



# Privacy Policy

As at 17 October 2016

Just Swimming (JS) as a business of Nunawading Swimming Club (NSC) recognises that it must obtain and use personal information in the course of providing programs and services. The protection of personal information is important to the Club and it is therefore committed to respecting individuals' privacy and to the protection of personal information.

This document sets out how Just Swimming may collect, hold, use and disclose personal information. By providing your personal information to Just Swimming, you consent to its use, storage and disclosure in accordance with this Privacy Policy.

This policy is made in accordance with the *Privacy Act 1988 (Cth)* and in particular the Australian Privacy Principles which came into effect on 12 March 2014.

This policy and any accompanying procedures may be amended from time to time by resolution of NSC's Board of Directors. The current version of this policy is available from the Just Swimming website at [www.justswimming.com.au](http://www.justswimming.com.au)

This Policy applies to and binds all Relevant Persons and such other persons who use, access, provide or participate in Just Swimming programs, services, events and activities.

### **Why does Just Swimming collect personal information?**

JS collects personal information in order to properly and efficiently carry out its functions, including to provide learn to swim programs, to provide membership services, to conduct training services and to conduct events and activities.

JS uses or discloses personal information for the purposes for which the information was provided for directly related purposes including, where appropriate, to:

- establish or verify your identity;
- undertake employment processes and complete background checks;
- facilitate participation in programs, training, activities and events relating to swim school membership;
- research, develop and market services, merchandise and special offers made available by us and by third parties;
- respond to emergency situations involving or requiring medical treatment;
- keep you informed of news and information relating to various swimming events, activities, promotions and opportunities via various media.

JS also uses and discloses personal information where required or authorised by law.

You may ask to not identify yourself or disclose your personal information to JS, or otherwise ask JS to not use or disclose your personal information. However, doing so may limit the services JS can reasonably provide to you. For example, JS cannot reasonably provide

enrolment services to a person who wishes to participate but is not prepared to provide his or her name, address or contact details into a database system.

### **What information does Just Swimming collect?**

JS routinely collects personal information about persons who enquire, enrol, apply, join, access or participate in JS's information share, programs, services, events and activities.

#### **a) Personal Information**

The information JS collects about you will vary depending on the circumstances of the collection. It may include, but is not limited to, your name, date of birth, gender, contact details, your photograph, your signature, your location, swimming results, insurance details, employment history, accreditations or any communication with JS.

When you request or enrol in an JS program or services from JS, then JS may collect personal information about you such as your program preferences, current health conditions and your bank account details.

The full details of the personal information JS collects are found in the questions that JS asks and in the forms you have completed during your involvement with JS.

#### **b) Sensitive Information**

JS may also need to collect a participant's sensitive information including medical contacts, medication being taken and diagnoses of specific conditions. JS will only collect this information where required, where consent has been provided and where permitted by the *Privacy Act 1988* (Cth).

JS may disclose a participant's sensitive information from time to time where it is applicable for the safety of the participant and where individual consent has been provided.

### **How is information collected?**

Information may be collected from you when you:

- provide details to JS in an enrolment, application, consent form, entry, survey, feedback form or incident report;
- subscribe to any electronic publication of JS;
- enter personal information into, or agree to having your personal information entered into, one of JS's online or offline information systems;
- access the JS website or a website of a JS linked Affiliate;
- contact JS via email, telephone or mail or engage with JS via social media;
- participate in any program, activity or event run by JS;

- purchase merchandise, products or services from JS or an authorised agent;
- are elected or appointed to the Board or a committee of JS; or
- apply for employment or a volunteer position with JS.

Personal information may also be collected where JS is required to do so by law (including for education, child protection, work health and safety laws, medical treatment or other legislation in Australia).

### **Collection from third parties**

In some situations, JS may collect personal information about you from a third party such as your school. JS may also collect personal information from your family member (including where you are a minor or member of JS under a family arrangement).

If JS collects personal information about you from any other third party not mentioned in this Policy then JS will first endeavour to obtain your consent (unless such consent has already been provided). If that is not possible then JS will only obtain the information from a third party if that is reasonably necessary for JS to provide programs and services to you.

Where JS receives personal information about you from a third party which was not solicited, then that information will be dealt with in accordance with this Policy and the *Privacy Act 1988* (Cth).

### **How does Just Swimming store this information?**

Subject to the use and disclosure provisions in this Policy, all of the personal information held by JS about you is held on password-protected databases on servers located off-site or in secure files at the offices of JS.

Only JS personnel may access your personal information and even then only for one of the purposes permitted by this Policy.

Once JS no longer has a need for your personal information then JS will either destroy or de-identify the information when it is reasonably practicable to do so.

### **How does Just Swimming disclose this information to Third Parties?**

JS may, from time to time, disclose your personal information to third party organisations which include, but are not limited to:

- companies we engage to carry out functions and training activities on JS's behalf;
- external service providers that provide JS with financial, legal, administrative, information technology, banking, travel, uniform manufacturing, publications and other services;

- your agent or other form of representative (such as a family member where you are a minor or a member of a family where another family member has been nominated as your family's relevant point of contact);
- in other circumstances permitted by law.

## **Use and Disclosure**

### *Direct marketing*

JS will use personal information that is not sensitive information to provide better services and for marketing purposes (including disclosure of such information to service providers). If you do not wish to receive e-mail, SMS or posted offers from JS, you may opt-out by contacting the Just Swimming Privacy Officer via the contact details set out in this policy.

### *Public and Media*

JS may also disclose your personal information (including your name, age, gender and photographs of you and your results) to the media and through the JS digital applications and publications (including our website, social media, emails and newsletters) that are available for public viewing.)

## **Just Swimming Website**

JS, through its website hosts, records visits to the website and logs the following information for statistical purposes: the user's server or proxy address, the date and time of the visit and the files requested. The information is used to analyse our server traffic. The JS website is a cookie-free site, no attempt will be made to identify users or their browsing activities except where authorised by law. For example, in the event of an investigation, a law enforcement agency may exercise its legal authority to inspect JS's website logs.

Where a user of the JS website provides JS with information (including when communicating with JS, subscribing to a newsletter or otherwise requesting information from JS) then any personal information provided by the user shall be collected, used and disclosed in accordance with the Privacy Policy.

You need to be aware of inherent risks associated with the transmission of information via the Internet. If you have concerns in this regard, JS has other ways of obtaining and providing information. Normal mail, telephone and fax facilities are available.

JS is not responsible for the privacy practices or the content of linked web sites and the other pages hosted by JS on behalf of non- JS agencies and organisations.

## **Accessing and seeking correction of information held by Just Swimming**

JS will take all reasonable steps to ensure that the personal information it collects, uses or discloses is accurate, complete and up-to-date. However, we rely on the accuracy of personal information as provided to us both directly and indirectly. We encourage you to regularly update your personal information held by JS.

If you would like to access the personal information that we hold about you, please let us know by making a request via the Privacy Officer, contact details set out below. If you find that the personal information we hold about you is inaccurate, incomplete or out-of-date, please contact us immediately and we will correct it.

### **Resolving privacy issues and complaints**

Any issues or complaints in relation to the collection, use, disclosure, quality, security of and access to your personal information may be made to the Just Swimming Privacy Officer at this address:

Privacy Officer  
Nunawading Swimming Club  
Fraser Place, Forest Hill, VIC 3131  
Ph. (03) 9878 7055  
Email: [admin@nunawadingswimmingclub.com](mailto:admin@nunawadingswimmingclub.com)

We will respond to your complaint within a reasonable period, and try to resolve your complaint for you. If we are unable to resolve your complaint or you are unhappy with the outcome, you can contact the Office of Australian Information Commissioner via its enquiries line 1300 363 992 or website <http://www.oaic.gov.au/> to lodge a complaint.

For further information on Just Swimming's management of personal information, please contact JS.

### **Definitions**

In this Policy the following words have the following meaning:

**"Constitution and "By-Laws"** respectively mean the Constitution and By-Laws of NSC.

**"Privacy Officer"** means the NSC employee who is responsible for overseeing Privacy for NSC. At present this is NSC's Chief Executive Officer.

**"Personal Information"** has the same meaning as in section 6 of the *Privacy Act 1988* (Cth).

**"Policy"** means this Privacy Policy.

**"Relevant Person"** means each of the Board members and officers of NSC, directors and officers of NSC Affiliates and Members, swimmers, coaches, event officials, employees, contractors, agents, consultants, volunteers, support services personnel, parents and any other person who agrees to be or is otherwise bound by this Policy.

**"JS"** means Just Swimming

**"NSC"** means Nunawading Swimming Club.

**"NSC Affiliates"** means the Affiliates of NSC as defined in the Constitution.

**"Sensitive Information"** has the same meaning as in section 6 of the *Privacy Act 1988* (Cth).

**"You"** means a person to whom this Policy applies and **"Your"** has a corresponding meaning.