



The Graduate Union Privacy Policy

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Aim and Scope of Policy

The aim of this policy is to articulate The Graduate Union's obligations to deal with the privacy of personal information relating to its staff, members and other people who provide personal information to The Graduate Union.

The policy requires The Graduate Union to publicly acknowledge its commitment to relevant legislation, including, but not limited to the statutes below:

- Australian Human Rights Commission Act 1986 (Cwlth)
http://www.austlii.edu.au/au/legis/cth/consol_act/ahrca1986373/
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
http://www.austlii.edu.au/au/legis/vic/consol_act/cohrara2006433/
- Do Not Call Register Act 2006
<http://www.comlaw.gov.au/Details/C2006A00088>
- Information Privacy Act 2000 (Vic)



- http://www.austlii.edu.au/au/legis/vic/consol_act/ipa2000231/
Privacy Amendment (Enhancing Privacy Protection) Bill 2012 (following pass/assent)
- http://aph.gov.au/Parliamentary_Business/Bills_Legislation/Bills
Privacy Act 1988
- http://www.austlii.edu.au/au/legis/cth/consol_act/pa1988108
Spam Act 2003
- http://www.austlii.edu.au/au/legis/cth/consol_act/sa200366

This policy applies to staff, resident and non-resident members of The Graduate Union, non-members, external contractors and guests of/visitors to The Graduate Union, all of whom have an obligation to abide by this policy.

The Graduate Union is committed to safeguarding the privacy of staff, members and other people from whom information is collected for its purposes.

Australian Privacy Principles

This Graduate Union Privacy Policy is based on the Australian Privacy Principles (APPs) and is presented in five parts according to the APPs that deal with:

PART 1: privacy of personal information, including ensuring the management of personal information in an open and transparent way.

PART 2: the collection of personal information, including unsolicited personal information.

PART 3: how to handle personal information and government related identifiers, including principles about the use and disclosure (including cross-border disclosure) of personal information and identifiers.

PART 4: the integrity, quality and security of personal information.

PART 5: requests for access to, and correction of, personal information.

PART 1 Consideration of personal information privacy

Privacy Principle 1. Open and transparent management of personal information

- 1.1 The object of this principle is to ensure that The Graduate Union manages personal information in an open and transparent way.
- 1.2 The Graduate Union will take such steps as are reasonable in the circumstances to implement practices, procedures and systems relating to The Graduate Union's functions or activities that:
 - 1.2(a) will ensure that The Graduate Union complies with Australian Privacy Principles and a registered APP code (if any) that binds The Graduate Union; and



1.2(b) will enable The Graduate Union to deal with inquiries or complaints from individuals about The Graduate Union's compliance with Australian Privacy Principles or such a code.

1.3 The Graduate Union Privacy Policy will be clearly expressed and up-to-date in relation to the management of personal information.

1.4 Without limiting subclause 1.3, and in relation to the open and transparent management of personal information, The Graduate Union:

1.4(a) collects and holds the following kinds of personal information in relation to resident and non-resident members, non-members, staff and service providers:

1.4(a)i names, including title, first name, middle name and surname;

1.4(a)ii contact and address details, including home address, postal address, phone numbers, email and contact details of relatives/carers in the event of emergency;

1.4(a)iii bank and credit card details;

1.4(a)iv education and career information about members including qualifications, employment history, professional development history and volunteer and society contributions;

1.4(a)v health, including pre-existing conditions, dietary requirements and preferences, and instructions for managing conditions in the event of emergency or incapacity.

1.4(b) collects personal information:

1.4(b)i when receiving and processing applications and bookings for residential, meeting and membership services;

1.4(b)ii via telephone, email, digital and paper-based application and booking forms and feedback.

and holds personal information:

1.4(b)iii in secure restricted-access and backed-up digital databases which include the Register of Members, a database of non-members and potential members, an accommodation database, and financial and accounting systems.

1.4(b)iv in secure paper-based documents and files that are held in a secure facility owned by The Graduate Union.

1.4(c) collects, holds, uses and discloses personal information for the purposes of:

1.4(c)i assessing applications for residential, meeting and membership services to ensure that they are in accordance with The Graduate Union's purposes of



the advancement of education and for wider public good;

- 1.4(c)ii providing person-centred residential, meeting and membership services that take into consideration safety, health, dietary, cultural, physical and other requirements;
- 1.4(c)iii fostering a collegium which brings together people from around the world and from multiple disciplines who share common education and wider public good goals and objectives.
- 1.4(c)iv allowing members to receive information from and about candidates for election to the Council (board) of The Graduate Union.
- 1.4(c)v communicating with resident and non-resident members and non-members about residential, meeting and membership services.

1.4(d) enables access and amendments by an individual to the personal information records relating to this same individual and held by The Graduate Union. The application by the individual for this purpose:

- 1.4(d)i is to be written, preferably typed, and in English;
- 1.4(d)ii is to be addressed to the Chief Executive Officer/Head of College of The Graduate Union of The University of Melbourne Incorporated;
- 1.4(d)iii shall include the following details in relation to the individual and to his/her purpose/interest in seeking access:
 - 1.4(d)iii.a first name;
 - 1.4(d)iii.b surname;
 - 1.4(d)iii.c title;
 - 1.4(d)iii.d membership category (or indication of being a non-member);
 - 1.4(d)iii.e full postal address;
 - 1.4(d)iii.f email address;
 - 1.4(d)iii.g phone number;
 - 1.4(d)iii.h purpose or purposes for accessing the records containing the personal information of the individual;
 - 1.4(d)iii.i corrections, modifications and updates that are required;
 - 1.4(d)iii.j intention to inspect at the office of The Graduate Union or to receive a copy of the records containing the personal information of the individual;
 - 1.4(d)iii.k date by which the personal information of the individual is required;
- 1.4(d)iv shall be signed by the individual and may be faxed or emailed provided the signature is clearly visible.
- 1.4(d)v shall include identification sufficient to reasonably satisfy The Graduate Union that he/she is the individual they state themselves to be.
- 1.4(d)vi will be received, assessed and processed by The Graduate Union:
 - 1.4(d)vi.a with contact being made with the individual on a case by case



basis for the purposes of establishing and confirming identity and particulars of the request;

1.4(d)vi.b according to The Graduate Union Privacy Principles 12 and 13.

1.4(e) takes reasonable measures to ensure that staff, resident and non-resident members (including Councillors), contractors and non-members/guests/visitors adhere to and take responsibility for The Graduate Union Privacy Policy by:

1.4(e)i treating reports or complaints about breaches of privacy seriously, promptly, confidentially and for the protection of rights of all parties involved;

1.4(e)ii taking appropriate action when a breach of this policy is observed or informed, by reiterating this policy and outlining that any behaviour in breach of this policy is unacceptable, may result in disciplinary action being taken, and must immediately cease and not recur;

1.4(e)iii referring a person who has a concern about matters covered by this policy appropriately to ensure that they have the opportunity to report or complain about breaches of privacy at the appropriate levels and to the appropriate people.

1.4(e)iv ensuring that a person who has a concern about matters covered by this policy has access to information about external advisors;

1.4(e)v not tolerating victimisation of a person who has a concern about matters covered by this policy.

1.4(f) enables individuals to complain about a breach of privacy by The Graduate Union, or a registered code (if any) that binds The Graduate Union by:

1.4(f)i giving best endeavour to respond to reports and complaints about breaches of privacy, in a manner which is:

1.4(f)i.a timely;

1.4(f)i.b appropriate;

1.4(f)i.c fair; and

1.4(f)i.d confidential.

1.4(f)ii asking a person who perceives themselves to have been the victim of a breach of privacy or another (or others) to be the victim of a breach of privacy to:

1.4(f)ii.a contact to report or complain someone from the below categories directly or, should you not feel comfortable, indirectly (e.g. an anonymous correspondence):

1.4.f.ii.a.1 Internal:

(a) Operations Manager;

(b) CEO/Head of College;

(c) Chair of the Council of The Graduate Union.



1.4.f.ii.a.2 External:

(a) Australian Privacy Commissioner on 1300 363 992 or via their website: <http://www.privacy.gov.au>.

1.4(f)ii.b make this contact as soon as possible after the alleged event or events of privacy breach. Timeliness is important to The Graduate Union. Hence, a report or complaint that took place more than twelve (12) months before the report or complaint was lodged will be noted but further action may not be possible.

1.4(f)ii.c provide as much detail as possible, particularly with regards to dates, the nature of the breach of policy, the personal information involved, the contribution of The Graduate Union to this breach of privacy, the feelings experienced, the damage that has resulted from the breach of privacy, etc.

1.4(g) discloses personal information to recipients overseas but only to members in many different countries around the world¹.

1.4(h) takes such steps as are reasonable in the circumstances to make its privacy policy available:

1.4(h)i free of charge; and

1.4(h)ii in such form as is appropriate.

1.4(i) takes such steps as are reasonable in the circumstances to give the person or body a copy of a particular form, if a person or body requests a copy of that form.

Privacy Principle 2. Anonymity and pseudonymity

2.1 Individuals will have the option of not identifying themselves, or of using a pseudonym, when dealing with The Graduate Union in relation to a particular matter.

2.2 Subclause 2.1 does not apply if, in relation to that matter:

2.2(a) The Graduate Union is required or authorised by or under an Australian law, or a court/tribunal order, to deal with individuals who have identified themselves; or

2.2(b) it is impracticable for The Graduate Union to deal with individuals who have not identified themselves.

¹ Refer to Privacy Principle 8 in relation to non-members.



PART 2 Collection of personal information

Privacy Principle 3. Collection of solicited personal information

Personal information other than sensitive information

- 3.1 The Graduate Union will not collect personal information (other than sensitive information) unless the information is reasonably necessary for, or directly related to, one or more of The Graduate Union's functions or activities.
- 3.2 The Graduate Union will not collect personal information (other than sensitive information) unless the information is reasonably necessary for one or more of The Graduate Union's functions or activities.

Sensitive information

- 3.3 Sensitive information is defined in the Privacy Act to mean 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, criminal record, health information and genetic information about an individual;
- 3.4 The Graduate Union will not collect sensitive information about an individual unless the individual consents to the collection of the information and:
- 3.4(a) the information is reasonably necessary for, or directly related to, enforcement related activities conducted for, or on behalf of, The Graduate Union; or
 - 3.4(b) the information is reasonably necessary for, or directly related to, one or more of The Graduate Union's functions or activities; or
 - 3.4(c) subclause 3.4 applies in relation to the information.
- 3.5 This subclause applies in relation to sensitive information about an individual if:
- 3.5(a) the collection of the information is required or authorised by or under an Australian law or a court/tribunal order; or
 - 3.5(b) a permitted general situation exists in relation to the collection of the information by The Graduate Union; or
 - 3.5(c) a permitted health situation exists in relation to the collection of the information by The Graduate Union; or
 - 3.5(d) as a non profit organisation, both the following apply:
 - 3.5(d)i the information relates to the activities of The Graduate Union;
 - 3.5(d)ii the information relates solely to the members of the organisation, or to individuals who have regular contact with the organisation in connection



with its activities.

Means of collection

- 3.6 The Graduate Union will collect personal information only by lawful and fair means.
- 3.7 The Graduate Union will collect personal information about an individual only from the individual unless:
- 3.7(a) the individual consents to the collection of the information from someone other than the individual; or
 - 3.7(b) The Graduate Union 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; or
 - 3.7(c) it is unreasonable or impracticable to do so.

Solicited personal information

- 3.8 This principle applies to the collection of personal information that is solicited by The Graduate Union.

Privacy Principle 4. Dealing with unsolicited personal information

- 4.1 If The Graduate Union receives personal information and The Graduate Union did not solicit the information The Graduate Union will, within a reasonable period after receiving the information, determine whether or not The Graduate Union could have collected the information under The Graduate Union Privacy Principle 3 if The Graduate Union had solicited the information.
- 4.2 The Graduate Union may use or disclose the personal information for the purposes of making the determination under subclause 4.1.
- 4.3 If The Graduate Union determines that it did not solicit and did not collect the personal information received, The Graduate Union will, as soon as practicable but only if it is lawful and reasonable to do so, destroy the information or ensure that the information is de-identified.
- 4.4 If subclause 4.3 does not apply in relation to the personal information, The Graduate Union Privacy Principles 5 to 13 apply in relation to the information as if The Graduate Union had collected the information under The Graduate Union Privacy Principle 3.

Privacy Principle 5. Notification of the collection of personal information

- 5.1 At or before the time or, if that is not practicable, as soon as practicable after, The Graduate



Union collects personal information about an individual, The Graduate Union will take such steps (if any) as are reasonable in the circumstances:

5.1(a) to notify the individual of such matters referred to in subclause 5.2 as are reasonable in the circumstances; or

5.1(b) to otherwise ensure that the individual is aware of any such matters.

5.2 The matters for the purposes of subclause 5.1 are as follows:

5.2(a) the identity and contact details of The Graduate Union if

5.2(a)i The Graduate Union collects the personal information from someone other than the individual; or

5.2(a)ii the individual may not be aware that The Graduate Union has collected the personal information;

5.2(a)iii the fact that The Graduate Union so collects, or has collected, the information and the circumstances of that collection;

5.2(b) if the collection of the personal information is required or authorised by or under an Australian law or a court/tribunal order-the fact that the collection is so required or authorised (including the name of the Australian law, or details of the court/tribunal order, that requires or authorises the collection);

5.2(c) the purposes for which The Graduate Union collects the personal information;

5.2(d) the main consequences (if any) for the individual if all or some of the personal information is not collected by The Graduate Union;

5.2(e) that The Graduate Union privacy policy contains information about how the individual may access the personal information about the individual that is held by The Graduate Union and seek the correction of such information;

5.2(f) that The Graduate Union privacy policy contains information about how the individual may complain about a breach of The Graduate Union, or a registered APP code (if any) that binds The Graduate Union, and will deal with such a complaint;

5.2(g) that The Graduate Union discloses personal information overseas, but only to members who are overseas in many countries across the world.

PART 3 Dealing with personal information

Privacy Principle 6. Use or disclosure of personal information



Use or disclosure

6.1 If The Graduate Union holds personal information about an individual that was collected for particular purposes (the primary purposes), The Graduate Union will not use or disclose the information for another purpose (the secondary purposes) unless:

6.1(a) the individual has consented to the use or disclosure of the information; or

6.1(b) subclause 6.2 or 6.3 applies in relation to the use or disclosure of the information.

Note: The Graduate Union Privacy Principle 8 sets out requirements for the disclosure of personal information to a person who is not in Australia or an external Territory.

6.2 This subclause applies in relation to the use or disclosure of personal information about an individual if:

6.2(a) the individual would reasonably expect The Graduate Union to use or disclose the information for the secondary purposes and the secondary purposes are:

6.2(a)i if the information is sensitive information - directly related to the primary purposes; or

6.2(a)ii if the information is not sensitive information - related to the primary purposes; or

6.2(b) the use or disclosure of the information is required or authorised by or under an Australian law or a court/tribunal order; or

6.2(c) a permitted general situation exists in relation to the use or disclosure of the information by The Graduate Union; or

6.2(d) a permitted health situation exists in relation to the use or disclosure of the information by The Graduate Union; or

6.2(e) The Graduate Union 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.

6.3 This subclause applies in relation to the disclosure of personal information about an individual by The Graduate Union if:

6.3(a) the information is biometric information or biometric templates; and

6.3(b) the recipient of the information is an enforcement body; and

6.3(c) the disclosure is conducted in accordance with the guidelines made by the Commissioner for the purposes of this paragraph.

6.4 If subsection 16B(2) applied in relation to the collection of the personal information by The Graduate Union, The Graduate Union will take such steps as are reasonable in the circumstances to ensure that the information is de-identified before The Graduate Union discloses it in accordance with subclauses 6.1 or 6.2.



Written note of use or disclosure

- 6.5 If The Graduate Union uses or discloses personal information in accordance with subclause 6.2, The Graduate Union will make a written note of the use or disclosure.

Exceptions

- 6.6 This principle does not apply to the use or disclosure by The Graduate Union of:
- 6.6(a) personal information for the purpose of direct marketing; or
 - 6.6(b) government related identifiers.

Privacy Principle 7. Direct marketing

Prohibition on direct marketing

- 7.1 With regards to the personal information about an individual, The Graduate Union will not use or disclose the information for the purpose of direct marketing.

Exceptions - personal information other than sensitive information

- 7.2 Despite subclause 7.1, The Graduate Union may use or disclose personal information (other than sensitive information) about an individual for the purpose of direct marketing if:
- 7.2(a) The Graduate Union collected the information from the individual; and
 - 7.2(b) the individual would reasonably expect The Graduate Union to use or disclose the information for that purpose; and
 - 7.2(c) The Graduate Union provides a simple means by which the individual may easily request not to receive direct marketing communications from the organisation; and
 - 7.2(d) the individual has not made such a request to The Graduate Union.
- 7.3 Despite subclause 7.1, The Graduate Union may use or disclose personal information (other than sensitive information) about an individual for the purpose of direct marketing if:
- 7.3(a) The Graduate Union collected the information from:
 - 7.3(a)i the individual and the individual would not reasonably expect the organisation to use or disclose the information for that purpose; or
 - 7.3(a)ii someone other than the individual; and
 - 7.3(b) either:
 - 7.3(b)i the individual has consented to the use or disclosure of the information for that purpose; or
 - 7.3(b)ii it is impracticable to obtain that consent; and



- 7.3(c) The Graduate Union provides a simple means by which the individual may easily request not to receive direct marketing communications from The Graduate Union; and
- 7.3(d) in each direct marketing communication with the individual:
 - 7.3(d)i The Graduate Union includes a prominent statement that the individual may make such a request; or
 - 7.3(d)ii The Graduate Union otherwise draws the individual's attention to the fact that the individual may make such a request; and
- 7.3(e) the individual has not made such a request to the organisation.

Exception - sensitive information

- 7.4 Despite subclause 7.1, The Graduate Union may use or disclose sensitive information about an individual for the purpose of direct marketing if the individual has consented to the use or disclosure of the information for that purpose.

Exception - contracted service providers

- 7.5 Despite subclause 7.1, The Graduate Union may use or disclose personal information for the purpose of direct marketing if:
 - 7.5(a) The Graduate Union collected the information for the purpose of meeting (directly or indirectly) an obligation under the contract; and
 - 7.5(b) the use or disclosure is necessary to meet (directly or indirectly) such an obligation.

Individual may request not to receive direct marketing communications

- 7.6 The Graduate Union does not use or disclose personal information about an individual for the purposes of facilitating direct marketing by other organisations, however, should another organisation or individual use or disclose personal information that is claimed to have been provided by The Graduate Union, the individual is asked to contact The Graduate Union to seek clarification on this matter.
- 7.7 If an individual makes a request under subclause 7.6, The Graduate Union will not charge the individual for the making of, or to give effect to, the request and:
 - 7.7(a) if the request is of a kind referred to in paragraph 7.6, The Graduate Union will give effect to the request within a reasonable period after the request is made; and
 - 7.7(b) if the request is of a kind referred to in paragraph 7.6, The Graduate Union will, within a reasonable period after the request is made, notify the individual of the results of its evaluation of the source of personal information used by another organisation unless it is impracticable or unreasonable to do so.

Interaction with other legislation

- 7.8 This principle does not apply to the extent that any of the following apply:



- 7.8(a) the Do Not Call Register Act 2006;
- 7.8(b) the Spam Act 2003;
- 7.8(c) any other Act of the Commonwealth, or a Norfolk Island enactment, prescribed by the regulations.

Privacy Principle 8. Cross border disclosure of personal information

8.1 Before The Graduate Union discloses personal information about an individual to a person (the overseas recipient):

- 8.1(a) who is not in Australia or an external Territory; and
- 8.1(b) who is not a member of The Graduate Union;

The Graduate Union will take such steps as are reasonable in the circumstances to ensure that the overseas recipient does not breach The Graduate Union Privacy Policy in relation to the information and is not liable for an act done, or a practice engaged in, by the overseas recipient that is in breach of The Graduate Union Privacy Policy.

8.2 Subclause 8.1 does not apply to the disclosure of personal information about an individual by The Graduate Union to the overseas recipient if:

- 8.2(a) The Graduate Union reasonably believes that:
 - 8.2(a)i the recipient of the information is subject to a law, or binding scheme, that has the effect of protecting the information in a way that, overall, is at least substantially similar to the way in which The Graduate Union protects the information; and
 - 8.2(a)ii there are mechanisms that the individual can access to take action to enforce that protection of the law or binding scheme; or
- 8.2(b) both of the following apply:
 - 8.2(b)i The Graduate Union expressly informs the individual that if he or she consents to the disclosure of the information, subclause 8.1 will not apply to the disclosure;
 - 8.2(b)ii after being so informed, the individual consents to the disclosure; or
- 8.2(c) the disclosure of the information is required or authorised by or under an Australian law or a court/tribunal order; or
- 8.2(d) a permitted general situation exists in relation to the disclosure of the information by The Graduate Union; or
- 8.2(e) disclosure of the information is required or authorised by or under an international agreement relating to information sharing to which Australia is a party; or



8.2(f) both of the following apply:

- 8.2(f)i The Graduate Union reasonably believes that the disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body;
- 8.2(f)ii the recipient is a body that performs functions, or exercises powers, that are similar to those performed or exercised by an enforcement body.

Privacy Principle 9. Adoption, use or disclosure of government related identifiers

Adoption of government related identifiers

- 9.1 The Graduate Union will not adopt a government related identifier of an individual as its own identifier of the individual unless:
- 9.1(a) the adoption of the government related identifier is required or authorised by or under an Australian law or a court/tribunal order; or
 - 9.1(b) subclause 9.3 applies in relation to the adoption.

Use or disclosure of government related identifiers

- 9.2 The Graduate Union will not use or disclose a government related identifier of an individual unless:
- 9.2(a) the use or disclosure of the identifier is reasonably necessary for The Graduate Union to verify the identity of the individual for the purposes of The Graduate Union's activities or functions; or
 - 9.2(b) the use or disclosure of the identifier is reasonably necessary for The Graduate Union to fulfil its obligations to an organisation or a State or Territory authority; or
 - 9.2(c) the use or disclosure of the identifier is required or authorised by or under an Australian law or a court/tribunal order; or
 - 9.2(d) a permitted general situation exists in relation to the use or disclosure of the identifier; or
 - 9.2(e) The Graduate Union reasonably believes that the use or disclosure of the identifier is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
 - 9.2(f) subclause 9.3 applies in relation to the use or disclosure.

Regulations about adoption, use or disclosure

- 9.3 This subclause applies in relation to the adoption, use or disclosure by The Graduate Union of a government related identifier of an individual if:



- 9.3(a) the identifier is prescribed by the regulations; and
- 9.3(b) The Graduate Union is prescribed by the regulations, or is included in a class of organisations prescribed by the regulations; and
- 9.3(c) the adoption, use or disclosure occurs in the circumstances prescribed by the regulations.

PART 4 Integrity of personal information

Privacy Principle 10. Quality of personal information

- 10.1 The Graduate Union will take such steps (if any) as are reasonable in the circumstances to ensure that the personal information that The Graduate Union collects is accurate, up-to-date and complete.
- 10.2 The Graduate Union will take such steps (if any) as are reasonable in the circumstances to ensure that the personal information that The Graduate Union uses or discloses is, having regard to the purpose of the use or disclosure, accurate, up-to-date, complete and relevant.

Privacy Principle 11. Security of personal information

- 11.1 The Graduate Union holds personal information and will take such steps as are reasonable in the circumstances to protect the information:
 - 11.1(a) from misuse, interference and loss; and
 - 11.1(b) from unauthorised access, modification or disclosure.
- 11.2 If The Graduate Union holds personal information about an individual; and
 - 11.2(a) The Graduate Union no longer needs the information for any purpose for which the information may be used or disclosed by The Graduate Union under this Schedule; and
 - 11.2(b) the information is not contained in a Commonwealth record; and
 - 11.2(c) The Graduate Union is not required by or under an Australian law, or a court/tribunal order, to retain the information;

The Graduate Union will take such steps as are reasonable in the circumstances to destroy the information or to ensure that the information is de-identified.



PART 5 Access to, and correction of, personal information

Privacy Principle 12. Access to personal information

Access

- 12.1 If The Graduate Union holds personal information about an individual, The Graduate Union will, on request by the individual, give the individual access to the information.

Exception to access - organisation

- 12.2 If The Graduate Union is required or authorised to refuse to give the individual access to the personal information by or under:
- 12.2(a) the Freedom of Information Act; or
 - 12.2(b) any other Act of the Commonwealth, or a Norfolk Island enactment, that provides for access by persons to documents;
- then, despite subclause 12.1, The Graduate Union is not required to give access to the extent that The Graduate Union is required or authorised to refuse to give access.
- 12.3 despite subclause 12.1, The Graduate Union is not required to give the individual access to the personal information to the extent that:
- 12.3(a) The Graduate Union reasonably believes that giving access would pose a serious threat to the life, health or safety of any individual, or to public health or public safety; or
 - 12.3(b) giving access would have an unreasonable impact on the privacy of other individuals; or
 - 12.3(c) the request for access is frivolous or vexatious; or
 - 12.3(d) the information relates to existing or anticipated legal proceedings between The Graduate Union and the individual, and would not be accessible by the process of discovery in those proceedings; or
 - 12.3(e) giving access would reveal the intentions of The Graduate Union in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
 - 12.3(f) giving access would be unlawful; or
 - 12.3(g) denying access is required or authorised by or under an Australian law or a court/tribunal order; or
 - 12.3(h) both of the following apply:
 - 12.3(h)i The Graduate Union has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to The Graduate Union's



functions or activities has been, is being or may be engaged in;

12.3(h)ii giving access would be likely to prejudice the taking of appropriate action in relation to the matter; or

12.3(i) giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or

12.3(j) giving access would reveal evaluative information generated within The Graduate Union in connection with a commercially sensitive decision-making process.

Dealing with requests for access

12.4 The Graduate Union will:

12.4(a) respond to the request for access to the personal information:

12.4(a)i within 30 days after the request is made; or

12.4(a)ii within a reasonable period after the request is made; and

12.4(b) give access to the information in the manner requested by the individual, if it is reasonable and practicable to do so.

Other means of access

12.5 If The Graduate Union refuses:

12.5(a) to give access to the personal information because of subclause 12.2 or 12.3; or

12.5(b) to give access in the manner requested by the individual;

The Graduate Union will take such steps (if any) as are reasonable in the circumstances to give access in a way that meets the needs of The Graduate Union and the individual.

12.6 Without limiting subclause 12.5, access may be given through the use of a mutually agreed intermediary.

Access charges

12.7 The Graduate Union will not charge the individual for the making of the request or for giving access to the personal information.

12.8 If The Graduate Union charges the individual for giving access to the personal information the charge will not be excessive and will not apply to the making of the request.

Refusal to give access

12.9 If The Graduate Union refuses to give access to the personal information because of subclause 12.2 or 12.3, or to give access in the manner requested by the individual, The Graduate Union will give the individual a written notice that sets out:

12.9(a) 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



12.9(b) the mechanisms available to complain about the refusal; and

12.9(c) any other matter prescribed by the regulations.

12.10 If The Graduate Union refuses to give access to the personal information because of paragraph 12.3, the reasons for the refusal may include an explanation for the commercially sensitive decision.

Privacy Principle 13. Correction of personal information

Correction

13.1 If The Graduate Union holds personal information about an individual; and either:

13.1(a) The Graduate Union is satisfied that, having regard to a purpose for which the information is held, the information is inaccurate, out-of-date, incomplete, irrelevant or misleading; or

13.1(b) the individual requests The Graduate Union to correct the information;

The Graduate Union will take such steps (if any) as are reasonable in the circumstances to correct that information to ensure that, having regard to the purpose for which it is held, the information is accurate, up-to-date, complete, relevant and not misleading.

Notification of correction to third parties

13.2 If The Graduate Union corrects personal information about an individual:

13.2(a) that The Graduate Union previously disclosed to another Australian Privacy Principles (APP) entity; and

13.2(b) the individual requests The Graduate Union to notify the other APP entity of the correction;

The Graduate Union will take such steps (if any) as are reasonable in the circumstances to give that notification unless it is impracticable or unlawful to do so.

Refusal to correct information

13.3 If The Graduate Union refuses to correct the personal information as requested by the individual, The Graduate Union will give the individual a written notice that sets out:

13.3(a) the reasons for the refusal except to the extent that it would be unreasonable to do so; and

13.3(b) the mechanisms available to complain about the refusal; and

13.3(c) any other matter prescribed by the regulations.



Request to associate a statement

13.4 If The Graduate Union refuses to correct the personal information as requested by the individual;

13.4(a) and the individual requests The Graduate Union to associate with the information a statement that the information is inaccurate, out-of-date, incomplete, irrelevant or misleading;

The Graduate Union will take such steps as are reasonable in the circumstances to associate the statement in such a way that will make the statement apparent to users of the information.

Dealing with requests

13.5 If a request is made under subclause 13.1 or 13.4, The Graduate Union:

13.5(a) will respond to the request:

13.5(a)i within 30 days after the request is made; or

13.5(a)ii within a reasonable period after the request is made; and

13.5(b) will not charge the individual for the making of the request, for correcting the personal information or for associating the statement with the personal information (as the case may be).