

ANZSOM PRIVACY POLICY

Purpose:

The purpose of this policy is to meet ensure ANZSOM meets its obligations under the Australian Privacy Principles (APPs) contained in the Privacy Act 1988 (Cth) (Privacy Act). The APPs are designed to protect the confidentiality of information and the privacy of individuals by regulating the way personal information is collected, used, disclosed and managed.

Definitions:

Personal information means information that could identify an individual.

Sensitive information means information or an opinion about an individual's:

- racial or ethnic origin
- political opinions or associations
- religious or philosophical beliefs
- trade union membership or associations
- sexual orientation or practices
- criminal record
- health or genetic information
- some aspects of biometric information

Scope:

This Policy applies to all personal information collected, stored, used and disclosed by ANZSOM.

This Privacy Policy describes how ANZSOM protects personal information and explains:

- what personal information ANZSOM collects
- how ANZSOM uses/discloses that information
- your entitlement to access personal information
- steps ANZSOM will take if personal data systems are breached

Policy:

Personal information that ANZSOM collects, holds and uses

ANZSOM only collects information about individuals that it believes is reasonably necessary for, or directly related to, the services provided by the Society.

ANZSOM only collects sensitive information about individuals if they have consented to the collection of the information and we believe it is reasonably necessary for, or directly related to, the services we provide.

All information collected is by lawful and fair means.

At or before the time or, if that is not practicable, as soon as practicable after ANZSOM collects personal information, if reasonable in the circumstances, we will notify individuals of:

1. Our identity and contact details.
2. If individuals are unaware that we have collected personal information, the fact that we have done so.
3. If the collection of the personal information is required or authorised by or under an Australian law or a court/tribunal order, the fact that the collection is so required or authorised, including the relevant details;
4. The purposes for which we collect the personal information.
5. The consequences (if any) for individuals if all or some of the personal information is not collected by us.;
6. Any other entity, body or person to which we usually disclose personal information of the kind collected.
7. The existence of this policy in order to inform individuals of:
 - How they may access their personal information and seek the correction of such information
 - How they may complain about a breach of the Australian Privacy Principles and how ANZSOM will deal with such a complaint, and
 - Whether ANZSOM are likely to disclose personal information to overseas recipients.

If ANZSOM holds personal information about an individual that was collected for a particular purpose, we will not use it for another purpose unless:

1. The individual has consented to the use or disclosure of the information for that other purpose; and
2. One of the following applies:
 - The individual would reasonably expect ANZSOM to use or disclose the information for that other purpose and the information is related to the primary purpose or if sensitive information, directly related to the primary purpose;
 - The use or disclosure of the information for that other purpose is required or authorised by or under an Australian law or a court/tribunal order;
 - A permitted general situation exists in relation to the use or disclosure of the information for that other purpose; or
 - ANZSOM reasonably believe that the use or disclosure of the information for that other purpose is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

We do not use personal information for the purpose of direct marketing, except to inform subscribers of the products and services relating to their membership and to the services we have agreed to provide as part of their membership. Subscribers may choose to unsubscribe to e-marketing from ANZSOM.

ANZSOM will take steps as are reasonable in the circumstances to protect personal information from misuse, interference and loss and from unauthorised access, modification or disclosure.

If ANZSOM no longer needs personal information that we hold, unless we are required by or under an Australian law or a court/tribunal order, to retain the information, we will take such steps as are reasonable in the circumstances to destroy the information or to ensure that the information is de-identified.

Information collected and stored via the ANZSOM website

Member information

ANZSOM collects and stores information about members in order to facilitate the delivery of member services. This information is stored on the website in the form of member profiles, which may be edited by the member through their personal login.

The ANZSOM website is built upon a proprietary software platform that can only be accessed by the developers - Web Force 5 and authorised personnel at the ANZSOM Secretariat. This means that no third party can gain access to the server or the website code. This is designed to protect the administration area of the website where user information is held and managed. In addition, the website is protected by an SSL Certificate. This extra level of security helps to protect users and encrypts any form submissions, shopping purchases, and login details which are entered on the front end of the website.

While members and others can make payments via the ANZSOM website, this is via a separate payment portal linked to the website (e-way). Credit card details are not stored on the ANZSOM website, but are stored in e-way, which is accessible only by the Secretariat Manager and the ANZSOM contracted bookkeeper.

Cookies and website usage data

A cookie is a small text file that is stored on a user's computer for record-keeping purposes. ANZSOM uses cookies on the website. This includes session cookies (which expire once the user closes their web browser) and persistent cookies (which stay on the user's computer until they delete them). This enables a more personal and interactive experience on the site. Users can remove persistent cookies by following the directions provided in their Internet browser's technical information.

Users may reject the use of cookies and still make use of the site, but aspects such as the member administration area may be limited.

ANZSOM does not collect or use any personal information, through the use of "cookies" or other software or hardware techniques. We look at the number of hits the site receives and keep track of the domains from which this site is accessed. To determine what our users are interested in, we may also look at the top 20 search words used in connecting you to the site.

If users log onto the website and read or download information our Internet Service /Hosting Provider, will record the user's server address, domain name, the date and time of visit to our site, the pages viewed and the information downloaded. This information is used for statistical and web site development purposes only.

Information from third parties

ANZSOM may secure personal information from third parties, but only in circumstances where compliance with privacy requirements is ensured. For example, ANZSOM has entered into a data-sharing agreement with the Royal Australasian College of Physicians (RACP) that enables the sharing of information about trainees in the AFOEM training program in order to support their engagement with ANZSOM services. Details are only provided to ANZSOM with the individual's consent, and the data agreement ensures compliance with all privacy requirements.

Disclosing information

It is ANZSOM's policy not to sell or pass on any personal information about an individual unless we have their express consent to do so. This includes the disclosure of personal information to overseas recipients. An exception to this is where disclosure is required by or under an Australian law or a court/tribunal order.

Accessing personal information

The majority of personal information about members that is held by ANZSOM is stored as personal profiles on the website that are accessible and editable by the individual via their login. Some aspects are administrative in nature and not viewable such as notes made by the Secretariat in relation to the individual's membership.

ANZSOM will, on request, give individuals access to their personal information that is held by ANZSOM.

There are some circumstances in which such requests will not be fulfilled. These include circumstances where:

1. We reasonably believe that giving access would pose a serious threat to the life, health or safety of any individual, or to public health or public safety;
2. Giving access would have an unreasonable impact on the privacy of other individuals;
3. The request for access is frivolous or vexatious;
4. The information relates to existing or anticipated legal proceedings between ANSOM and the individual, and would not be accessible by the process of discovery in those proceedings;
5. Giving access would reveal the intentions of ANZSOM in relation to negotiations with the individual in such a way as to prejudice those negotiations;
6. Giving access would be unlawful;
7. Denying access is required or authorised by or under an Australian law or a court/tribunal order;
8. We have reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to the provision of our services has been, is being or may be engaged in and giving access would be likely to prejudice the taking of appropriate action in relation to the matter; or
9. Giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
10. Giving access would reveal evaluative information in connection with a commercially sensitive decision-making process.

ANZSOM will respond to a request for access to the personal information within a reasonable period after the request is made.

Inaccurate information

If an individual makes a request to correct information held by ANZSOM, we will take reasonable steps to correct that information in a timely manner. We will also take reasonable steps to correct information that we find is inaccurate, out of date, incomplete, irrelevant or misleading.

Suspected breaches of privacy principles

If an individual believes that ANZSOM has breached the Australian Privacy Principles, members are encouraged to contact the Secretariat to discuss the matter so that it can be addressed in a satisfactory manner. An individual also has the right to make a complaint to the Australian Information Commissioner about an act or practice which may be a breach of privacy.

Data breaches

ANZSOM accepts its obligation to keep personal information safe and is open and transparent in how data is handled. If personal data systems are breached, or data is misused or lost, ANZSOM will take all reasonable and practicable steps to contact individuals whose personal information is involved. ANZSOM will advise such individuals of the extent of the data breach (if known) and advise individuals of the most appropriate means of regaining control of their information, in an effort to limit the personal impact of the breach. If appropriate, ANZSOM will also report any breach of data to the Office of the Australian

Information Commissioner (OAIC). ANZSOM will take all reasonable steps to complete this assessment within 30 calendar days after ANZSOM becomes aware of the suspected data breach.

REFERENCES / RELATED DOCUMENTS:

Australian Privacy Principles <https://www.oaic.gov.au/privacy/australian-privacy-principles/>
ACNC Governance Toolkit: Cybersecurity <https://www.acnc.gov.au/for-charities/manage-your-charity/governance-hub/governance-toolkit/governance-toolkit-cybersecurity>
OAIC Data breach preparation and response 2024 <https://www.oaic.gov.au/privacy/guidance-and-advice/data-breach-preparation-and-response/>
RACP Data Sharing Agreement with ANZSOM
ANZSOM Society Rules

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