

AFL SPORTSREADY & SPORTSREADY EDUCATION PRIVACY POLICY

1. Background

- 1.1 AFL SportsReady Ltd, and its wholly-owned subsidiary SportsReady Education Pty Ltd and the AFL SportsReady ArtsReady program (hereafter collectively referred to as “AFL SportsReady”) are committed to the protection of private information and ensuring compliance with all relevant privacy laws.
- 1.2 The 13 Australian Privacy Principles (hereafter referred to as “APPs”) established under the *Privacy Act 1988* place important obligations which regulate the handling of personal information. AFL SportsReady is committed to complying with these obligations.
- 1.3 This Policy applies to all AFL SportsReady employees, contractors, work placement students and volunteers. It applies to all collection, use, storage, disclosure and access to personal and sensitive information recorded by any means.

2. Object of Policy

- 2.1 AFL SportsReady is committed to:
 - taking reasonable steps to implement practices, procedures and systems that will ensure compliance with the APPs and are able to deal with related inquiries and complaints;
 - having a clearly expressed and up-to-date APP Privacy Policy detailing how we manage personal information; and
 - taking reasonable steps to make our APP Privacy Policy available free of charge on our website or another particular form as requested.

3. Collection and Storage of Personal Information

Purpose of collection

- 3.1 In order to deliver the key functions of our business, namely providing employment, education and training, AFL SportsReady is required to collect, hold, use and disclose personal information that is necessary to carry out this function. Further, our obligations under program and funding agreements with the State and Federal Governments and our regulatory obligations with Government and the Australian Skills Quality Authority require us to collect, hold, use and disclose personal and sensitive information on participants in our programs to entities such as Governments, Australian Apprenticeship Centres, Employers, Schools and Guardians and service providers that conduct medical or security checks.

Information that may be collected by us

3.2 Personal information collected by us may include information such as:

- contact details such as name, address (current and / or previous), e-mail and phone number;
- personal details such as gender, demographic information, date of birth, educational history, driver's license status, bank account details, employment history;
- academic performance details such as admissions, attendance, enrolment, progression, assessment or misconduct; and
- employment details.

We may also collect sensitive information such as:

- identity details;
- complaint details;
- welfare issues;
- disability status;
- indigenous status or cultural background; and
- background checks.

How we collect information

3.3 Information is primarily collected through directly from you through circumstances such as:

- when you apply for or enroll in a qualification with SportsReady Education;
- when you apply to us for employment;
- when you hire a trainee from us;
- when you contact us seeking information;
- the delivery of our services; and
- our own records of how and when you use our various services.

3.4 Information may be collected from third parties such as State and Federal Government Departments, Australian Apprenticeship Centres, police or health organisations (for criminal, Working with Children or medical checks) previous employers or organisations you have dealt with in the past and volunteered by you as a reference for the purposes of employment as is reasonably necessary.

3.5 Information may be collected, held and used for the purposes of delivering our various services, including but not limited to:

- providing support, advice and tailored employment solutions to employers;
- delivering education; and
- delivering support, training and services for young people.

3.6 Where reasonable and practicable to do so we will collect personal information directly only from a person or their authorised representatives.

The security of your personal information

3.7 We place a high priority on the security of your personal information:

- Information is primarily held on password-protected programs, namely the 'JobReady' Database and Microsoft Outlook.

- Access is only by authorised users and is limited to those who are required to access personal information as part of their role.
- Virus protection and back-up systems are in place and servers are kept in a secure area.
- Hard copy files exist in relation to trainee and student information and host employer contact details. These are stored in lockable filing cabinets. Access is only by authorised users.
- Staff accessing personal information must agree to, and abide by, a confidentiality and privacy agreement.
- Documents are archived in a secure storage facility and document destruction occurs when statutory time limits permit. Destruction is undertaken by a secure shredding service.

4. Sensitive Information

- 4.1 Sensitive information may include information or an opinion about a person's racial or ethnic origin, political opinions or membership of political association, religious beliefs, sexual preference or practices, membership of trade union or professional association, criminal record or health information.
- 4.2 AFL SportsReady will only collect, use or disclose sensitive information about a person if:
- the person consents to the collection and if it is reasonably necessary for one or more of our functions or activities;
 - the collection is required or specifically authorized by law;
 - the collection is required for the purpose of a background check, including a Working with Children Check or Working with Vulnerable People Check;
 - the collection is necessary to prevent or lessen a serious and imminent threat to the life or health of any individual, or to public health or safety;
 - we reasonably believe that the collection, use or disclosure is reasonably necessary to assist to locate a missing person;
 - where the subject of the information is physically or legally incapable of giving consent;
 - the collection, use or disclosure is reasonably necessary for the purposes of a confidential alternative dispute resolution process;
 - the collection is necessary for the establishment, exercise or defence of a legal claim; and
 - we have reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to AFL SportsReady's functions or activities has been, is being or may be engaged in and it reasonably believes that the collection, use or disclosure is necessary in order for the entity to take appropriate action in relation to the matter.

5. Collection of Information

- 5.1 AFL SportsReady will only collect personal information if that information is reasonably necessary for one or more of our functions or activities.
- 5.2 Personal information will only be collected by lawful means and not in an unreasonably intrusive way or through the use of unfair coercion.
- 5.3 Personal information will be primarily collected only from that person.
- 5.4 Personal information will be collected directly from that person unless that person consents to the collection of the information from someone other than themselves, or if AFL SportsReady is required or authorised by or under an Australian law, or a court / tribunal order, to collect the information from someone other than the individual.

6. Notice of Collection

6.1 At, before or as soon as practicable after AFL SportsReady collects personal information it will take reasonable steps to notify or otherwise ensure that the person is aware:

- of the identity and contact details of AFL SportsReady;
- that AFL SportsReady has collected the information and the circumstances of that collection if the information is collected from someone other than the person or if the person may not be aware that AFL SportsReady has collected the information;
- if the collection of information is required or authorized by or under Australian law or a court / tribunal order;
- the purposes for which AFL SportsReady collects the information;
- any consequences associated if all or some personal information is not collected by AFL SportsReady;
- other organizations or persons to which the information is usually disclosed;
- details of the existence of this Privacy Policy and information regarding the rights of a person to access and seek to correct personal information;
- details of the complaint procedure in relation to this Policy and how we may deal with it; and
- if AFL SportsReady is likely to disclose the personal information to overseas recipients, the countries in which such recipients are likely to be located if it is practicable to specify those countries in the notification or to otherwise make the individual aware of them.

6.2 If personal information is collected from someone other than the person as described in paragraph 5.4 and / or 5.5, we will take all reasonable steps to ensure that the person is made aware of the matters listed above unless that making the individual aware of the matters would pose a serious threat to the life or health of any individual.

7. Use and Disclosure

7.1 We only use personal information for the purposes for which it was given to us, or for purposes which are primarily related to one of our functions or activities (*the primary purpose*).

7.2 Examples for which personal information may be used includes but is not limited to:

- being able to communicate with you;
- carry out day to day administrative matters;
- fulfil any government reporting and / or statistical obligations;
- facilitate payment for work or invoicing for work completed;
- deliver employment, training and education services and report results;
- conduct appropriate credit, police and/or other checks that are reasonably necessary;
- advise you of other services that we provide, that may be of interest to you; and
- to maintain your academic record.

7.3 In order to perform its functions as an employment, education and training provider and any other associated services it may be necessary by law or otherwise for AFL SportsReady to disclose information to third parties such as:

- government departments or agencies as necessary;
- statutory authorities as necessary;
- banks or credit providers for payroll purposes or credit related functions;
- other tertiary institutions if an application is made to transfer studies;

- potential host employers or potential trainees;
- your superannuation, financial or legal advisers or representatives; and
- police or health providers in order to perform pre-employment checks such as Working with Children Checks or medical checks.

7.4 AFL SportsReady may be required to disclose personal information to a third party if we believe it is reasonably necessary or have a reasonable belief that one of the following applies:

- you have consented to our disclosure of this information;
- lessening or preventing a serious threat to life, health or safety;
- taking appropriate action in relation to suspected unlawful activity or serious misconduct;
- locating a missing person;
- it is reasonably necessary for establishing, exercising or defending a legal or equitable claim;
- it is reasonably necessary for a confidential alternative dispute resolution processes;
- it is necessary for a diplomatic or consular function or activity; or
- it is necessary for certain Defence Force activities outside Australia.

7.5 AFL SportsReady may use the personal information for a purpose other than a primary purpose (*a secondary purpose*) if;

- you consent to the use of this information for a secondary use or disclosure; or
- using or disclosing the information is required or authorised by law; or
- you would reasonably expect us to use or disclose the information for that secondary purpose and the secondary purpose is:
 - if the information is sensitive information – the information is directly related to the primary purpose, or
 - if the information is not sensitive information – the information is related to the primary purpose.

8. Additional Disclosure Particulars

8.1 If AFL SportsReady uses or discloses information because it reasonably believes that the use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body then AFL SportsReady will make a written note of the use or disclosure.

9. International Disclosure

9.1 AFL SportsReady will not disclose personal information about a person to an overseas recipient unless the disclosure of the information is required or authorised by or under an Australian law or court / tribunal order.

10. Adoption, use or disclosure of government related identifiers

10.1 AFL SportsReady will not adopt a unique identifier of an individual that has been assigned by another organisation.

10.2 Where practicable we will not use or disclose an identifier assigned to an individual by a government agency.

11. Direct Marketing

- 11.1 AFL SportsReady may use personal information for the purposes of informing you about the range of facilities, services, benefits and opportunities available.
- 11.2 We do not use or disclose your personal information for the purposes of direct marketing unrelated products or services.
- 11.3 You may request not to receive direct marketing communications and we will provide an option for you to opt out of such communications.
- 11.4 AFL SportsReady will not use personal information for direct marketing if you have opted out.

12. Unsolicited Information

- 12.1 If AFL SportsReady receives your personal information and did not request you to provide that information or kind of information which is included and could not have collected that information in the way prescribed by this policy or the information is not contained in a State or Commonwealth record, AFL SportsReady will destroy the information or ensure that the information is de-identified.

13. Anonymity

- 13.1 Whenever it is lawful or practicable, you will have the option of not identifying yourself when dealing with AFL SportsReady. Due to the nature of the services being provided to you this will be in very limited cases.

14. Quality of Information

- 14.1 AFL SportsReady will take such steps as reasonable in the circumstances to ensure that the personal information that it collects, uses or discloses is accurate, up-to-date, complete and relevant.
- 14.2 We maintain and update personal information we hold as necessary or when advised by individuals that their personal information has changed. We encourage employees to check pay-slips or invoices and advise appropriate sources if there are any errors in the information we hold. Where necessary we may contact you to check the accuracy of your personal information.

15. Security of Personal Information

- 15.1 AFL SportsReady will take such steps as reasonable in the circumstances to protect the information from misuse, interference, loss, unauthorised access, modification and disclosure by having physical, electronic and procedural systems in place.
- 15.2 These steps include restrictions such as:
 - securing files in locked cabinets;
 - ensuring the locked cabinets are kept at premises that are accessible only to relevant staff;
 - password protection to access any personal information on the system.
- 15.3 If personal information is no longer required AFL SportsReady will take such steps as are reasonable in the circumstances to destroy the information or to ensure that the information is de-identified. Information will only be destroyed or de-identified after any statutory periods requiring it to be retained have passed.

16. Access to Information and Correction of Your Personal Information

Access to your personal information

- 16.1 SportsReady Education Students can access their academic records at all times by contacting the Student Experience Manager by phone, email or face to face. Requested information will be provided to participants in a timely fashion.
- 16.2 You have the right to request access to your personal information held by us. To request access, please call or write to AFL SportsReady's Legal Counsel on 03 8413 3500 or email info@aflsportsready.com.au.
- 16.3 If AFL SportsReady holds personal information about you we will, on request by you and provided we can verify your identity, give you access to that information unless:
- there is a valid reason not to under Privacy Legislation or other relevant law;
 - giving access would have an unreasonable impact on the privacy of other individuals;
 - the request for access is frivolous or vexatious; or
 - we 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.
- 16.4 If AFL SportsReady refuses to give access to personal information because of the above or to give access in the manner requested you, AFL SportsReady will give you a written notice that sets out:
- the reasons for the refusal except to the extent that, having regard to the grounds for the refusal, it would be unreasonable to do so; and
 - the mechanisms available to complain about the refusal.
- 16.5 If any charges relate to fulfilling your request the charge will not be excessive and must not apply to the making of the request.

Correction of personal information

- 16.6 If you ask us to correct your personal information we will do so provided that we can verify your identity.
- 16.7 If we refuse to do so, we will provide you with a written notice setting out the reasons for the refusal and the complaints procedure.
- 16.8 Upon your request we will take reasonable steps to associate a statement with the personal information that you believe it to be inaccurate, out of date, incomplete, wrong or misleading.

17. Mandatory reporting of data breaches

- 17.1 AFL SportsReady is committed to protecting your personal information and has a number of measures in place to ensure the security of this data.
- 17.2 As soon as AFL SportsReady is aware that a data breach has occurred AFL SportsReady will act in accordance with its Data Breach Response Policy.
- 17.3 If the breach is deemed a notifiable data breach by AFL SportsReady in accordance with its Data Breach Response Policy, AFL SportsReady will take immediate steps to minimise harm and promptly notify any individuals affected and advise them of the following:
- the identity and contact details of AFL SportsReady;
 - a description of the data breach;

- the kinds of information concerned; and
- recommendations about the steps individuals should take in response to the data breach.

17.4 As required, AFL SportsReady will also notify the Australian Information Commissioner of the notifiable data breach.

18. Global Data Protection Regulation

18.1 Individuals covered by the Global Data Protection Regulation (GDPR) will have privacy matters addressed in accordance with AFL SportsReady's obligations under the GDPR as well as the APPs.

19. Complaints Procedure

19.1 In the event you have a grievance or complaint regarding a breach of this Privacy Policy, we encourage you to first raise this with your AFL SportsReady representative.

19.2 If you are unsatisfied, you may make your complaint in writing to:

- a) for matters relating to AFL SportsReady, AFL SportsReady's Legal Counsel;
- b) for students, the Chief Operating Officer using the Complaints and Appeals Form.

AFL SportsReady will investigate the circumstances of the complaint and respond to the individual as soon as possible (within 30 days).

19.3 If after this process you remain unsatisfied you may advise the circumstances of the grievance or complaint to the most appropriate or both of the following:

- The *Office of the Australian Information Commissioner*
1300 363 992
enquiries@oaic.gov.au
www.oaic.gov.au

and / or for complaints relating to SportsReady Education:

- The *Australian Skills Qualification Authority*
1300 701 801
www.asqa.gov.au

You can submit a complaints form available on the ASQA website and email it to complaintsteam@asqa.gov.au.

Alternatively, you can print and complete the form and post it to:

Complaints Team
Australian Skills Quality Authority GPO Box 9928
MELBOURNE VIC 3001

20. Ensuring our Privacy Policy is available

20.1 AFL SportsReady will ensure that its Privacy Policy is available free of charge both through the AFL SportsReady website and for distribution by mail or email upon request.

21. Review and update of this Privacy Policy

21.1 AFL SportsReady will review this Privacy Policy:

- on an ongoing basis through the AFL SportsReady Operational Risk Management Committee;
- as part of any external audit that is conducted in relation to AFL SportsReady's Group Training Organisation or Registered Training Organisation requirements;
- in conjunction with any privacy-related complaint that is made to AFL SportsReady.

22. Contact Details

22.1 A person seeking access to or correction of personal information, or to obtain further information in relation to this policy can contact the following:

E-mail: info@aflsportsready.com.au (**Attention Legal Counsel** in the subject heading)

Telephone: 03 8413 3500

Post: Legal Counsel
AFL SportsReady PO Box 305
ABBOTSFORD VIC 3067