

SANDAS PRIVACY POLICY



PURPOSE:

This policy supports SANDAS's legal and ethical obligations regarding the collection, storage, sharing and use of information. It promotes compliance with the [Privacy Act 1988](#), [Australian Privacy Principles](#), [Information Sharing Guidelines](#) and the [Associations Incorporation Act 1985](#). It also addresses confidentiality requirements regarding information obtained during the course of operations.

Australian Privacy Principles

"The Australian Privacy Principles (APPs), which are contained in Schedule 1 of the Privacy Act 1988 (Privacy Act), outline how most Australian and Norfolk Island Government agencies, all private sector and not-for-profit organisations with an annual turnover of more than \$3 million, all private health service providers and some small businesses (collectively called 'APP entities') must handle, use and manage personal information."¹

As SANDAS' annual turnover is less than \$3 million, there is no legal obligation to comply with the APPs. SANDAS has, however, decided that as a matter of best practice, and as a reflection of the privacy obligations of most of its members, to operate in accordance with these principles.

APP 1 requires that APP entities "*have a clearly expressed and up to date policy (the APP privacy policy) about the management of personal information by the entity*"²

POLICY STATEMENT:

1. MANAGEMENT OF PERSONAL INFORMATION³

1.1 Information collected by SANDAS (APP 1.4 a, APP 3.2-3.4)

General

SANDAS will only collect personal information which is relevant to the conduct of our business and provision of our services. This may include details such as name, address, email address, telephone number, job title and role and information about an individual's utilisation of our services. We may also collect information about interactions with SANDAS, including contacts via email, telephone or in person.

Board Members, Employees/Potential Employees/Contractors

For Board members and people who apply for employment or for the provision of contracted services at SANDAS., the information collected may include name, contact details, employment history, visa details, educational qualifications, probity checks, any medical condition that may impact the ability to perform the role and any other personal information included in a

¹<https://www.oaic.gov.au/privacy-law/privacy-act/australian-privacy-principles>– accessed 12.2.19

²<https://www.oaic.gov.au/individuals/privacy-fact-sheets/general/privacy-fact-sheet-17-australian-privacy-principles>– accessed 12.2.19

³ For a definition of personal information, refer to <https://www.oaic.gov.au/privacy/guidance-and-advice/what-is-personal-information/>

SANDAS PRIVACY POLICY



biography, resume or curriculum vitae. SANDAS may also retain a record of any job interview conducted, either telephone or face-to-face, and any information obtained from a publicly available social media source. Employee and contractor records may also include supervision and performance appraisal/performance management information.

Sensitive Information⁴

SANDAS will not, without consent or as otherwise authorised by law⁵, collect information that reveals an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs or affiliations, membership of a professional or trade association, membership of a trade union, details of health, disability, sexual orientation, or criminal record. We will only collect this information if it is necessary for SANDAS functions or activities.

1.2 How personal information is collected by SANDAS (APP 1.4.b)

SANDAS collects personal information directly from individuals via:

- membership applications
- event registrations
- SANDAS eNews subscriptions
- network memberships
- employment applications and interviews
- Board member nominations and inductions
- individual interactions via phone, email or face-to-face.

SANDAS may also obtain information via third parties, such as:

- probity checks - Individuals are routinely requested to provide probity checks for the purposes of employment or Board membership. The individual will present the documentation to the SANDAS Finance and Admin Officer, it will be (a) sighted (b) the date noted on the [SANDAS HR File Cover Sheet](#) (c) recorded as approved /not approved for employment and (d) returned to the individual.
- referees
- recommendations from other individuals or organisations who have used the services offered by an individual.

1.3 How personal information is stored by SANDAS (APP 1.4 b)

SANDAS primarily retains information electronically and this is accessible only by SANDAS staff with a valid username and password. Personal information relating to:

- Board Members –is stored in Sharepoint and retained indefinitely to provide an ongoing record of governance.

⁴ For a definition of sensitive information, refer to <https://www.alrc.gov.au/publication/for-your-information-australian-privacy-law-and-practice-alrc-report-108/6-the-privacy-act-some-important-definitions/sensitive-information/>

⁵Refer to APP 3.4 for a full list of such provisions

SANDAS PRIVACY POLICY



- Individual members – is stored in Sharepoint and MYOB, to facilitate communication and membership renewal. Records are deleted once membership has been lapsed for seven years.
- Staff - is stored on a separate drive, with access restrictions. These records are retained for a period of 7 years following the individual's exit from SANDAS, at which time they are deleted.
- Unsuccessful job applicants - is retained for a period of 12 months following the recruitment process, to allow for any potential disputes or queries to be addressed.
- External providers – evaluation information is stored in Sharepoint and retained indefinitely to inform decisions about future engagement.
- eNews subscribers – Names and email addresses of subscribers are kept on the Mailchimp site, SANDAS does not retain this information directly.
- Event attendees – names, email addresses, phone numbers and dietary requirements are stored in Sharepoint and retained indefinitely.

Hard copy information may be retained in relation to:

- Staff - HR files are stored in a locked cabinet. These records are retained for a period of 7 years following the individual's exit from SANDAS and are then shredded.
- Unsuccessful job applicants – information is retained for a period of 12 months following the recruitment process, to allow for any potential disputes or queries to be addressed, before being shredded.
- Contractors – service agreements and information relating to performance, stored in a locked cabinet and retained for seven years after date of last service.
- Event attendees – sign-in sheets collect names and email addresses of all participants. Hard copies are retained until after the event and are then destroyed, after an electronic copy has been saved.
- Board members – names are published and distributed in each year's Annual Report and retained indefinitely.

1.4 How personal information is used by SANDAS (APP 1.4 c)

SANDAS uses personal information to:

- conduct business and provide services - for example, manage staff employment; register participants for events; disseminate sector information; facilitate networks.
- identify improvement opportunities
- meet legislative and contractual obligations
- ensure suitability of Board members
- respond to enquiries and disputes
- keep records of attendance at events and meetings

SANDAS' scope of operations is primarily within South Australia, with limited work being done nationally. No overseas work is undertaken therefore it is very unlikely that any personal information would be shared with an overseas recipient. (APP 1.4 f)

SANDAS PRIVACY POLICY



1.5 When personal information may be disclosed by SANDAS (APP 1.4d)

Personal information will be shared with third parties only when:

- signed, written consent has been given by the individual concerned OR
- SANDAS is legally bound to disclose, irrespective of consent OR
- sharing information will reduce the risk of significant harm to someone, as per the [Information Sharing Guidelines](#) and the SANDAS Information Sharing Guidelines Procedure

1.6 How an individual can access and seek correction of their personal information held by SANDAS (APP 1.4d; 13)

Individuals may request access to their personal information held by SANDAS, subject to some exceptions under law. This can be done by contacting SANDAS at sandasinfo@sandas.org.au, detailing the information being sought. Access to information will be provided in accordance with the requirements set out in the APPs.⁶

If an individual believes information held about them is inaccurate or out-of-date, correction may be requested via sandasinfo@sandas.org.au. SANDAS will respond to such a request in accordance with the requirements set out in the APPs.⁷

If permission to access personal information is withheld, SANDAS will provide written advice of this, setting out the reason for the decision.

1.7 Privacy Concerns (APP 1.4 e)

Concerns about SANDAS' handling of private information can be raised by emailing sandasinfo@sandas.org.au. The concern will be handled in accordance with the [SANDAS Feedback Procedure](#). If the complainant remains unsatisfied with the outcome of this process, the issue may be raised with the Office of the Australian Information Commissioner at www.oaic.gov.au and on 1300 363 992

1.8 Availability of SANDAS Privacy Policy (APP 1.5; 1.6)

SANDAS will publish this policy on the SANDAS website at www.sandas.org.au or a copy may be requested by contacting sandasinfo@sandas.org.au

⁶Refer to APP 12 for a full description of these requirements - <https://www.oaic.gov.au/agencies-and-organisations/app-guidelines/chapter-12-app-12-access-to-personal-information>

⁷Refer to APP 13 for a full description of these requirements, <https://www.oaic.gov.au/privacy/australian-privacy-principles-guidelines/chapter-13-app-13-correction-of-personal-information>

SANDAS PRIVACY POLICY



1.9 Anonymity (APP 2)

Individuals may remain anonymous, or use a pseudonym, in their dealings with SANDAS, within the bounds of any applicable legislation. If an individual chooses not to provide personal information, it may mean that SANDAS is unable to provide a particular service, offer employment or respond to some enquiries.

2. CONFIDENTIALITY OF BUSINESS INFORMATION

All information obtained during the course of operations regarding SANDAS financial, contractual or other dealings remains confidential, as per the [SANDAS Code of Conduct Policy](#). Board members and staff are required to sign the [SANDAS Staff and Board Confidentiality Agreement](#).

Confidential information is not to be used in the conduct of personal or professional affairs, other than the organisational purpose for which it was collected, as per the [SANDAS Conflict of Interest Procedure](#).

LEGISLATION & STANDARDS:

- Associations Incorporation Act 1985
- Australian Charities and Not-for-profits Commission Act 2012
- Australian Privacy Principles
- Information Sharing Guidelines
- Privacy Act 1988
- [ISO 9001:2015](#) - 8.2.2 a) 1)

DEFINITIONS/REFERENCES:

References: see footnotes throughout document

- [SANDAS Code of Conduct Policy](#)
- [SANDAS Conflict of Interest Procedure](#).
- [SANDAS Feedback Procedure](#)
- [SANDAS HR File Cover Sheet](#)
- [SANDAS Information Sharing Guidelines Procedure \(not yet drafted June 2021\)](#)
- [SANDAS Staff and Board Confidentiality Agreement](#)