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## Privacy Policy - YMCA Canberra

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OFFICE USE ONLY

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G007	24 Jun 2015	Mar 2014	Approved

### 1. TITLE

Privacy Policy YMCA Canberra

### 2. INTRODUCTION

The YMCA of Canberra (YMCA) is committed to protecting the privacy of our clients, members, employees and volunteers in respect of personal information that YMCA collects and receives. YMCA have issued this Privacy Policy to explain why the YMCA collects personal information and how it may use or disclose it.

### 3. POLICY

#### **Our Commitment:**

The YMCA will act in accordance with the Australian Privacy Principles (APPs) contained in the Privacy Act 1988 (Cth), when collecting, receiving and managing personal and sensitive information about its participants, members, employees and volunteers. This policy explains how YMCA collects, uses, discloses and otherwise handles personal and sensitive information.

#### **Kinds of personal information we collect and hold**

At all times we try to only collect the information we need for the particular function or activity we are carrying out.

We collect and hold personal information from people who are connected to our operations and activities – including members, employees, donors, clients, suppliers, volunteers.

Kinds of information collected and held by YMCA of Canberra for participants includes:

- a) name, date of birth, signature, address and phone numbers (including emergency contact details), email addresses, direct debit details;
- b) information about your health when you become a participant of the YMCA gym or enrol in a fitness program;
- c) information about your children whenever they enrol in a YMCA program, which may include sensitive information such as health information, cultural and ethnic beliefs and religious activities where they are reasonably necessary for YMCA activities ;
- d) information about court orders, custody or guardianship issues, in relation to a child who enrolls in a YMCA program;
- e) information provided as answers to forms you complete in relation to enrolment or membership
- f) information collected when a participant suffers an injury while at the YMCA; and
- g) results from YMCA sporting events.

Kinds of information collected and held by YMCA for workers (employees and volunteers) includes:

- h) names, date of birth, signature, current and previous addresses, telephone numbers, email addresses, emergency contacts, tax file numbers and bank details, qualifications and education, employment applications, resumes, referees checks and reports, Working With Vulnerable People Registrations and NSW Working With Children Checks, National Police Check Certificates, workplace incidents and investigations, criminal history, medical conditions and workers compensation matters. Employees may choose to identify as an Aboriginal or Torres Strait Islander person.

### **How we collect and hold personal information**

Where possible, personal information will be collected directly from the individual. This may be in person, in writing, via telephone, or online.

We may also obtain personal information from third parties such as related companies, contract providers, outsource service providers and individual representatives such as legal representatives. If we collect personal information from a third party and it is unclear that the individual has consented to the disclosure of personal information to us, we will take reasonable steps to contact the individual to ensure they are aware of the circumstances surrounding the collection and purposes for which we collected the personal information.

The YMCA will only collect information deemed necessary for the delivery of our services and events to clients and members, management of staff and compliance with our regulatory requirements. YMCA employees unsure if information should be collected, used or disclosed, should ask the person concerned for consent in writing.

YMCA will store personal information, in secure locations with lock and keys or protected by passwords. The YMCA takes reasonable steps to protect personal information from loss, misuse, unauthorised access, modification, disclosure or destruction. Only authorised YMCA staff and volunteers may have access to personal information for an approved purpose.

### **The Use of Personal Information**

The YMCA of Canberra uses personal information in order to:

- a) provide a range of programs and services to individuals;
- b) administer and manage those services, including charging and collecting payments;
- c) organise enrolment into training, courses or programs;
- d) undertake employment and payroll processes;
- e) fulfil workplace health and safety obligations;
- f) conduct appropriate checks and character screening including National Police Checks;
- g) research for the development and better understanding of our services;
- h) receipt donations and forward information to donors;
- i) assist with volunteering, community fundraising, advocacy and other activities where we seek the community's assistance; and
- j) inform people about the services and programs offered by the YMCA of Canberra including marketing

The YMCA may disclose information to:

- a) contractors and service providers who perform services on our behalf, such as mailing houses, printers, information technology services providers (which may include offshore cloud computing service providers), and database contractors;
- b) external agencies to gather criminal history in relation to employment;
- c) external support services such as health care professionals, physiotherapists, counsellors, funders, financiers, coordinators, volunteers, service providers, agencies and not-for-profits that provide support services.
- d) superannuation organisations;
- e) our professional advisers, including accountants, auditors, lawyers, insurers,

- f) government and regulatory authorities and other organisations, as required by the law;
- g) parents or guardians of children involved in our programs and services;
- h) other YMCA organisations in relation to providing programs and services;
- i) researchers and research organisations in relation to YMCA programs and services;

### **Sensitive health and other information**

As part of administering our services, we may collect health information and other sensitive information. For example, we may collect health history when you enroll at Chifley Health and Wellness Centre, or we may collect health information in regard to children enrolling in one of our Children's Services. We will limit the collection of sensitive information to the minimum amount required to perform our services and will ask for your consent at the time of collection or as soon as practicable afterwards.

### **Using a pseudonym or engaging with us anonymously**

Where practical, you will be given the opportunity to engage with us on an anonymous basis, or using a pseudonym, including for the website [Canberra.ymca.org.au](http://Canberra.ymca.org.au)

### **Transborder Data Flows**

The YMCA attempts to minimize personal information crossing international borders. However, at times our information service providers will use data hosting facilities outside Australia. As a result, personal information may be transferred to, and stored at, a destination outside Australia. Limited information may at times be also provided to YMCA organisations outside of Australia to assist with delivery of programs and services. We will take such steps as are necessary in the circumstances to ensure that any overseas third party service providers, as well as YMCA organisations, do not breach the Australian Privacy Principles, including through contractual arrangements.

### **Health Records Access and Retention**

In accordance with the Health Records (Privacy and Access) Act 1997 (ACT), if an individual wishes to access their personal health record held by us, it must be requested in writing and contain the following details:

- a) the name and address of the individual;
- b) sufficient information to identify the record to which access is sought; and
- c) specify one of the following forms of access sought
  - o inspecting the health record,

- receiving a copy or accurate summary of the health record, or
- viewing the health record and having the contents explained.

Upon receiving a written request, we are entitled to request proof of the identity of the person making the request, and proof that the person seeking access has proper authority. We may charge for our reasonable costs incurred in supplying individuals with access to this record. Within two weeks after the day the written request is received, we will:

- a) give notice if the health record, or part of the record cannot be produced and provide the reasons;
- b) give notice if the health record, or part of the record cannot be, is exempt from access and state the ground for the exemption;
- c) give access to the health record; or
- d) if a fee is payable, give notice that access will be provided on payment of the fee.

All health records will be retained for the following periods:

- e) for individuals 18 years of age or more, seven years from the date the last entry was made to the health record; and
- f) for individuals less than 18 years of age, seven years from the date the individual turns 18, that is until the individual turns 25.

A register will be kept of records that have been destroyed

### **Personal information access and correction**

The YMCA takes reasonable steps to make sure that the personal information we collect, use or disclose is accurate, complete and up-to-date. YMCA participants, staff or volunteers are encouraged to ensure that data is accurate, complete and current.

*The YMCA of Canberra asks participants and workers to report changes of details of personal information to the YMCA within 14 days of change.*

We will, upon written request, and subject to applicable privacy laws, provide an individual with access to their personal information that is held by us. We will deal with a request to provide access to personal information within 30 days and may charge for our reasonable costs incurred in supplying individuals with access to this information.

Rights to access personal information are not absolute and privacy laws dictate that we are not required to grant access in certain circumstances such as where:

- access would pose a serious threat to the life, safety or health of any individual or to public health or public safety
- access would have an unreasonable impact on the privacy of other individuals
- the request is frivolous or vexatious
- denying access is required or authorised by a law or a court or tribunal order
- access would be unlawful, or
- access may prejudice commercial negotiations, legal proceedings, enforcement activities or appropriate action being taken in respect of a suspected unlawful activity or serious misconduct.

If we refuse to grant you access to your personal information, we will provide you with reasons for that decision (unless it is unreasonable to do so). The avenues available for complaint regarding the refusal are set out below.

### **Complaints**

If you have any queries or would like to make a complaint relating to our Privacy Policy or the manner in which we handle your personal information, please contact the YMCA Administration. YMCA will endeavor to respond and resolve your complaint within fourteen days of their receipt. If the YMCA is unable to resolve your complaint within 7 days you will be notified in writing and advised when you will be provided with a response. Contact details for YMCA administration are:

Mail: YMCA of Canberra, Aquatic Recreation Centre,  
Level 1, 35 Alexandrina Drive, Yarralumla ACT 2600

Email: [admin.canberra@ymca.org.au](mailto:admin.canberra@ymca.org.au)

Telephone: 02 6232 4285

If you are dissatisfied with our response, you may refer the matter to the Australian Information (Privacy) Commissioner (see [www.oaic.gov.au](http://www.oaic.gov.au)).

## **4. DEFINITIONS**

**Personal Information** means information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- whether the information or opinion is true or not; and
- whether the information or opinion is recorded in a material form or not.

**Sensitive information** includes information about an individual's: racial or ethnic origin; political opinions; membership of a political association; religious beliefs or associations;

philosophical beliefs; memberships; sexual orientation or practice; criminal record; health information; genetic information; biometric information; or biometric templates

**Workers** includes employees and volunteers

## 5. SCOPE

This policy applies to the whole of YMCA Canberra.

## 6. ROLES AND RESPONSIBILITIES

Department/Area	Role/Responsibility
CEO	Ensuring all YMCA personnel comply with policy
Staff	Ensure protection of personal information as per policy
YMCA Administration	Receive and respond to privacy complaints and concerns

## 7. MONITORING, EVALUATION AND REVIEW

To be reviewed in two years or if there are major changes to the Australian privacy legislation or principles

## 8. SUPPORTING DOCUMENTS (LINKS TO PROCEDURES, LEGISLATION, FORMS, WORK PRACTICES)

Privacy Act 1988 (Cth) including the Australian Privacy Principles, and the Health Records (Privacy and Access) Act 1997 (ACT),

Approved by: Board

Meeting number and date: July 2015

Resolution number: 4.4.1

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Review date: 29 July 2017

Policy Owner: Internal Audit and Risk Manager

Amendment history:

Version	Date	Author	Change Description
1.0	Mar 2014		Update for Australia Privacy principles

2.0	Jul 2015	K Crofts	Update for ACT health records and general changes