



# Scouts Australia (SA Branch) Privacy Policy

Approved and updated by the authority of the Branch Executive Committee of Scouts Australia (SA Branch) Date: APRIL 2018





## **AUSTRALIAN PRIVACY PRINCIPLES**

### **APP 1 — Open and transparent management of personal information**

Ensures that entities manage personal information in an open and transparent way. This includes having a clearly expressed and up to date APP privacy policy.

### **APP 2 — Anonymity and pseudonymity**

Requires entities to give individuals the option of not identifying themselves, or of using a pseudonym. Limited exceptions apply.

### **APP 3 — Collection of solicited personal information**

Outlines when an entity can collect personal information that is solicited. It applies higher standards to the collection of 'sensitive' information.

### **APP 4 — Dealing with unsolicited personal information**

Outlines how APP entities must deal with unsolicited personal information.

### **APP 5 — Notification of the collection of personal information**

Outlines when and in what circumstances an APP entity that collects personal information must notify an individual of certain matters.

### **APP 6 — Use or disclosure of personal information**

Outlines the circumstances in which an entity may use or disclose personal information that it holds.

### **APP 7 — Direct marketing**

An organisation may only use or disclose personal information for direct marketing purposes if certain conditions are met.

### **APP 8 — Cross-border disclosure of personal information**

Outlines the steps an APP entity must take to protect personal information before it is disclosed overseas.

### **APP 9 — Adoption, use or disclosure of government related identifiers**

Outlines the limited circumstances when an organisation may adopt a government related identifier of an individual as its own identifier, or use or disclose a government related identifier of an individual.

### **APP 10 — Quality of personal information**

An entity must take reasonable steps to ensure the personal information it collects is accurate, up to date and complete. An entity must also take reasonable steps to ensure the personal information it uses or discloses is accurate, up to date, complete and relevant, having regard to the purpose of the use or disclosure.

### **APP 11 — Security of personal information**

An entity must take reasonable steps to protect personal information it holds from misuse, interference and loss, and from unauthorised access, modification or disclosure. An entity has obligations to destroy or de-identify personal information in certain circumstances.

### **APP 12 — Access to personal information**

Outlines an entity's obligations when an individual requests to be given access to personal information held about them by the entity. This includes a requirement to provide access unless a specific exception applies.

### **APP 13 — Correction of personal information**

Outlines an entity's obligations in relation to correcting the personal information it holds about individuals.

## **1. INTRODUCTION AND CONTEXT**

Scouts Australia, South Australian Branch has always respected the privacy of its members and customers and understands the importance you place on the protection of personal information in its care. Our commitment to protecting your privacy is important to us.

This Privacy Policy complies with the Australian Privacy Principles embodied in the federal Privacy Act. It explains the kind of information we may collect from you and how we collect, maintain, use and disclose that information. It describes your privacy rights along with our general rights and obligations, as well as explains how you can access the information we keep and how you can update your own records or advise us of any concerns you have about the use of your information.

This policy is binding on all staff, volunteers and members of Scouts Australia (SA Branch) as well as all formations of the organisation in South Australia (from Branch level to the local Scout Group and Section).

All information collected from you will be used in accordance with the terms of this Privacy Policy.

## **2. PRIMARY PURPOSE DEFINITION**

Personal information is collected and retained by Scouts Australia (SA Branch) on past and present adult members, as well as youth members and their parents, guardians or care-givers, for the primary purpose of operating the Scout Association in South Australia.

All information collected is directly applicable to the functions and activities of Scouting and to the health, well-being and protection of its members.

This information is entered and stored in a centralised database accessible only by authorised managers of Scouting. Data may also be retained in electronic or hardcopy format by any formation of the organisation to which the individual member belongs.

## **3. COLLECTION OF DATA**

We will only collect personal information in a fair and lawful manner. Only that information which we require to properly manage and promote our organisation and ensure the health, well-being and protection of the organisation's members is collected.

We may collect personal information about you from you when you apply for membership, a training course, a major Scouting event, or, at other times when we communicate with you. We may also collect personal information about you from third parties such as parents, guardians and care-givers, Scouts staff and leaders and health care providers. During those occasions and in the application forms that we ask you to complete, there will be statements about privacy and requests for consent. Those privacy statements refer you to this policy where more detail is available on how any information about you may be used and disclosed in relation to your membership of Scouting in South Australia. When you apply for membership, you consent to us collecting, maintaining, using and disclosing personal information about you and provided by you or by another person in accordance with this policy. We will only ask for personal information that is reasonably necessary for our functions or activities.

## **4. USE OF IDENTIFIERS**

When you apply to become a member of Scouts Australia (SA Branch), you are assigned a system generated number to uniquely identify you for the purposes of the organisation's operations. This number has no relationship to any identifier assigned by any other organisation.

## **5. TYPE OF DATA COLLECTED**

**"Personal information"** means any information or an opinion about you to the extent that you are identified by or can reasonably be identified from the information, whether the information is true or not and whether the information or opinion is recorded in a material form or not.

Generally, we only collect personal information from you, with your consent. There are occasions where Branch Headquarters may collect information about you from your local Scout Group to whom you have applied to be a member. We do not collect or store information about you from individuals or organisations not connected with Scouting, however for the protection of our youth members, we are registered by SAPOL as an Authorised Volunteer Association for the purpose of screening and making determinations regarding our membership. Information provided by SAPOL is used solely to assist Scouts Australia (SA Branch) to assess an adult's suitability to join (or continue membership of) the Branch.

Our membership application forms request information that identifies you, such as; your full name and date of birth; and information that enables us to contact you such as address, phone and fax numbers, as well as email address(s). We also ask for the name of your school or, if employed, your occupation and a work contact. An important part of our membership application process is the identification of three of your personal referees. We also like to know your hobbies and interests and whether you have any other skills that may be of use to Scouts Australia (SA Branch).

The adult membership application form specifically provides the authority for Scouts Australia (SA Branch) to view your 'Person History Information' recorded by SAPOL. In applying to join Scouts you agree to provide your 'National Police Certificate' to Scouts Australia (SA Branch) for screening, which is then returned to you. Police checks are required for every adult applying for membership of Scouts Australia (SA Branch), and on each three-year anniversary of each membership (and at any other time required by Scouts Australia SA Branch). Changes to the process of issuing National Police Checks through SAPOL has resulted in the National Police Certificate being sent directly to the applicant. It is up to the individual to provide that Certificate to Scouts Australia (SA Branch) for screening prior to being accepted for membership and at each three-year anniversary of that membership.

We also collect information from internal sources and from members regarding their application to attend events and activities, training courses, appointments and qualifications related to Scouting.

In the case of youth members, we also have a requirement to know the names and contact details of parents, guardians and care-givers in case we have to contact them in an emergency, or to ensure they are informed about Scouting activities, policy issues or other important matters involving their children. We also ask for the parent, guardians or care-givers occupation details as well as their skills/hobbies and sporting/leisure activities, as our organisation relies on volunteers providing their time and expertise in a variety of areas for the benefit of our youth program. We ask parents, guardians and care-givers about their willingness to support their children's activities and to assist with their local Scout Group.

## **6. SENSITIVE DATA**

Scouting is a voluntary, non-political, non-formal educational movement for young people, which is open to all without distinction. The aim of the movement is to encourage the positive development of young people. We do not actively seek to collect sensitive information (for example; health information or information about your race, politics, police record or religious background) unless it is reasonably necessary to satisfy the aims and principles of our organisation, or, is for the well-being and protection of our members or as permitted or required under law.

The following information, which may be considered to be of a sensitive nature, is collected:

- Your place of birth and nationality is requested in order for us to identify any special needs of members from different cultures.
- Your religion/denomination (if applicable) is requested so that we can provide for the needs of members from different religious backgrounds.
- For adult leaders, we request marital status and partner name for the purposes of inviting partners to Scout functions and activities and to incorporate them as much as possible in the 'Scouting family'.
- Person History Information is obtained from SAPOL in accordance with the Scouts Australia (SA Branch) Child Protection Policy. This information is not held electronically in any form. Scouts Australia (SA Branch) is registered by SAPOL as an Authorised Volunteer Association for the purpose of screening and making determinations regarding its members. The 'National Police Certificate' which is sent to you by SAPOL on request must be released by you to Scouts Australia (SA Branch) as part of your application to join Scouts, and will be returned to you by Scouts Australia (SA Branch).

- We collect health, and medical information, including Medicare and private health fund numbers, for youth members at the time of applying for membership, as well as each time we seek parent, guardian and care-giver permission for the young person to attend a Scouting activity. Health and medical information is also sought from adult members attending major activities and events for use in medical situations. We may also collect health and medical information from you personally in consultation, from test results, from health care providers or from parents, guardians, care-givers, Scouts staff and leaders.

We will not use sensitive information collected from you for the purpose of any direct marketing unless you have consented to the use or disclosure of the sensitive information for that purpose.

## **7. CONSENT POLICY**

When you join Scouts Australia (SA Branch) you agree that we may use your contact/personal details to send you information about our organisation and its activities and services that we feel may be of interest to you, and to contact you from time to time to obtain your feedback about our activities and services. Please let us know if you no longer consent to this information being retained. However, if you withdraw consent, we may not be able to provide you with the associated services and information you may need to be an effective member.

On joining, you agree to the collection of sensitive data for the purposes disclosed in this policy. In particular, it should be noted that the authority to access Person History Information is not discretionary for any applicant. In accordance with the Scouts Australia (SA Branch) Child Protection Policy, an application for adult membership cannot proceed without this authority.

We will not use your personal information for any purpose that you would not reasonably expect. At State Branch level, your information may be used to offer you other products, services and activities that will enhance our relationship with you. You may decide, at the time of joining, and at any other time by informing us in writing, that you do not wish to be contacted in this way. It is assumed that existing members have given consent unless they advise Branch Headquarters otherwise.

## **8. USE AND DISCLOSURE**

By signing the membership application form you consent to us using your personal information in the following ways:

- To maintain a register of our membership.
- To respond to your request or help us process any request for our activities or services.
- To effectively administer all activities and services that we provide to you.
- To communicate with you about the activities and services that we may provide you.
- To inform you of relevant internal or external activities, events, promotions or special offers that may be of interest to you.
- To identify 'demographic' details of our membership for the purpose of building membership.
- To ensure as best as practicable, the safety, health and well-being of all members while they participate in Scout activities.
- To carry out research, marketing or development of our products, activities and services including the surveying of members of their needs and attitudes.
- To provide contact information to enable communication between members of the Movement.
- To assess the suitability of adult members to be in charge of our youth members.
- To provide personal details to SAPOL when required.
- To make reports to relevant authorities in the interests of our youth membership.
- To direct membership inquiries to you.
- To direct inquiries to you regarding the use or hire of Scout property or services.
- To assess, process and investigate claims made under any insurance products we provide to you.

If you have chosen to provide us with your email address, we may use that address to advise you of matters of Scouting interest as well as for marketing, planning, offering new services or research purposes. Members have the right not to receive these additional communications and may opt out as above.

Similarly, you may specifically require that your personal contact details (incl home phone number) NOT be provided by the Branch Headquarters to any other Scout member for the purpose of communication between members by advising Branch Headquarters in writing of this requirement.

We may release information about you where we have a duty to disclose that information, or where disclosure is required or authorised for law enforcement or regulatory purposes. The Scouts Australia (SA Branch) Child Protection Policy provides for our voluntary status as a 'mandated notifier' under the South Australian *Children's Protection Act 1993*. Accordingly, information may be shared with SAPOL and/or the authority for Children, Youth and Family Services within South Australia.

Scouts Australia (SA Branch) undertakes to give proper and responsible consideration to privacy issues associated with the introduction of new marketing methods or technology and we will not knowingly disclose your personal information to overseas recipients, unless you have provided your consent.

If we receive unsolicited personal information about you which we determine within a reasonable period we could not have collected from you pursuant to this Privacy Policy and is not information contained in a Commonwealth record, we will within a reasonable time proceed to destroy or de-identify that information.

## **9. DATA QUALITY AND INTEGRITY**

We rely on the accuracy of the information that members or their formation provide to us. We attempt to ensure that all information which we collect, use or disclose is accurate, complete and up to date. We conduct periodic internal checking procedures to ensure that as far as is practicable the data held by us is accurate and current. You should promptly notify us if there are any changes to the personal information held by Scouts Australia (SA Branch).

## **10. DATA ACCESS AND CORRECTION**

You can request access at any time to personal information we hold about you by contacting the Branch IT/Membership Manager at the Branch HQ (08) 8130 6000. We will process your request within a reasonable time (usually two working weeks). There is no fee for requesting access to, or correcting, or updating your information.

Before giving you access to, or amending your records, either in person or over the phone, we may require you to prove your identity by asking questions from your personal record.

From time to time, for the purposes of data correction, we may provide members or their specific Scout formation with a computer printout of some data that we maintain.

Other 'Scout forms' that you complete from time to time may be used to update the information you originally provided on joining Scouts Australia (SA Branch). Any amendments to members records will be processed as soon as possible after such reports or forms are returned to Branch Headquarters.

Although we take reasonable steps to ensure the personal information we hold about you is accurate, up to date and complete when:

- we are satisfied that, having regard to the purpose for which we hold your personal information, the information is inaccurate, out of date, incomplete, irrelevant or misleading; or
- you request us to correct your personal information,

We will take all reasonable steps to correct information to ensure that the information is accurate, up to date, complete, relevant and not misleading. We will respond to your request to correct your personal information within a reasonable period after the request is made (usually two working weeks).

If we refuse to give you access to your personal information or correct your personal information we will provide you with a written notice that sets out:

- the reasons for the refusal; and
- the mechanisms available to complain about the refusal.

## **11. ACCESS TO DATA BY MEMBERS**

Scouting is essentially a 'volunteer' organisation. Communication between members is of primary importance for the organisation's operations and therefore the provision of contact details to members to allow them to make contact with other members is most important. Additionally, the provision of some personal information about members to other members (whose role may be to supervise and in some cases assess the performance of those members) is also essential to our program. Some personal information, 'notification of occurrence', or 'change in membership status' may be shared with other members of the Branch consistent with the Branch primary purpose (section 2). Staff of the organisation, including event staff and member volunteers, may have access to your health and medical information for the purpose of ensuring the health, well-being and protection of the organisation's members.

Information may be provided to another member of Scouting for these bona fide purposes.

Scouts Australia (SA Branch) may also publish a contact list showing personal contact details for a select list of senior adult members. This list is provided to all those on the list and to all adult members for contact purposes. As above, you may specifically require that your personal contact details (incl home phone number) NOT be included on these lists by advising Branch Headquarters in writing of this requirement.

## **12. ACCESS TO DATA BY NON-MEMBERS**

Access to personal information by non-members, except custodial parents, guardians, care-givers and authorised volunteer adults in Scouting is not permitted, subject to other provisions of this policy and save as set out in this paragraph. Personally identifiable data is not provided to external parties except where Scouts Australia (SA Branch) has a duty to disclose that information, or where disclosure is required or authorised for law enforcement or regulatory purposes (as above).

Healthcare staff such as doctors, nurses, paramedics and first aid staff at branch run events may have access to or be provided with health and medical information of members for the purpose of ensuring the health, well-being and protection of the organisation's members. Where it is an emergency or, in the organisation's view withholding the information could severely endanger a member's life, health or safety or pose a serious threat to public health or safety, a member's health and medical information may be released to another health care provider without consent.

## **13. DATA SECURITY**

Scouts Australia (SA Branch) takes all reasonable steps to protect your personal information from misuse, interference, loss, unauthorised access, modification or disclosure.

We have physical, electronic and procedural safeguards to protect your information which is held by us. For example, your personal information in the form of original or copies of paper forms is stored in secured premises. Forms may also be held by authorised voluntary adults at the local 'Group' level. These adults are accountable for the security and privacy of your data at that level. Similarly, data containing your personal information may be held at your Group in electronic format. In these circumstances, the security of this information is also vested in those adults that have access to this data.

The Branch Headquarters is the sole location of the State consolidated electronic membership databases. 'Read-Only' and/or 'Change' access to information stored electronically is restricted to personnel who require that particular access only. All authorised personnel require logins and passwords for access to this information. We require all staff and volunteers to maintain the confidentiality of customer and member information.

The Branch database is backed-up on a regular basis and secured off-site.

Any visitor, to any part of our HQ premises in which your personal information is kept is required to be accompanied by a member of staff or an authorised volunteer adult while on the premises. Visitors are also required to sign-in and out of the premises. The Branch Headquarters uses secure methods to destroy or de-identify any personal information such as computer reports as soon as the information is no longer required by us for any purpose. Our current policy dictates that electronic information in the membership database pertaining to past members is not removed or archived.

## **14. DATA BREACH**

Scouts Australia (SA Branch) takes all reasonable steps in the security of your data within our systems including the preparation and implementation of a data breach response plan. This plan outlines the steps that will be taken in the event of a data breach. (contained below).

## **15. COMMERCIAL USE OF DATA AND MARKETING**

There are occasions when external organisations or individuals wish to offer a product or service which we consider would be beneficial or of interest to our members.

Subject to our consideration of the external organisation (and the material for potential distribution) together with a signed agreement between Scouts Australia (SA Branch) and the external organisation regarding data confidentiality, the Branch Headquarters may provide a mailing service for that external organisation, or, use a Scouts Australia (SA Branch) mailing house to distribute offers of product or services. We do not provide our database to external parties directly.

Scouts Australia (SA Branch) occasionally relies on third party suppliers to conduct specialised activities such as bulk mail outs, data processing, printing etc. These agents act on behalf of Scouts Australia (SA) and are not permitted to use any information in the process for their own commercial benefit. While your personal information may be provided to these agents to enable them to perform their agreed tasks, such information remains the property of Scouts Australia (SA Branch) at all times and the agent organisations involved are bound by specific confidentiality, non-disclosure agreements and data disposal protocols.

Photographs of persons may be used for marketing purposes in accordance with the Scouts Australia (SA Branch) Marketing and PR Plan. Scouts Australia (SA Branch), uses suppliers and partners who are signatories to the Australian Direct Marketing Association (ADMA) Code of Ethics in relation to all direct marketing and electronic marketing to members.

We will consider that you consent to the above commercial use of data and direct marketing, unless you opt out. You may opt out at any time if you no longer wish to receive marketing information or do not wish to receive marketing information through a particular channel, like email. In order to do so, you will need to request that we no longer send marketing materials to you or disclose your information to other organisations for marketing purposes. You can make this request by:

- contacting the Branch IT/Membership Manager (08) 8130 6000
- by 'unsubscribing from our email marketing messages, which always include an unsubscribe option
- attending at the Scouts Australia (SA Branch) and requesting to be removed from any email and/or postal marketing

## **16. BRANCH CORPORATE DATABASE**

Scouts Australia (SA Branch) conducts an annual series of business functions and corporate sporting opportunities. The primary function of these activities is corporate networking and the promotion of Scouting in South Australia.

Scouts Australia (SA Branch) collects data about attendees and corporate participants as well as potential attendees to these events. This information is stored electronically in a unique database that is accessible only by authorised staff. Information about forthcoming events is sent regularly to individuals and organisations on this database. Contact information may also be made available to fellow participants, consistent with the networking aims of the corporate program. Scouts Australia (SA Branch) reserves the right of approval for this to occur. Any person, or company, in this separate database may opt to be excluded from these processes by advising the Branch Headquarters in writing.

Data collected for the purposes of promoting and managing the Scouts Australia (SA Branch) corporate program will not be made available by way of sale, lease or hire to other organisations for the purposes of marketing any other product or service.

## **17. WEBSITE AND ONLINE SERVICES**

Scouts Australia (SA Branch) does not collect any personal information about you via our web site except when you knowingly provide it. If you have elected to be a registered user we may use your e-mail address to send you from time to time various promotional offers, Scout program information, special events or other marketing communications that may be of interest to you. It is our policy to send emails to customers who give us permission to do so. If we send you an email for a commercial purpose, we will give you the option of not receiving further communications of this nature. Alternatively, you may also elect to receive emails about specific subjects and activities.

Subject to other provisions of this policy, personal information obtained on the site will not be released to a third party without your consent. We will use any collected information to improve our service to users, and from time to time may contact registered users about new features and improvements to the website.

Scouts Australia (SA Branch) undertakes to take reasonable steps necessary to ensure that member information is secure from any unauthorised access or disclosure. We have incorporated security procedures and practices that we consider are consistent with Australian industry practice. We review our security procedures from time to time and update them when we deem necessary. Obviously, the use of any information you decide to provide to third parties on the internet (outside our website and its levels of protection) falls outside this statement. We assume no responsibility and make no warranties or representations regarding the information practices of third-party sites where a user is able to access their sites through ours. We encourage users to review each site's privacy policy before disclosing any personally identifiable information.

You may elect to use an e-commerce section of our website to purchase products and to pay for those products using your credit card. These transactions use an industry standard encryption code. This means that your credit card and payment details are not retained by Scouts Australia (SA Branch) or its businesses.

For statistical purposes we may collect non-personalised information on website activity (such as the number of users who visit the website and navigation patterns) through the use of tracking technology. In order to collect user statistics we may anonymously log information, and identify categories of users by items such as domains and browser types. Scouts Australia (SA Branch) may amend this section from time to time. We will notify you by posting a prominent announcement on our webpages and via email to registered users if we make any substantial changes in the way we use your personal information.

## **18. YOUR RIGHTS**

You need not give us any personal information about you which may be requested in our communications with you. However, without that information, we may not be able to process an application, fulfil your request to become a member or provide you with an appropriate level of service including in respect of your health and medical needs. You are entitled to ask us for access to your personal information records at any time, or to choose to cancel or opt-out of any service or future mailing.

You may elect to advise us that your phone numbers are to be marked 'silent' in which case we will not release or publish them in any form.

## **19. COMPLAINTS RESOLUTION**

If you have any questions, concerns or complaints regarding privacy issues or relating to this Privacy Policy or our handling of your personal information, please contact the Branch Chief Executive Officer (08) 8130 6000 or email your question or concern to [hq@sa.scouts.com.au](mailto:hq@sa.scouts.com.au) (For attention CEO).

If you lodge a complaint about the handling of your personal information, the Branch Chief Executive Officer will respond to you as soon as possible. We will aim to deal with your complaint at the source of the complaint. If you are not satisfied with the response you receive, please let us know and our Branch Chief Executive Officer will investigate further and respond to you.

After an initial complaint, if you are unsatisfied with our resolution you may escalate your complaint to the Office of Australian Information Commissioner after 30 days have passed from when you informed us of your complaint. Complaints to the OAIC must be made in writing, preferably using the online Privacy Complaint Form which can be found at <http://www.oaic.gov.au/privacy/making-a-privacy-complaint>. The OAIC can also be contacted via its enquiries line on 1300 363 992. The Federal Government has proposed the abolition of the OAIC and if this ultimately occurs complaints can be made to the Privacy Commissioner instead of the OAIC.

## 20. PRIVACY POLICY AMENDMENT

The information contained in this document relates to our current privacy standards. We may vary our privacy standards from time to time. We undertake to notify you of these changes by publishing them on our website - we may not separately notify you of these changes.

Amendments to this policy are only to be made by the Scouts Australia (SA Branch) Chief Executive Officer on behalf of the Branch Executive Committee.

## DATA BREACH RESPONSE PLAN

### 1. When we suspect, know or are advised of a data breach

Where we find that there has been an unauthorised access; unauthorised disclosure; or loss of Branch held personal information, we will commence an assessment of that breach (suspected or known) **immediately**. Our Membership Manager and the CEO will conduct this initial assessment.

### 2. We will contain the breach

During the assessment, we will take all steps possible to contain and minimise any harm that may develop as a result of the breach. This may include changing passwords, retrieving information, shutting down certain information systems, and directing containment at the breach site.

### 3. We will assess the breach (within 30 days)

We will consider whether the data breach is likely to result in **serious harm** to any person. We will also gather information to determine how the breach happened. From this assessment, we will decide if **serious harm** to an individual has occurred or is likely to occur. If we believe serious harm has or is likely to occur, we will immediately commence our notification process.

### 4. We will notify

Where serious harm has occurred or is likely, we will prepare and send a statement for the Privacy Commissioner that contains:

1. The identity of Scouts Australia (SA Branch) and our contact details
2. A full description of the breach
3. The actual information that was breached
4. Our recommendations for the persons concerned

We will share the contents of the above statement with the following (as appropriate):

1. Only those persons at direct risk of harm, and/or
2. With persons we believe should know, and/or
3. Publish relevant contents of the statement on the Scouts SA website and other forums

### 5. We will engage

We will offer engagement with any person who has been affected by the breach and offer our apology and any further assistance required.

### 6. We will review

We will conduct a full review of the breach and our response (including surveying the persons concerned) in an effort to prevent future breaches.