

## PRIVACY POLICY

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<b>Policy status</b>	Approved	<b>Version</b>	1
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### Introduction

The Independent Education Union of Australia NSW/ACT Branch (IEU) has more than 30,000 members and collects personal information to conduct its function of representing the industrial and professional interests of teachers, principals, teacher aides, administrative staff, cleaners, and outdoor and maintenance staff working in non-government schools, colleges and early childhood centres in NSW and the ACT.

IEU is committed to protecting personal information of our members and others. The *Privacy Act 1988* (Cth) sets out requirements for collecting, storing, using, and disclosing personal information and requires entities bound by the [Australian Privacy Principles \(APP\)](#) to have a Privacy Policy. This includes collecting information for the purpose of conducting elections under the *Fair Work (Registered Organisations) Act 2009*.

The purpose of this Privacy Policy is to explain how the union will manage personal information and, in the event of a loss of personal information and how it will respond as required by relevant legislation and the APPs.

### How this policy applies

This policy applies to personal and sensitive information that can be collected by the IEUA NSW/ACT Branch through the following:

- website
- social media
- telephone
- email
- facsimile
- in person and/or
- in writing.

The personal information of IEU employees held for the purposes of employment is not subject to the Privacy Policy.

### **IEUA NSW/ACT Branch website**

The IEU website collects personal information through a person's conduct on the website.

The IEU website collects 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, and
- the type of browser used.

The second type of information that the IEU website collects is personal and sensitive information. Both personal and sensitive information is requested and stored in order to provide personalised and enhanced services that are not available to anonymous users.

A cookie is a piece of data stored on the user's computer tied to information about the user. Cookies may be used on the IEU website.

The website may contain links to other websites and social media pages including Facebook, Youtube, Twitter and LinkedIn. The IEU is not responsible for the privacy policies of the entities responsible for the website, and it recommends that you review the privacy policies applicable to any other websites you visit. 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.

### **The kinds of information IEU may collect**

From time to time, you may voluntarily supply your personal and/or sensitive information to the IEU. The IEU will record your email address if you send a message, subscribe to an email newsletter, agree to receive emails from the union, or complete a form if this information is requested.

When you provide your personal and/or sensitive information, it allows the IEU, for example, to assist you with industrial relations and employment queries, inform you about industrial, social and political campaigns, and refer you to an appropriate Australian trade union. You may supply personal and/or sensitive information to the IEU by, for example, responding to a survey, taking part in a competition, or signing up to a campaign.

The IEU only collects and stores personal and/or sensitive information that is necessary for the IEU to perform its functions and/or activities, which includes encouraging workers to join their union, running campaigns to improve or defend workers' rights including political campaigns, and to conduct research about views and attitudes to workplace, social and other issues.

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

- your name
- your contact details including phone/mobile number and residential/work address
- your social media details (eg blogs, twitter, Facebook, LinkedIn)
- your gender and age
- 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, and
- any disabilities, illnesses or injuries you may have.

A person may also supply personal information to the IEU by responding to a survey, completing a meeting/training attendance sheet or a membership form, discussing issues with IEU staff, taking part in a competition, or signing up to a campaign. The IEU collects personal information that a person provides to it when signing up to mailing lists and registering for events, or when submitting feedback on their experience with the IEU website.

Where a person provides information to the IEU in relation to a job application, the personal information a person provides will only be collected, held, used, and disclosed for the purposes of considering the person's potential employment with the IEU.

The IEU will only collect personal information directly from the person unless:

- the person has consented to the IEU's collection of their personal information from third parties - for example, another union, their employer, external agencies, legal practitioner, one of our partners or sponsors, or a person's representative/s
- we are legally required to do so, and
- it is unreasonable or impractical to do so.

### **Collection of and dealing with unsolicited personal information**

Unsolicited personal information is information received by the IEU where it has taken no active steps to collect such information. If the IEU receives any unsolicited personal information not reasonably required for one or more of our functions, the IEU will treat it in the same way as solicited personal and/or sensitive information and in accordance with the APPs.

The IEU will direct the person to this Privacy Policy and to their rights to correct or complain about the collection of such information to the Australian Information Commissioner (OAIC). The information will be destroyed as soon as practicable.

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

The IEU collects, stores, uses and discloses personal information of members that is necessary to:

- maintain accurate and correct membership records
- enable the IEU to represent members in both individual and collective industrial and professional matters before their employer, Fair Work Commission, state industrial tribunals and other courts and tribunals
- inform members about changes to legislation
- refer you to a legal practitioner
- communicate with members about industrial, social and political campaigns, educational services, committee activities, and professional development
- use for direct marketing including providing information about events, products or services
- conduct surveys and research
- conduct IEU election, and
- improve our service delivery.

## **Disclosure of your personal information**

The IEU may disclose personal information by giving access to, or showing it to the following:

- government bodies or agencies (including the Fair Work Commission, NSW Education Standards Authority (NES), the Fair Work Ombudsman, the NSW Ombudsman Office, Office of the Children's Guardian (OCG), Office of the Australian Information Commissioner (OAIC), an anti-discrimination body, a work/occupational health and safety regulator, law enforcement agency)
- organisations to whom we outsource functions (including information technology providers, print service providers and mail houses)
- a legal practitioner with consent
- the media with consent
- otherwise as the person has consented, and
- as required by law.

## **Storage and security of personal information**

The IEU takes steps to protect the security of the personal information held from both internal and external threats including misuse, interference and loss, as well as unauthorised access, modification, and disclosure.

The IEU will request personal information as is reasonable for the purpose of recruiting new members. Membership information is retained on an electronic database dedicated to the secure storage of membership data.

Wherever reasonably practicable, the IEU holds electronic personal information on data servers in Australia. The data servers are password protected and login secured. However, by providing personal information to the IEU, a person consents to their information being stored and processed on a data server or data servers (such as cloud services) owned by a third party or third parties that may be located outside of Australia.

The IEU takes measures to address risks of possible misuse of personal information by keeping a record (audit trail) of when someone has added, changed, or deleted personal information held in its electronic databases.

The IEU will take reasonable steps to ensure that any third-party providers comply with the APPs or are subject to a law or scheme that is at least substantially similar to the way in which the APPs protect information.

Personal information collected from members and prospective members for the purposes of representation in industrial matters and disciplinary proceedings will be retained in a hardcopy file dedicated to the member in IEU access-controlled premises. Hardcopy personal information is also archived offsite when a file is closed.

If the IEU no longer requires a person's personal information for a specific purpose and is no longer required to keep it to comply with any laws, the union will take such steps as are reasonable in the circumstances to de-identify or destroy their personal information in a secure manner.

### **Accessing and correcting your personal information held by the IEU**

Under the *Privacy Act 1988*, a person has the right to ask for access to personal information that the union holds about that person, and request that it be updated or corrected. To make a request, please write to or email the IEU Secretary.

The IEU will ask the person to verify their identity before it gives the person access to their information or correct it and will try to make the process as simple as possible. The IEU must give a person access to their personal information and take reasonable steps to correct it if it considers it is incorrect, unless there is a law that allows or requires the union not to.

If the IEU refuses to give the person access to, or correct, their personal information, it must notify them in writing setting out the reasons, for example the granting of access is legally prejudicial to another individual, entity or to the IEU. The IEU will seek to provide the person with access to their personal information within 30 days of receipt of their request.

If the IEU makes a correction and it has disclosed the incorrect information to others, a person can ask the union to tell the other party about the correction. The union must do so unless there is a valid reason not to.

## **How the IEU will deal with complaints and data breaches**

If a person wishes to complain about how the IEU has handled their personal information, they should put a complaint in writing to the IEU Secretary. The person should provide all details about their complaint as well as any supporting documentation.

The IEU will acknowledge receipt of a person's complaint and then respond to the complaint within 30 days. Complaints will be treated seriously and dealt with confidentially.

A data breach occurs when personal information held by the IEU is lost or subjected to unauthorised access or disclosure. For example, when:

- a device with personal information is lost or stolen
- a database with personal information is hacked, and
- personal information is mistakenly given to the wrong person.

The *Privacy Act 1988* established the Commonwealth Notifiable Data Breaches (NDB) scheme, which came into effect on 22 February 2018. Under the NDB scheme, the IEU Secretary or delegates(s) must notify affected individuals and the OAIC when a data breach is likely to result in serious harm to an individual whose personal information is involved.

## **Updates to the Privacy Policy**

The IEU Secretary has oversight of this Privacy Policy and should be consulted for interpretations, resolution of problems and special situations.

This Privacy Policy will be updated considering changes to the *Privacy Act 1988*, also when the personal information handling practices of the IEU changes. A regular check of the IEU website will ensure that the most recent version of the Privacy Policy is available to any person.

## **How you may complain about a breach of the APPs**

To make a complaint about an alleged breach of the APPs, please write to the IEU Secretary and/or IEU Administration Manager at email the following address:

Attention: IEU Secretary and/or IEU Administration Manager  
ieu@ieu.asn.au

All complaints must be made in writing. Please provide all details about the complaint as well as any supporting documentation to the IEU Secretary and/or IEU Administration Manager,

## **How the IEU will deal with complaints**

The IEU will seek to deal with privacy complaints as follows:

- complaints will be treated seriously
- complaints will be dealt with promptly
- complaints will be dealt with confidentially

- complaints will be investigated by the IEU Secretary and/or IEU Administration Manager, and
- the outcome of an investigation will be provided to the complainant where the complainant has provided proof of identity.


The IEUA NSW/ACT Branch will seek to respond within 30 days of receipt of a valid complaint.

### Privacy Policy History

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Date



Secretary