



EAGLES NEST THEATRE
CO.

PRIVACY POLICY 2018

Policy number	EPPL-201800018	Version	006
Drafted by	James Masefield	Approved on	05/01/2018
Responsible person	Cathrin Blicking	Scheduled review date	12/12/2018

INTRODUCTION

The Board of Eagles Nest Theatre Company is committed to protecting the privacy of personal information which the organisation collects, holds and administers. Personal information is information which directly or indirectly identifies a person.

PURPOSE

The purpose of this document is to provide a framework for Eagles Nest Theatre Company in dealing with privacy considerations.

POLICY

Eagles Nest Theatre Company collects and administers a range of personal information for the purposes of statistics and program development. The organisation is committed to protecting the privacy of personal information it collects, holds and administers.

Eagles Nest Theatre Company recognises the essential right of individuals to have their information administered in ways which they would reasonably expect – protected on one hand, and made accessible to them on the other. These privacy values are reflected in and supported by our core values and philosophies and also reflected in our Privacy Policy, which is compliant with the Privacy Act 1988 (Cth).

Eagles Nest Theatre Company is bound by laws which impose specific obligations when it comes to handling information. The organisation has adopted the following principles contained as minimum standards in relation to handling personal information.

Eagles Nest Theatre Company will

- Collect only information which the organisation requires for its primary function;
- Ensure that all parties are informed as to why we collect the information and how we administer the information gathered;
- Use and disclose personal information only for our primary functions or a directly related purpose, or for another purpose with the person's consent;
- Store personal information securely, protecting it from unauthorised access; and
- Provide stakeholders with access to their own information, and the right to seek its correction.

AUTHORISATION

A handwritten signature in black ink that reads "James Adler". The signature is written in a cursive style with a large initial 'J'.

James Adler

Managing Director of Eagles Nest Theatre Company

Date of approval

07/02/2018

Eagles Nest Theatre Company



PRIVACY POLICY 2018

Policy number	EPPL-201800018	Version	006
Drafted by	James Masefield	Approved on	05/01/2018
Responsible person	Cathrin Blicking	Scheduled review date	12/12/2018

RESPONSIBILITIES

Eagles Nest Theatre Company's Board is responsible for developing, adopting and reviewing this policy.

Eagles Nest Theatre Company's managing director is responsible for the implementation of this policy, for monitoring changes in Privacy legislation, and for advising on the need to review or revise this policy as and when the need arises.

PROCESSES

Collection

Eagles Nest Theatre Company will:

- Only collect information that is necessary for the performance and primary function of Eagles Nest Theatre Company.
- Notify stakeholders about why we collect the information and how it is administered.
- Notify stakeholders that this information is accessible to them.
- Collect personal information from the person themselves wherever possible.
- If collecting personal information from a third party, be able to advise the person whom the information concerns, from whom their personal information has been collected.
- Collect Sensitive information only with the person's consent. (Sensitive information includes health information and information about religious beliefs, race, gender and others).
- Determine, where unsolicited information is received, whether the personal information could have collected it in the usual way, and then if it could have, it will be treated normally. (If it could not have been, it must be destroyed, and the person whose personal information has been destroyed will be notified about the receipt and destruction of their personal information).

Use and Disclosure

Eagles Nest Theatre Company will:

- Only use or disclose information for the primary purpose for which it was collected or a directly related secondary purpose.
- For other uses, Eagles Nest Theatre Company will obtain consent from the affected person.
- In relation to a secondary purpose, use or disclose the personal information only where:

- a secondary purpose is related to the primary purpose and the individual would reasonably have expected us to use it for purposes; or
- the person has consented; or
- certain other legal reasons exist, or disclosure is required to prevent serious and imminent threat to life, health or safety.
- In relation to personal information which has been collected from a person, use the personal information for direct marketing, where that person would reasonably expect it to be used for this purpose, and Eagles Nest Theatre Company has provided an opt out and the opt out has not been taken up.
- In relation to personal information which has been collected other than from the person themselves, only use the personal information for direct marketing if the person whose personal information has been collected has consented (and they have not taken up the opt-out).
- State in Eagles Nest Theatre Company's privacy policy whether the information is sent overseas and further will ensure that any overseas providers of services are as compliant with privacy as Eagles Nest Theatre Company is required to be.
- Provide all individuals access to personal information except where it is a threat to life or health or it is authorized by law to refuse and, if a person is able to establish that the personal information is not accurate, then Eagles Nest Theatre Company must take steps to correct it. Eagles Nest Theatre Company may allow a person to attach a statement to their information if Eagles Nest Theatre Company disagrees it is inaccurate.
- Where for a legal or other reason we are not required to provide a person with access to the information, consider whether a mutually agreed intermediary would allow sufficient access to meet the needs of both parties.
- Make no charge for making a request for personal information, correcting the information or associating a statement regarding accuracy with the personal information.

Storage Eagles Nest Theatre Company

- Implement and maintain steps to ensure that personal information is protected from misuse and loss, unauthorized access, interference, unauthorized modification or disclosure.
- Before Eagles Nest Theatre Company discloses any personal information to an overseas recipient including a provider of IT services such as servers or cloud services, establish that they are privacy compliant. Eagles Nest Theatre Company will have systems which provide sufficient security.
- Ensure that Eagles Nest Theatre Company's data is up to date, accurate and complete.

Destruction and de-identification Eagles Nest Theatre Company

- Destroy personal information once is not required to be kept for the purpose for which it was collected, including from decommissioned laptops and mobile phones.
- Change information to a pseudonym or treat it anonymously if required by the person whose information Eagles Nest Theatre Company holds and will not use any government related identifiers unless they are reasonably necessary for our functions.

Data Quality

Eagles Nest Theatre Company will:

- Take reasonable steps to ensure the information Eagles Nest Theatre Company collects is accurate, complete, up to date, and relevant to the functions we perform.

Data Security and Retention

Eagles Nest Theatre Company will:

- Only destroy records in accordance with the organisation's Records Management Policy.

Openness

Eagles Nest Theatre Company will:

- Ensure stakeholders are aware of Eagles Nest Theatre Company's Privacy Policy and its purposes.
- Make this information freely available in relevant publications and on the organisation's website.

Access and Correction

Eagles Nest Theatre Company will:

- Ensure individuals have a right to seek access to information held about them and to correct it if it is inaccurate, incomplete, misleading or not up to date.

Anonymity

- Allow people from whom the personal information is being collected to not identify themselves or use a pseudonym unless it is impracticable to deal with them on this basis.

Making information available to other organisations

Eagles Nest Theatre Company can:

- Release information to third parties where it is requested by the person concerned.

RELATED DOCUMENTS

- Code of Conduct Policy
- Code of Ethics Policy

AUTHORISATION



James Adler

Managing Director of Eagles Nest Theatre Company

Date of approval

07/02/2018

Eagles Nest Theatre Company



PRIVACY POLICY - FOR EXTERNAL USE/ PRIVACY ACT COMPLIANCE

PRIVACY POLICY

Your privacy is important

This statement outlines the **Eagles Nest Theatre Company's** policy on how **Eagles Nest Theatre Company** uses and manages personal information provided to or collected by it.

Eagles Nest Theatre Company is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act and is compliant with the Privacy Amendment (Enhancing Privacy Protection) Act 2012.

Eagles Nest Theatre Company may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to **Eagles Nest Theatre Company's** operations and practices and to make sure it remains appropriate to the changing legal environment.

What kind of personal information does Eagles Nest Theatre Company collect and how does Eagles Nest Theatre Company collect it? The type of information **Eagles Nest Theatre Company** collects and holds includes (but is not limited to) general information, including sensitive information, about:

- *Statistical feedback on delivery of our program, which is made up of multi-choice and short answers. In the case of school children providing feedback – no personal information is collected.*
- *General contact information used for our primary business function.*
- *This information is collected directly from the stakeholder either online or telephone.*

Personal Information you provide:

Eagles Nest Theatre Company will generally collect personal information held about an individual by way of tele-communications, online and written form. You do have the right to seek to deal with us anonymously or using a pseudonym, but in almost every circumstance it will not be practicable for us to deal with you or provide any services to you except for the most general responses to general enquiries, unless you identify yourself.

In relation to employee records:

Under the Privacy Act the Australian Privacy Principles do not apply to an employee record. As a result, this Privacy Policy does not apply to **Eagles Nest Theatre Company's** treatment of an employee record, where the treatment is directly related to a current or former employment relationship between **Eagles Nest Theatre Company** and employee. However, **Eagles Nest**

Theatre Company must provide access and ensure compliance with the Health Privacy Principles under the Victorian Health Records Act 2001.

How will *Eagles Nest Theatre Company* use the personal information you provide?

Eagles Nest Theatre Company will use personal information it collects from you for the primary purpose of collection, and for such other secondary purposes that are related to the primary purpose of collection and reasonably expected, or to which you have consented.

In relation to direct marketing, **Eagles Nest Theatre Company** will use your personal information for direct marketing where you have provided that information, and you are likely to expect direct marketing: only then you will be sent direct marketing containing an opt out. If we use your personal information obtained from elsewhere we will still send you direct marketing information where you have consented and which will also contain an opt out. We will always obtain your consent to use sensitive information as the basis for any of our direct marketing.

Job applicants, staff members and contractors:

In relation to personal information of job applicants, staff members and contractors, **Eagles Nest Theatre Company's** primary purpose of collection is to assess and (if successful) to engage the applicant, staff member or contractor, as the case may be.

The purposes for which the **Eagles Nest Theatre Company** uses personal information of job applicants, staff members and contractors include:

- for insurance purposes
- for general health and safety purposes
- to satisfy **Eagles Nest Theatre Company's** legal obligations,

Where the **Eagles Nest Theatre Company** receives unsolicited job applications these will usually be dealt with in accordance with the unsolicited personal information requirements of the Privacy Act.

Volunteers:

Eagles Nest Theatre Company also obtains personal information about volunteers who assist **Eagles Nest Theatre Company** in its functions or conduct associated activities, such as to enable **Eagles Nest Theatre Company** and the volunteers to work together.

Who might *Eagles Nest Theatre Company* disclose personal information to?

Eagles Nest Theatre Company may disclose personal information, including sensitive information, held about an individual to:

- government departments;

Sending information overseas:

Eagles Nest Theatre Company will not send personal information about an individual outside Australia without:

- obtaining the consent of the individual (in some cases this consent will be implied); or
- otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

We do not use overseas providers of IT services including servers and cloud services.

How does *Eagles Nest Theatre Company* treat sensitive information?

In referring to 'sensitive information', the ***Eagles Nest Theatre Company*** means:

“information relating to a person’s racial ethnic origin, political opinions, religion, trade union or other professional or trade association membership, sexual preferences or criminal record, that is also personal information; and health information about an individual”.

Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless you agree otherwise, or the use or disclosure of the sensitive information is allowed by law.

Management and security of personal information

Eagles Nest Theatre Company's staff are required to respect the confidentiality of personal information and the privacy of individuals.

Eagles Nest Theatre Company has in place steps to protect the personal information ***Eagles Nest Theatre Company*** holds from misuse, loss, unauthorised access, modification, interference or disclosure by use of various methods including locked storage of paper records and pass-worded access rights to computerised records.

Updating personal information

Eagles Nest Theatre Company endeavours to ensure that the personal information it holds is accurate, complete and up-to-date. A person may seek to update their personal information held by ***Eagles Nest Theatre Company*** by contacting the Privacy Officer of ***Eagles Nest Theatre Company*** at any time.

The Australian Privacy Principles and the Health Privacy Principles require ***Eagles Nest Theatre Company*** not to store personal information longer than necessary. In particular, the Health Privacy Principles impose certain obligations about the length of time health records must be stored.

You have the right to check what personal information ***Eagles Nest Theatre Company*** holds about you.

Under the Commonwealth Privacy Act and the Health Records Act, an individual has the right to obtain access to any personal information which ***Eagles Nest Theatre Company*** holds about them and to advise ***Eagles Nest Theatre Company*** of any perceived inaccuracy. There are some exceptions to this right set out in the applicable legislation. To make a request to access any information ***Eagles Nest Theatre Company*** holds about you, please contact the Privacy Officer in writing.

Eagles Nest Theatre Company may require you to verify your identity and specify what information you require. Although no fee will be charged for accessing your personal information or making a correction, **Eagles Nest Theatre Company** may charge a fee to retrieve and copy any material. **Eagles Nest Theatre Company** If the information sought is extensive, **Eagles Nest Theatre Company** will advise the likely cost in advance.

How long will *Eagles Nest Theatre Company* keep my information?

Under our destruction and de-identification policies, your personal information that is no longer required will be de-identified or destroyed. In many circumstances, however it will be kept for marketing purposes, as you will have consented to that in writing with us.

Enquiries and privacy complaints

If you would like further information about the way **Eagles Nest Theatre Company** manages the personal information it holds, please contact the Privacy Officer. If you have any concerns, complaints or you think there has been a breach of privacy, then also please contact the Privacy Officer who will first deal with you usually over the phone. If we then have not dealt satisfactorily with your concerns, we will meet with you to discuss further. If you are not satisfied with our response to your complaint within 30 days from this meeting, then you can refer your complaint to the Office of the Australian Information Commissioner via:

- email: enquiries@oaic.gov.au
- Tel: 1300 363 992

AUTHORISATION



James Adler

Managing Director of Eagles Nest Theatre Company

Date of approval

07/02/2018

Eagles Nest Theatre Company