



PRIVACY POLICY

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Revised	1 May 2017	Commission Approved	
Authorised by:	Chief Executive Officer	Review Date:	1 July 2019

1. Policy Statement

Basketball SA recognises that it is both necessary and required by law for Basketball SA to store a variety of records of factual information about Employees and Customers.

Basketball SA accepts that the general principles of confidentiality and privacy apply to the use and availability of its records. Where information about a person includes personal details as defined by the *Privacy Act 1988 (as amended) (Cth)*, that person expects that Basketball SA will maintain confidentiality, except where disclosure is required for legitimate and legal purposes¹.

2. Definitions

2.1. Sensitive Information

Sensitive information is defined as any of the following:

- Criminal record;
- Health information;
- Genetic information;
- Racial/ethnic origin;
- Philosophical beliefs;
- Religious belief or affiliations; and
- Sexual preferences or practices.
- Political opinions and/or associations;
- Membership of a trade union;
- Membership of a professional or trade association;

2.2. Personal Information

Personal information is broadly defined as any information/opinion that can identify a person.

2.3. Authorised Access to Records

Basketball SA defines authorised access as that which is required for work-related purposes. For example, reaching selection decisions or providing vocational guidance.

3. Procedures

3.1. Basketball SA Responsibilities

Where a new Employee enters Basketball SA, the Supervisor/Manager will educate the Employee on this policy.

3.2. Collection of Personal Information

Basketball SA will only collect personal information where the information is necessary for one or more of its functions or activities. Basketball SA will collect this information in a way that is fair, lawful and not intrusive.

Where information about an individual is collected from a third party, Basketball SA will take reasonable steps to notify the individual of this.

3.3. Use and Disclosure of Information

Basketball SA will only use or disclose information for the following reasons:

- The purposes it was collected (unless the person has consented);
- A secondary purpose that is related to the primary purpose and reasonably expected by the individual; and/or
- In circumstances related to public interest such as law enforcement and public health.

Basketball SA will endeavour to receive an individual's written consent for disclosure of their information.

3.4. Maintenance of Information Quality

Basketball SA will take reasonable steps to make sure that the personal information collected, used or disclosed is accurate, complete and up-to-date.

3.5. Data Storage

Reasonable steps will be taken to protect personal information from misuse, loss and unauthorised access modification or disclosure.

Reasonable steps will be taken to destroy or permanently de-identify personal information if it is no longer needed for any purpose for which the information may be used or disclosed.

The following guidelines will be followed for the storage of information:

- No personal information will be given over the phone unless it has been established that the caller has legitimate grounds to access the information and has given proof of identify;
- No personal information will be left on voicemail unless requested by the owner of the voicemail and the voicemail is secure;
- Fax machines used for transmission of personal health information be secure;
- Only authorised individuals receive personal information and are not to forward such information without consent;
- Paper records containing personal information will not be copied unless it is essential to do so;
- All paper records will be kept secure and will be shredded or burned when no longer required; and
- Personal information will not be left unattended or discussed in public areas where others may overhear.

Employees and other persons who are directly involved with the activities of Basketball SA are required to consent to applicable confidentiality obligations in writing.

3.6. Availability of this Policy

This policy is available for all employees.

On request by a person, Basketball SA will take reasonable steps to let the person know what sort of personal information it holds, for what purposes it is held and the purpose for which it would be disclosed. Any such requests are to be directed to Senior Management.

3.7. Access and Correction

Basketball SA acknowledges that it must give an individual access to their personal information on request. This is limited by a number of things. For example:

- In the case where it would pose a threat to the life of any individual;
- Where the request for access is frivolous or vexatious; or
- Where denying access is required or authorised by law.

Where providing access would reveal evaluative information generated within Basketball SA, in connection with a commercially sensitive decision-making process, Basketball SA may give the individual an explanation for the commercially sensitive decision rather than direct access to the information.

If the individual is able to establish that the information is not accurate, complete or up-to-date, Basketball SA will take reasonable steps to correct the information so that it is accurate, complete and up-to-date.

Where an individual and Basketball SA disagree about whether the information is accurate, complete and up-to-date, and an individual asks Basketball SA to attach a statement with the information that identifies the information to be inaccurate, incomplete or not up-to-date, Basketball SA will take reasonable steps to do so.

Basketball SA will provide reasons for a denial of access or a refusal to correct personal information.

All inquiries regarding access or correction in accordance with this policy must be communicated to Senior Management.

3.8. Identifiers of Individuals

Generally, Basketball SA will not adapt, use or disclose, an identifier that has been assigned by a Commonwealth Government agency.

3.9. Respect for Anonymity

Where it is lawful and practicable to do so, individuals dealing with Basketball SA are not expected to identify themselves.

3.10. Forwarding of Information Overseas

Basketball SA does not generally transmit information overseas, however, in such an unlikely event, Basketball SA will only transfer personal information to a recipient in a foreign country in circumstances where the information will have appropriate protection.

3.11. Handling of Sensitive Information

Sensitive information will not be collected unless:

- The individual has consented;
- It is required by law;
- The collection is necessary to prevent or lessen a serious and imminent threat to the life or health of any individual, where the subject of the information is physically or legally incapable of giving consent; and
- The collection is necessary for the establishment, exercise or defence of a legal claim.

4. Complaints

Complaints about breaches of personal privacy should be reported to the General Manager in the first instance.

5. Summary of Key Points

- Personal information is stored securely and is only accessible to authorised Employees who have a genuine need to access the information as part of their employment.
- Unless required by law or permitted by consent, the information collected by Basketball SA is not used for any purpose other than the purpose for which it was collected, or a related and reasonably foreseeable secondary purpose.
- Basketball SA will endeavor to ensure that all Employees, contractors, agents and other people working within Basketball SA are familiar with this policy.

6. Associated Legislation

- Privacy Act 1988 (Commonwealth)