

	<b>PUFFING BILLY RAILWAY PRESERVATION SOCIETY</b>	<b>Document Number</b>
	<b>PRIVACY POLICY AND PROCEDURE</b>	

## PRIVACY POLICY

### PURPOSE

In compliance with the requirements of the Commonwealth Privacy Act 1988, and incorporated amendments, the Australian Privacy Principles, and the Victorian Information Privacy Act 2000, and incorporated amendments, the Puffing Billy Preservation Society (PBPS) has implemented the following policy and procedures for dealing with personal information.

### 1. POLICY STATEMENT

- 1.1 The Puffing Billy Preservation Society is committed to protecting the privacy of members', and applicants for membership of the PBPS, personal information and as such adopts the principles of the Commonwealth Privacy Act 1988, and incorporated amendments, the Australian Privacy Principles, and the Victorian Information Privacy Act 2000, and incorporated amendments.
  
- 1.2 The Puffing Billy Preservation Society (PBPS) collects and holds a range of personal information about members for the purpose of record keeping, communication and the ongoing management of PBPS business and as such will:
  - 1.2.1 Not collect personal or sensitive information without the consent of the individual concerned and unless it is necessary for its PBPS business activities;
  - 1.2.2 Comply with the provisions of the Commonwealth Privacy Act 1988, and incorporated amendments, and the Australian Privacy Principles and the Victorian Information Privacy Act 2000, and incorporated amendments;
  - 1.2.3 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;
  - 1.2.4 Take reasonable steps to ensure that the personal information it holds is accurate, complete and up-to-date;
  - 1.2.5 Take reasonable steps to protect personal information from misuse or loss;
  - 1.2.6 Where necessary, take reasonable steps to let a person know what sort of personal information it holds;
  - 1.2.7 Where necessary, and requested by the individual concerned, provide the individual with access to personal information held in relation to that individual;
  - 1.2.8 With some exceptions, only transfer such information to someone in a foreign country if that country has privacy laws similar to the Privacy Legislation above; and
  - 1.2.9 Not collect or record without consent any personal information that could be deemed sensitive, including:
    - Racial or ethnic origin
    - Political opinions
    - Membership of a political association
    - Religious beliefs or affiliations

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- Philosophical beliefs
- Membership of a professional or trade association
- Membership of a trade union
- Sexual preferences or practices
- Criminal record
- Health information

## **2. RESPONSIBILITY FOR IMPLEMENTATION, COMPLIANCE MONITORING, MEASURING AND CONTINUAL IMPROVEMENT**

The Puffing Billy Preservation Society Executive Committee are responsible for adopting this Policy.

The Directors and Officers of the Puffing Billy Preservation Society, Members of Puffing Billy Preservation Society Membership Committee, and Members of Puffing Billy Preservation Society are responsible for the implementation of this Policy.

## **3. SCOPE OF POLICY**

This policy applies to:

- Directors and Officers of the Puffing Billy Preservation Society (PBPS)
- Members of the Puffing Billy Preservation Society (PBPS)

## **4. DEFINITIONS**

### **Consent**

Consent means express consent or implied consent

### **Individual**

Individual means a natural person

### **Personal Information**

Personal Information means any information that could reasonably be used to identify them such as: their name, address or phone number, medical condition, living arrangements, employment, hobbies, clubs or activities

### **PBPS**

The Puffing Billy Preservation Society

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## 5. SUPPORTING PROCEDURES

PBPS Grievance & Dispute Resolution Policy & Procedure (Draft submitted)

PBPS Disciplinary Action Policy & Procedure (To be developed)

## 6. RELATED DOCUMENTS/LINKS

*The Commonwealth Privacy Act 1988 and incorporated amendments* [www.oaic.gov.au](http://www.oaic.gov.au)

*Freedom of Information Act 1982 and incorporated amendments* [www.oaic.gov.au/freedom-of-information/foi-act](http://www.oaic.gov.au/freedom-of-information/foi-act)

*The Victorian Information Privacy Act 2000 and incorporated amendments* [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au)

*Victorian Health Records Act 2001 and incorporated amendments* [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au)

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<b>Approval Authority</b>	Puffing Billy Preservation Society Executive Committee
<b>Review Date</b>	2021

## PRIVACY POLICY PROCEDURES

### PURPOSE

The purpose of these procedures is to provide a framework for the collection, recording and saving of a range of personal information about members and applicants for membership of the PBPS for the purposes of record keeping, communication and the ongoing management of PBPS business.

The PBPS Executive Committee is committed to protecting the privacy of members', and applicants for membership of the PBPS, personal information and as such adopts the principles of the Commonwealth Privacy Act 1988, and incorporated amendments, and the Australian Privacy Principles, and the Victorian Information Privacy Act 2000, and incorporated amendments.

### PROCEDURES

#### 1. Collection of Personal Information

When collecting any personal information from members or applicants for membership PBPS will:

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- 1.1 Only collect personal information about an individual that is necessary for record keeping, communication and the ongoing management of PBPS business;
- 1.2 Take reasonable steps, at or before the time of collection, to ensure that the individual is aware of:
  - 1.2.1 The purposes for which the PBPS is collecting the information;
  - 1.2.2 The organisations, if any, to which PBPS would normally disclose the information;
  - 1.2.3 The fact that the individual is able to access the information;
  - 1.2.4 How to contact Puffing Billy Preservation Society;
  - 1.2.5 Whether the information is to be transferred outside of Victoria; and
  - 1.2.6 The main consequences for the individual if the information is not provided.
- 1.3 Take all reasonable steps to ensure the information collected about members, and applicants for membership of the PBPS, is accurate, complete, up-to-date and relevant to the functions performed on the PBPS.

## 2. Use and Disclosure of Personal Information

Puffing Billy Preservation Society:

- 2.1 Must not collect, hold, use or disclose personal information except as permitted by the Commonwealth Privacy Act 1988, and incorporated amendments, and the Australian Privacy Principles and the Victorian Information Privacy Act 2000, and incorporated amendments ;
- 2.2 Will use and disclose member, or applicant for membership, information only for the primary purpose for which it was collected e.g. communication
- 2.3 Will obtain consent from the member, or applicant for membership of the PBPS, before using or disclosing their personal information for any other reason other than the primary purpose of collection.
- 2.4 May also use or disclose personal information for a secondary purpose where:
  - 2.4.1 The secondary purpose is related to the primary purpose (or is directly related, in the case of sensitive information or health information), and a person would reasonably expect PBPS to use or disclose the information for that secondary purpose; or
  - 2.4.2 A person has consented to the use or disclosure of their personal information for the secondary purpose; or
  - 2.4.3 The use or disclosure is required or authorised by or under law; or
  - 2.4.4 The use or disclosure is otherwise permitted by the Commonwealth Privacy Act 1988, and incorporated amendments, the Australian Privacy Principles and the Victorian Information Privacy Act 2000.

## 3. Data Security

- 3.1 Puffing Billy Preservation Society is committed to ensuring that personal information is held securely. To the extent required by the Commonwealth Privacy Act 1988, and incorporated amendments, the Australian Privacy Principles, and the Victorian Information Privacy Act 2000, PBPS will take reasonable steps to:
  - 3.1.1 Ensure that any personal information PBPS collects, uses and discloses is accurate, complete and up to date;
  - 3.1.2 Protect the personal information that PBPS holds from misuse, loss, unauthorised access, modification or disclosure; and

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3.1.3 Destroy or permanently de-identify personal information when required by the Commonwealth Privacy Act 1988, and Incorporated amendments, and the Australian Privacy Principles.

3.2 Personal information may be stored in hard copy documents, as electronic data, or in PBPS software or systems until it is securely destroyed when no longer required by PBPS. Personal information is held on individual files. These files are held in secure storage within the Puffing Billy Railway offices and in a secure document handling facility in the case of archived records.

Hard copy files may not, for any reason, be removed from the Registered Office of the PBPS without express written permission of the President of PBPS.

The electronic (computer) records of the PBPS are password-protected with access limited to PBPS members directly involved in processing applications and managing membership information. PBPS uses the highest available levels of industry standard security, including firewalls, to prevent unauthorised external access to its electronic records.

Electronic records may not, for any reason, be downloaded and removed from the secure electronic database of PBPS without the express written permission of the President of the PBPS.

3.3 Some of the ways PBPS seek to protect personal information collected include the following:

- Confidentiality requirements on the use of information by PBPS members required to access the files: for example membership records for Annual Report;
- Policies on document storage and security;
- Security measures for access to Puffing Billy Preservation Society computer systems;
- Controlling access to Puffing Billy Railway's premises; and
- Web site protection measures.

3.4 Personal information may be corrected as explained in 4.1 below.

#### **4. Access to and correction of Personal Information**

4.1 Any person who feels the information held by PBPS is not correct may ask for their personal information to be corrected by request to the Company Secretary.

#### **5. Obligations of Directors, Officers and members of the Puffing Billy Preservation Society**

5.1 Where a Director, Officer or Member collects, uses, discloses, stores or disposes of personal information on behalf of PBPS, that individual must meet the requirements of the Commonwealth Privacy Act 1988, and incorporated amendments, the Australian Privacy Principles and the Victorian Information Privacy Act 2000, and incorporated amendments by implementing these procedures.

5.2 Where a Director, Officer or Member receives unsolicited personal information the following should occur:

- The information should be de-identified or destroyed if it is not to be retained; or
- If the information is to be retained, the person who the information relates to should be provided with a statement explaining the purposes of collection.

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## 6. How to raise a concern or make a complaint about a privacy issue

- 6.1 If a member has a privacy issue or concern that he or she would like to discuss, the person may contact the Company Secretary. The Company Secretary 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 Company Secretary who will seek to resolve the matter and advise the individual what action, if any, Puffing Billy Preservation Society will take to resolve the complaint.
- 6.2 If the member is not satisfied with the response of the Company Secretary, he/she should provide a written complaints to the President of the Puffing Billy Preservation Society. The President will conduct an inquiry and will respond to the person who raised the issue advising them of the outcome of the inquiry and any action to be taken in relation to the complaint.

## 7. Breach of the Procedure

If a Director, Officer or Member breaches this procedure, depending on the circumstances, it may be regarded as misconduct and may result in action being taken in accordance with the provisions set out in the PBPS Disciplinary Action Policy and Procedure.

## RESPONSIBILITIES

The Puffing Billy Preservation Society Directors, Officers and Members are responsible for being aware of and complying with this procedure

## DEFINITIONS

**Identification information** about an individual means:

- (a) the individual's full name; or
- (b) an alias or previous name of the individual; or
- (c) the individual's date of birth; or
- (d) the individual's sex; or
- (e) the individual's current or last known address, and 2 previous addresses (if any); or
- (f) the name of the individual's current or last known employer; or
- (g) if the individual holds a driver's licence—the individual's driver's licence number.

### **Personal Information**

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. For the purposes of the Commonwealth Privacy Act 1988, and amendments the Australian Privacy Principles and the Victorian Information Privacy Act 2000, and incorporated amendments. The personal information does not have to be in a recorded form.

Personal information includes sensitive information defined by the Commonwealth Privacy Act 1988 and amendments as being:

- Racial or ethnic origin
- Political opinions

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- 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
- Criminal record
- Health information

***Primary Purpose***

Primary Purpose means the purpose for which the information is collected. This covers the primary use and primary disclosure of the information. This should be what is necessary to discharge the function or undertake the activity.

***Secondary Purpose***

The secondary purpose for which the information is used or disclosed has to be connected or associated with the primary purpose - it must relate to the primary purpose for which it was collected. If sensitive information is involved, the secondary purpose has to be directly related to the primary purpose.