

	PUFFING BILLY RAILWAY	Document Number ETRB PO 010
	Privacy Policy	

1. Purpose

The Emerald Tourist Railway Board (**the ETRB**), the operator of the Puffing Billy Railway, is committed to protecting the privacy of all individuals' Personal Information, Sensitive Information and Health Information that it may collect and hold.

The purpose of this Privacy Policy is to inform individuals about the ETRB's obligations to implement and maintain a Privacy Policy in accordance with the requirements of the Privacy and Data Protection Act 2014 (Vic) (the PDP Act) as amended and with the 10 Information Privacy Principles (IPPs), which are the core of privacy law in Victoria and set out the minimum standard for how Victorian public sector bodies should manage personal information. This Policy should be read in conjunction with ETRB PO 041 Information Management Policy and ETRB PO 042 Corporate Archives Policy.

The ETRB is committed to:

- the responsible collection and management of Personal Information;
- providing individuals with the right to access the Personal Information held about them;
- providing individuals with the right to make corrections to the Personal Information held about them; and
- appropriately handling queries and complaints about privacy related issues.

2. Definitions

"Personal Information" is defined as information or an opinion (including information or an opinion forming part of a database), that is recorded in any form and whether true or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion, but does not include information of a kind to which the Health Records Act 2001 applies.

"Sensitive Information" is a specific sub-set of Personal Information. It is defined as information or an opinion about an individual's racial or ethnic origin; political opinions; membership of a political association; religious beliefs or affiliations; philosophical beliefs; membership of a professional or trade association; membership of a trade union; sexual preferences or practices; or criminal record that is also Personal Information.

"Health Information" means Personal Information or an opinion including information, that is not recorded in material form, about:

- The physical, mental or psychological health (at any time) of an individual;
- A disability (at any time) of an individual;
- An individual's expressed wishes about the future provision of health services to him/her;
- A health service provided or to be provided to an individual;
- Other Personal Information collected to provide, or in providing, a health service;

	PUFFING BILLY RAILWAY	Document Number ETRB PO 010
	Privacy Policy	

- Other Personal Information about an individual collected in connection with the donation or intended donation by the individual of his or her body parts, organs or body substances; and/or
- Other Personal Information that is genetic information about an individual in a form which is or could be predictive of the health (at any time) of the individual or of any of his or her descendants.

Unless specifically identified in this Privacy Policy, or where the context otherwise requires, references to “Personal Information” may also include references to “Sensitive Information” and “Health Information”.

3. Policy Statement

Types of Personal Information collected

The ETRB collects and holds a range of Personal Information to manage and administer its functions, services, and organisational activities. The ETRB collects this Personal Information from its employees, volunteers, contractors, customers, passengers, members, suppliers, tour operators, prospective job and volunteer applicants, and other individuals interested or involved in the operation of the Puffing Billy Railway. The types of Personal Information that the ETRB may collect includes but is not limited to:

- the individual’s full name.
- the individual’s contact details such as address, phone number and email address.
- the individual’s payment information such as credit card details; and
- a copy of the individual’s date of birth, driver’s licence or passport details (e.g., for employment and volunteering purposes).

Generally, the ETRB does not collect Sensitive Information or Health Information. However, the ETRB may collect Sensitive Information or Health Information from or about individuals where there is a legal requirement to do so, or where the ETRB is otherwise permitted by law. For example, the ETRB may collect some Sensitive Information or Health Information:

- from or about current and prospective employees and volunteers, to make safety and operational decisions about the Puffing Billy Railway; and
- from or about passengers (e.g., the individual’s dietary information for dining on the Puffing Billy Railway luncheon or dinner trains, and other catered events).

In all other situations, the ETRB will specifically seek the individual’s consent prior to collecting Sensitive Information and Health Information.

If the ETRB collects Health Information from an individual, it will be collected, held, and used in accordance with *The Health Records Act 2001* (Vic) and the National Standard for the Health Assessment of Rail Safety Workers.

	PUFFING BILLY RAILWAY	Document Number ETRB PO 010
	Privacy Policy	

When collecting any Personal Information from individuals, the ETRB will:

- Only collect Personal Information about an individual that is necessary and relevant to the ETRB's functions, services and organisational activities;
- Take reasonable steps, at or before the time of collection, to ensure that the individual is aware of:
 - The purposes for which the ETRB is collecting the information;
 - The organisations, if any, to which the ETRB would normally disclose the information;
 - The fact that the individual is able to access the information;
 - How to contact the ETRB;
 - Whether the information is to be transferred outside of Victoria; and
 - The main consequences for the individual if the information is not provided;
- Take reasonable steps to ensure the information collected is accurate, complete, up-to- date, and relevant to the functions, services and organisational activities performed by the ETRB.

3.2 The ETRB website and Cookies

When an individual browses the ETRB website, makes contact with the ETRB electronically or engages with the ETRB on social media, the ETRB may record geographical tagging and statistical data from the activity.

The ETRB may use cookies to collect non personal information, and anonymous information about visits to the ETRB website and to track how the individual reached the ETRB website. Individuals can opt out and disable cookies when visiting the ETRB website, but this may prevent proper functionality of the website. In particular, some pages might not display properly.

Further detail about how to delete cookies or instruct a web browser to delete or refuse cookies, is generally available on the help pages of the relevant web browser.

3.3 Purposes for the collection of Personal Information

The ETRB collects, holds, uses and discloses Personal Information from or about individuals where it is reasonably necessary for the ETRB to carry out, manage and administer its functions, services and organisational activities. This includes, but is not limited to the purposes of:

- engaging with prospective and actual employees, volunteers and contractors for recruitment and the ongoing management of the Puffing Billy Railway;
- selling tickets to passengers, members, suppliers, and tour operators including bookings for travel on the Puffing Billy Railway;
- enabling dietary information to be appropriately collected for our dining services; and
- fundraising, memberships and related transactions and administration.

	PUFFING BILLY RAILWAY	Document Number ETRB PO 010
	Privacy Policy	

The ETRB also collects, holds, uses and discloses Personal Information from or about individuals for related purposes that the individual would reasonably expect, such as obtaining information for customer feedback, statistical collation, social media analysis and website traffic analysis, subscriptions, mailing lists, newsletters and other direct marketing communications about the ETRB's events, programs and activities involving the Puffing Billy Railway.

Where the ETRB wishes to use or disclose Personal Information from or about individuals for other purposes, the ETRB will obtain consent from the individual concerned.

Where the ETRB uses Personal Information from or about individuals for marketing and promotional purposes, the individual concerned can opt out at any time by notifying the ETRB. Opt out procedures are also included in the ETRB's marketing communications.

The ETRB may also disclose Personal Information from or about individuals to third parties (including government departments and enforcement bodies) where required or permitted by law.

3.4 Use of Personal Information

The ETRB will:

- not use or disclose Personal Information about an individual for a purpose other than for which it was collected, unless such use or disclosure would be reasonably expected or has been expressly authorised by the individual concerned;
- take reasonable steps to ensure that the Personal Information it holds is accurate, complete and up-to-date;
- take reasonable steps to protect the Personal Information from misuse and loss, and from unauthorised access, modification and disclosure;
- where necessary, take reasonable steps to let an individual know what sort of Personal
- Information it holds about that individual; and
- where necessary, and requested by the individual concerned, provide the individual with access to the Personal Information held in relation to that individual.

3.5 Data Security

The ETRB is committed to ensuring that all Personal Information and Health Information is held securely.

Personal Information may be stored in hard copy documents, as electronic data, or in the ETRB's software or systems until it is securely destroyed when no longer required.

Some of the ways the ETRB seeks to protect Personal Information collected include the following:

- Confidentiality requirements on the use of information by the ETRB's employees and volunteers;
- Policies on document storage and security;
- Security measures for access to the ETRB's computer systems;

	PUFFING BILLY RAILWAY	Document Number ETRB PO 010
	Privacy Policy	

- Controlling access to the ETRB's premises; and
- Website protection measures.

3.6 Destruction and De-identification

The ETRB will retain Personal Information collected from or about individuals whilst it is required for any of the ETRB's functions, services and organisational activities, or for any other lawful purpose.

The ETRB will take reasonable steps and will use secure methods to destroy or to permanently de-identify Personal Information when it is no longer required for any purpose for which the Personal Information may be used under this Privacy Policy and otherwise in accordance with the PDP Act.

As an example, the ETRB's destruction and de-identification methods may include:

- Paper records being placed in security bins and/or shredded; and
- Electronic records being deleted from all locations to the best of the ETRB's ability, or encrypted and/or placed beyond use.

3.7 Disclosure of Personal Information outside Victoria

Generally, the ETRB will not disclose Personal Information outside of Victoria.

If the ETRB does seek to disclose Personal Information outside of Victoria, the ETRB will do so in accordance with the requirements and permissions of the PDP Act and the IPPs. For example, the ETRB may transfer Personal Information from or about an individual outside of Victoria:

- after first obtaining the consent of the individual concerned; or
- if the transfer is necessary for the performance of a contract between the ETRB and the individual concerned;
- if the ETRB reasonably believes that the recipient is subject to a law, binding scheme or contract which is substantially similar to the IPPs; or
- if the ETRB has taken reasonable steps to ensure that the Personal Information will not be held, used or disclosed by the recipient in a manner inconsistent with the IPPs.

3.8 Access to and correction of Personal Information

The ETRB will take reasonable steps to ensure that the Personal Information it collects, uses or discloses is accurate, complete and up to date.

The ETRB has procedures in place for dealing with and responding to requests for access to, and correction of, the Personal Information held about individuals.

In most cases, the ETRB expects that it will be able to comply with an individual's request to access and/or correct the Personal Information held about them. However, if the ETRB does not agree to provide an individual with access to, or to correct the Personal Information as requested, the ETRB will provide written reasons why.

	PUFFING BILLY RAILWAY	Document Number ETRB PO 010
	Privacy Policy	

3.9 Complaints and Concerns

The ETRB has procedures in place for dealing with and responding to complaints and concerns about its practices in relation to the PDP Act, the IPPs and any alleged breach of this Privacy Policy. The ETRB will respond to privacy-related complaints in accordance with the relevant provisions of the PDP Act.

Internal privacy complaints

If an employee or volunteer has a privacy issue or concern that he or she would like to discuss, the person may contact the Volunteer Co-ordinator. The Volunteer Co-ordinator will look into the matter and provide a response to the person who raised the issue.

Complaints for a breach of privacy should be raised in the first instance with the Volunteer Coordinator who will seek to resolve the matter and advise the individual what action, if any, the ETRB will take to resolve the complaint.

The Volunteer Co-ordinator can be contacted as follows:

Puffing Billy Railway
Telephone: 03 9757 0773
Email: volunteering@pbr.org.au

If the employee or volunteer is not satisfied with the response of the Volunteer Co-ordinator, he/she should provide a written complaint to the ETRB CEO. The CEO will conduct an investigation and will respond to the person who raised the issue with a decision. The CEO will also advise on action taken on the complaint including the outcome of any investigation conducted by or on behalf of the CEO.

The CEO can be contacted as follows:

Puffing Billy Railway
Telephone: 03 9757 0718
Email: ceo@pbr.org.au

External privacy complaints

For all privacy issues or concerns raised by individuals external to the ETRB, the ETRB's Privacy Officer can be contacted in the first instance. The ETRB's Privacy Officer can be contacted as follows:

Puffing Billy Railway Telephone:
03 9757 0706
Email: Company.Secretary@pbr.org.au

Individuals also have the right to make a complaint to the Office of the Victorian Information Commissioner (**OVIC**). The OVIC has an online privacy complaint form, available for download at: <https://ovic.vic.gov.au/privacy/for-the-public/complaints/>. The OVIC can also be contacted as follows:

Office of the Victorian Information Commissioner
PO Box 24274
Melbourne VIC 3001
Email: enquiries@ovic.vic.gov.au

	PUFFING BILLY RAILWAY	Document Number ETRB PO 010
	Privacy Policy	

4. Legislation and Standards

- Privacy and Data Protection Act 2014 (Vic)
<https://www.legislation.vic.gov.au/in-force/acts/privacy-and-data-protection-act-2014/026>
- The Office of Victorian Information Commissioner – “*Guidelines to the Information Privacy Principles*”
<https://ovic.vic.gov.au/privacy/guidelines-to-the-information-privacy-principles/>
- The Office of Victorian Information Commissioner – “*Victorian Protective Data Security Framework*”
<https://ovic.vic.gov.au/data-protection/framework-vpdsf/>

5. Supporting PBR Documentation

- ETRB PO 041 Information Management Policy
- ETRB PO 042 Corporate Archives Policy

6. Document Information, Control and Review

Information

Document ID	ETRB PO 010
Document title	Privacy Policy

Responsibility

Policy owner	Chief Executive Officer
Policy author	Company Secretary
Approving body	Emerald Tourist Railway Board

Version control and change history

Version number	Approval date	Approved by	Amendment
1	29/03/2007	ETRB	Nil
2	28/05/2015	ETRB	
3	30/03/2021	ETRB	MofC 97/2021
Post implementation review			
Due date		30/03/2022	