.

⁴ <https://www.commerce.wa.gov.au/books/inc-guide-incorporated-associations-western-australia/privacy-and-confidentiality-records>

Where we collect information about you from a third party, VWA will take reasonable steps to ensure that you are made aware of the facts and circumstances of that collection, including by setting out the details of such collection within this privacy policy.

The nature and extent of personal information collected by VWA varies depending on an individual's interaction with VWA.

In general, the information collected may include:

Registration Information: When you register, either directly with VWA or through a third party with which we have a registration-sharing relationship, such as Volleyball Australia, you provide information including your full name, email address, postal address, telephone number, emergency contact numbers, date of birth, occupation, gender, location and such other registration information as may be requested by us or our partners from time to time.

Sport and Pathway Information: When you participate in VWA events, or an association event, personal information about your performance or participation in such events may be collected by us or our partners including any software or agency we may use.

Ticketing Information: When you purchase tickets through an external booking agency (such as the Awards Night) to an event organised by VWA, we collect certain limited information from the external booking agency relating to your attendance at our event.

Financial Information: To facilitate payments or other financial transactions with VWA, you may provide VWA with financial information relating to you or another person, which may include bank account details, credit, debit or bank card details or other billing information.

Communication Information: When you communicate with us via telephone, email, SMS or online, we may collect information relating to you and any other personal information you choose to provide to us while communicating with us.

Cookie Information: VWA uses cookies and similar tracking technologies on our website in order to track the use of our services and our website or app, and to maintain and improve our services to you. Further information regarding our use of 'Cookies' is set out below.

Third-party plugin Information: In some cases, VWA may have integrated a third-party plugin into our website. The use of such third-party plugins may result in data collection by both us and the relevant third party. We do not control the information you share with third parties via these plugins. You should refer to the third party's privacy policy to understand their data handling practices.

Sensitive Information. During the course of VWA providing services you may be required to provide us with information about your country of birth and ancestry, citizenship, Aboriginal / Torres Strait Islander descent, primary language, disability, impairment, Working with Children number and expiry number or health, including past or present injuries and other medical information.

VWA only collect your sensitive information with your consent and as reasonably necessary to carry out our services, which may include tailoring our services to you.

Cookies

VWA may use “cookies” on VWA websites. 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 VWA uses may collect some personal information. VWA will treat this information in the same way as other personal information VWA collects. A user is free to disable cookies on their internet browser to prevent this information being collected; however, users opting to do so will lose the benefit of the enhanced website experience that the use of cookies may offer. External websites linked to VWA websites are not subject to VWA's privacy standards, policies or procedures. VWA cannot take any responsibility for the collection, use, disclosure or security of any personal information that a person provides to a third party website.

Consent⁵

VWA will take reasonable steps to ensure that persons are aware of, and consent to, the purpose for which personal information is collected and the organisations or types of organisations to which VWA usually discloses information of that kind. VWA will ensure that consent (express consent and implied consent) is:

- Consent is informed – VWA will explain how personal information is handled and outline the consequences of giving or not giving consent at the time of the decision.
- Consent is voluntary – VWA will not apply force or pressure to obtain consent; and
- Consent is current and specific – VWA will seek consent annually in accordance with the VWA membership renewal process.
- The individual has the capacity to give consent – VWA will liaise with a Parent / Guardian or ‘responsible person’.

Use or Disclosure of Personal Information

Personal information collected by VWA is used for the primary purpose of providing services to people involved in volleyball in Western Australia or who otherwise interact with VWA in connection with the objects in our Constitution.

Some examples of why VWA collect your personal information include:

- To administer, manage and provide member and participant support and services.
- To set up and update your registration details with us.

⁵ <https://www.oaic.gov.au/privacy/your-privacy-rights/your-personal-information/consent-to-the-handling-of-personal-information/>

- Conduct assessment processes to ascertain eligibility for certain programs (such as selection policies).
- Collect and process payments/donations and provide accurate receipts.
- Use of targeted marketing material and or partner services regarding VWA and offers that VWA believes may be of interest to you.
- Develop and deliver promotional campaigns, promotional material and publications, including but not limited to:
 - Photographs in the print media.
 - VWA Annual Report.
 - The use of video footage and sound recordings in electronic media.
 - External publications such as newspapers and magazines.
 - VWA publications such as posters, flyers, brochures, displays, websites, social media.
 - Television or radio segments or advertisements.
- Resolve disputes.
- Insurance purposes.
- To contact you regarding our services.
- Meet any requirements of government/partner funding for programs.
- Monitor and evaluate existing services and plan for future services.
- Comply with legal obligations.

Consent will be obtained from individuals prior to the use of any photographs or video and from parent/guardians to use an image of a child.

We will not use your personal information for a secondary purpose (other than Direct Marketing, covered in further detail below) unless you consent to the use or disclosure or such use would otherwise be permitted in accordance with the Privacy Act, which includes where you would reasonably expect us to use your personal information for a secondary purpose which is related to the primary purpose for which that information was collected.

VWA will only disclose your information to the extent required to provide VWA services to you, including, for the purposes set out above, or as otherwise requested or authorised.

Common third parties to which VWA may disclose your personal information include entities and persons such as clubs and or associations of which you are a member, VWA funders or agents, such as those involved in our promotions, competitions and fundraising activities and our contracted service providers.

Direct Marketing

Where permitted to, in accordance with the Privacy Act and unless you request otherwise, VWA may also use your personal information for marketing purposes to send you news, information about our activities and general promotional material that we believe may be useful or of interest to you.

If you do not want us to use your personal information in this manner, please use the 'Unsubscribe' function included within any direct marketing provided to you or alternatively

contact us and we will give effect to your request as soon as possible and, in any event, within 14 days.

Cross-Border Disclosure of Personal Information

VWA does not send personal information overseas. In the event, any circumstance was to arise where cross-border disclosure may be required, VWA will ensure that it does not send your personal information to recipients outside of Australia without first obtaining your consent or otherwise complying with the Privacy Act.

Quality of Personal Information

VWA strive to maintain the accuracy, completeness and currency of your personal information. While we make every effort to ensure the quality of this data, it depends on the accuracy and regularity of the information you provide. To assist us in this endeavour, please notify us of any changes in your circumstances, such as a change of name or address, by logging into the VWA Member Portal and updating your details or by submitting a written request to VWA.

Security of Personal Information

VWA take all reasonable steps to protect your data from misuse, interference and loss as well as from unauthorised access, modification or disclosure. All personal information collected and held by VWA is subject to the VWA Information Technology and Equipment Policy and the VWA Document Management Policy. In accordance with these policies, your personal information is stored on secure servers and is only accessible by those persons who need access to the information or to carry out our services. We also maintain physical security measures to protect the use and storage of physical records containing your personal information as per the VWA Document Management Policy.

VWA also takes reasonable steps to destroy or permanently de-identify personal information that is no longer needed for the purposes described in this privacy policy.

Access to Personal Information

You have the right to access personal information that VWA stores about you. If you are of the belief that VWA holds personal information relating to you and you wish to obtain access to this information, you view your profile in the VWA Member Portal or place a request in writing to VWA.

If a written request is made, VWA will review the records to determine what personal information relating to you we hold and will collate and provide them within a reasonable period after the request is made, but in any event, within 30 days.

VWA endeavours to ensure the person who is seeking access is indeed the person the information is about, and, in this regard, we may request that identification is provided before the personal information is released.

Once we have notified you of the nature of the personal information relating to you that we hold, we will give you access to your personal information in the manner requested by you, if it is reasonable and practicable to do so.

VWA does not levy a charge in respect of the making of a request for access to personal information held by us. However, the VWA may charge you for the reasonable costs incurred by it in providing you with access to the personal information held by us.

VWA may not provide access to some of the personal information that we hold in the following circumstances where VWA considers that:

- Providing access would pose a serious threat to the life, health or safety of any individual, or to, or public health or public safety.
- Giving access would have an unreasonable impact on the privacy of other individuals.
- The request for access is frivolous or vexatious.
- The information relates to existing or anticipated legal proceedings between VWA and you, and the information would not be accessible by the process of discovery in those proceedings.
- Giving access would be unlawful.
- Denying of access is required or authorised by or under an Australian law or a court/tribunal order.
- We suspect that unlawful activity or misconduct of a serious nature that relates to our functions has been, is being or may be engaged in, and giving access would be likely to prejudice the taking of appropriate action in relation to the matter.
- Giving access would be likely to prejudice one or more enforcement-related activities conducted by, or on behalf of, an enforcement body.
- Giving access would reveal evaluative information generated within VWA in connection with a commercially sensitive decision-making process.

If we refuse to give you access to your personal information for any of the reasons above, we will give you a written notice that sets out our reasons for the refusal and the mechanisms available to complain about our refusal.

Correction of Personal Information

If VWA holds personal information about you that we determine to be inaccurate, outdated, incomplete, irrelevant, or misleading, or if you request correction of the information, we will take reasonable steps to rectify the situation.

VWA will correct your personal information upon request free of charge. If we refuse to correct your personal information, we will give you a written notice setting out our reasons for refusal and the mechanisms available to complain about the refusal.

Policy Breaches

VWA will take all breaches of the policy seriously and will ensure they are dealt with promptly, sensitively, and confidentially.

Disciplinary action may be taken against a person who is found in breach of this policy, in accordance with the Complaints Management Procedure.

If a criminal offence is considered to have been committed, the appropriate authorities will be contacted for advice and guidance.

Document Control

Version History

| Date | Version number | Executive Summary of changes |
|-----------|----------------|--|
| July 2020 | 1.0 | This policy was adopted at the July VWA Board Meeting. |
| Nov 2023 | 2.0 | The following changes have been included in the Policy. <ul style="list-style-type: none">• Updated onto the new template.• Additional information on what information is collected.• Information on Cookies.• Information on Cross-board disclosure.• Updated information on personal access. |

Appendix & Relevant Procedures

This policy is to be read in-conjunction with the following:

- VWA Code of Conduct
- VWA Constitution
- Privacy Act 1998 (Cth)
- Australian Privacy Principles
- Working with Children (Criminal Record Checking) Act
- Volleyball Australia Privacy Policy
- VWA Document Management Policy (internal policy)
- VWA Information Communication Technology Policy
- VWA Complaint and Disciplinary Policy
- VWA Risk Management Policy Statement