



## Privacy

The Australian Nursing and Midwifery Federation (the Federation) is an organisation of employees (ie a trade union) registered under Commonwealth industrial laws. The Federation is covered by the provisions of the Privacy Act 1988 and the Australian Privacy Principles (APPs) in relation to personal information and its collection and use; its disclosure and its security; and access to it. This Privacy Policy (Policy) should be read in conjunction with the Privacy Act and the APPs.

In order to carry out its activities, the Federation may collect personal information from, or on behalf of, members, and in some circumstances, former members, in order to provide professional and industrial services related to the profession of nursing and the employment of nurses. Personal information is also collected from subscribers to the Federation's publications.

Personal information includes all information or opinion about an individual whose identity is apparent or can reasonably be determined from the information or opinion and may include sensitive information, which is defined as information or opinion about an individual's membership of a trade union; sexual preferences or practices; criminal record; or personal health.

### How this policy applies

This policy applies to personal information the Federation collects from you:

- via one of our websites;
- via social media;
- via telephone;
- via email;
- via fax;
- in person; and/or
- in writing.

This policy also applies to personal information about you that the Federation collects from any other third party.

### The kinds of information the Federation may collect

From time to time you may voluntarily supply your personal information to the Federation. The Federation will record your e-mail address if you send us a message, subscribe to an email newsletter, or complete a form if this information is requested.

When you provide your personal information, it allows us, for example, to assist you with industrial relations and employment queries, inform you about industrial, social and political campaigns, and accept your application for membership. You may supply personal information to the Federation by, for example, responding to a survey, filling in a meeting attendance sheet, taking part in a competition, completing a membership form, discussing your issues with a delegate, or signing up to a campaign. The Federation only collects personal information that is reasonably necessary for the Federation to perform its functions and/or activities.

Depending upon the circumstances, you may provide to the Federation, and the Federation may collect, information such as, but not limited to, the following:

- your name;
- your contact details;
- your social media details (e.g. blogs, twitter, Facebook, LinkedIn);



- your gender;
- your marital status;
- your employment details;
- your educational qualifications; and
- your inquiry or complaint details.

Some personal information is considered sensitive information and includes:

- your political opinions;
- your political party membership (if any);
- your union membership (if any);
- your racial or ethnic origin;
- your sexual orientation;
- any disabilities, illnesses or injuries you may have; and/or
- any other health information.

The Privacy Act allows the Federation to collect sensitive information which relates solely to the Federation's members or people who have regular contact with the Federation if the sensitive information relates to the Federation's activities. We will only collect sensitive information where we have received your consent to your personal information being collected, used, disclosed and stored by the Federation in accordance with this Policy.

Where you provide information to the Federation in relation to a job application, the personal information you provide will only be collected, held, used and disclosed for the purposes of considering your potential employment with the Federation. Where you provide the details of referees, you confirm that you have informed the referees that you are providing their contact information to the Federation and they have consented to the Federation contacting them and discussing the personal information you have provided in relation to the job application.

The Federation will collect personal information only by lawful and fair means. We will collect personal information directly from you unless:

- you have consented to the Federation's collection of your personal information from third parties; or
- we are legally required to do so; or
- it is unreasonable or impractical to do so.

Where we have collected personal information about you either directly or by other means as set out above, we will notify you at the time, or as soon as practicable, to ensure that you are aware of such collection and its purpose.

You can choose to interact with us anonymously or by using a pseudonym where it is lawful and practicable. For example, you may wish to participate in a blog or enquire about a particular campaign anonymously or under a pseudonym. Your decision to interact anonymously or by using a pseudonym may affect the level of services we can offer you. For example, we may not be able to assist you with a specific industrial enquiry or investigate a privacy complaint on an anonymous or pseudonymous basis. We will inform you if this is the case and let you know the options available to you.

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 APPs. Otherwise 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 as soon as reasonably practicable.

### **The purposes for which personal information is collected, held, used and disclosed**

The Federation collects, holds, uses and discloses your personal information to:

- assist you with industrial relations and employment queries;
- inform you about industrial, social and political campaigns;
- inform you about your rights at work;
- inform you about changes to legislation;
- refer you to a legal practitioner, accountant or other professional;
- improve our service delivery;
- manage our relationship with you;
- conduct surveys and research;
- provide educational services and professional development;
- conduct Union elections;

### **Using your information for direct marketing**

You consent to our use and disclosure of your personal information for the purposes of direct marketing which may include providing you with information about events, products or services which may be of interest to you.

If you do not want us to use your personal information for direct marketing purposes, you may elect not to receive direct marketing at the time of providing your personal information.

### **Unsubscribing and opting out**

If you no longer wish to receive direct marketing or other communications, you may request at any time to cancel your consent to such communications as follows:

- If subscribing to an email newsletter you may "unsubscribe" at any time from the newsletter mailing list;
- The Federation may, from time to time, send you text messages about issues of importance such as events or campaigns. You may "opt out" by texting STOP in reply to a text message from the Federation; or
- You may contact us at any time by mail or email directed to our Privacy Officer.

### **Federation Websites**

The Federation's websites collect two types of information. The first type is anonymous information. The web server makes a record of your visit and logs the following information for statistical purposes:

- the user's server address;
- the user's top level domain name (eg. com, gov, net, au, etc.);
- the date and time of the visit to the site;
- the pages accessed and documents downloaded;
- the previous site visited; and
- the type of browser used.



No attempt will be made to identify users or their browsing activities except, in the unlikely event of an investigation, where a law enforcement agency may exercise a warrant to inspect the internet service provider's logs.

Another way information may be collected is through the use of "cookies". A cookie is a small text file that the website may place on your computer. Cookies may be used, among other things, to track the pages you have visited, to remember your preferences and to store personal information about you.

## Security

- The Federation will take all reasonable steps to ensure that the personal information it collects is accurate, up to date and complete. The Federation will take all reasonable steps to ensure that the personal information it uses or discloses is accurate, up to date, complete and relevant.
- Personal information is kept in secured locations on the premises and is only accessed by authorised personnel. Personal information kept electronically is handled with care and secured by user identifiers and passwords accessed only by authorised personnel. The Federal Offices in Canberra and Melbourne have security systems in place for the protection of all personal information stored either in paper or electronic form.
- Archived personal information is maintained in a secure offsite facility and is only accessed by authorised personnel.
- Security arrangements are monitored and reviewed regularly and all staff made aware of organisational systems for the processing, storing and transmitting of personal information and the protective security policies associated with this.

## Disclosure

- The Federation only uses or discloses personal information about an individual for the primary purpose for which the information is collected. Personal information is not used or disclosed for a secondary (related) purpose, except in accordance with the Australian Privacy Principles.
- The Federation may use or disclose personal information for a secondary purpose where the secondary purpose is related to the primary purpose of collection (or, if the personal information is sensitive information, directly related to the primary purpose), and the individual would reasonably expect us to use or disclose the information for that secondary purpose.
- The Federation may also use or disclose personal information about an individual for a secondary purpose if it has obtained the individual's consent (either express or implied).
- The Federation will not otherwise disclose personal information unless the individual has given consent or that disclosure is required by law.
- No personal information is disclosed to third parties for the purposes of direct marketing. Personal information (such as name and address) is used, from time to time, for the purpose



of forwarding information in the form of journals, newsletters and circular letters, unless an individual requests that their personal information is not used for that purpose.

- The Federation is unlikely to disclose personal information to overseas recipients. If the Federation is likely to disclose personal information to overseas recipients, the Federation will, if practicable, notify the individual of the countries in which the recipients are likely to be located.
- Before the Federation discloses personal information about an individual to an overseas recipient, it will take such steps as are reasonable in the circumstances to ensure that the recipient does not breach the Australian Privacy Principles in relation to the information.
- If the Federation no longer needs personal information for any purpose for which it may be used or disclosed, and the information is not contained in a Commonwealth record and the Federation is not required by law to retain the information, the Federation will take reasonable steps to destroy, or de-identify, the information.

### **Government Identifiers**

The Federation will not adopt as our own identifier a government related identifier of an individual, such as a tax file number or Medicare card number, and will only use or disclose a government related identifier where the use or disclosure:

- is reasonably necessary for the Federation to verify your identity for the purposes of our activities or functions;
- is reasonably necessary for the Federation to fulfil its obligations to an agency or a State or Territory authority;
- is required or authorised by or under Australian law; or
- is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

### **Access**

- The Federation will, within a reasonable period and at the written request of an individual, provide them with access to their personal information held by the Federation. All requests by an individual for access to personal information held by us should be made in writing and directed to 'The Privacy Officer' at the Federation. The Federation will respond to such requests within a reasonable period. There is no charge for making a request to access information but the Federation may seek to recover reasonable costs associated with providing such access. If, for any reason, access is refused, written reasons for the refusal will be provided.
- The Federation will take reasonable steps to correct information where it is satisfied that the information it holds is inaccurate, out of date, incomplete, irrelevant or misleading, or where an individual has requested the Federation to correct the information. All requests by an individual for correction of personal information held by us should be made in writing and directed to 'The Privacy Officer' at the Federation. If, for any reason, a request for correction of such information is refused, written reasons for the refusal will be provided.



- The Federation will inform individuals when personal information is provided to an organisation providing services to the Federation (eg a mailing house) when required to do so by the Australian Privacy Principles. Providers of services to the Federation have agreed to treat all personal information provided to them by the Federation (eg name and address) in accordance with the provisions of the Privacy Act and the Australian Privacy Principles.

### **Complaints**

- All complaints about the manner in which personal information has been handled, or where access to personal information has been limited or denied, are addressed in accordance with the Federation's Policy on Complaints.

### **Variations to the Policy**

This Policy may be varied from time to time and an updated version will be posted on the Federation's websites. Please check our websites regularly to ensure that you have the most recent version of the Policy.

*endorsed February 2014*