



Swimming Australia

Privacy Policy

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Review History of SAL's Privacy Policy

| <i>Version</i> | <i>Date endorsed</i> | <i>Content reviewed/purpose</i> |
|-----------------------------|-----------------------------|--|
| <i>Original Version 0.0</i> | <i>February 2013</i> | <ul style="list-style-type: none">• <i>Original version</i> |
| <i>Version 1.1</i> | <i>August 2014</i> | <ul style="list-style-type: none">• <i>Update policy to reflect Australian Privacy Principles which came into effect on 12 March 2014.</i> |
| <i>Version 2.1</i> | <i>September 2016</i> | <ul style="list-style-type: none">• <i>Periodic review to reflect current Swimming Australia operating activity</i> |

1. Purpose of this Policy

The protection of personal information is important to Swimming Australia Limited (SAL). SAL is committed to respecting individuals' privacy and the protection of personal information.

This document sets out how SAL may collect, hold, use and disclose personal information. By providing your personal information to SAL, 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 SAL's Board of Directors. The current version of this policy is available from the Privacy Officer or on the SAL website at www.swimming.org.au.

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

2. Why does SAL collect personal information?

SAL routinely collects personal information about Relevant Persons and those persons who use, access, provide or participate in SAL's services, events and activities (including parents, spectators and volunteers).

SAL collects personal information in order to properly and efficiently carry out its functions, including to provide services to you and, where reasonably necessary, other Relevant Persons.

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

- verify your identity;
- complete background checks;
- research, develop, run, administer and market competitions, programs, activities and other events relating to swimming in Australia and overseas;
- research, develop and market products, services, merchandise and special offers made available by us and third parties;
- respond to emergency situations involving or requiring medical treatment;
- administer, manage and provide you with access to the SAL web services and websites;
- disclose to the public the information and contact details of swimming pools, swimming clubs and swimming program locations;
- disclose to the public the member swimming results from accredited events; and
- keep you informed of news and information relating to various swimming events, activities and opportunities via various media.

SAL 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 SAL, or otherwise ask SAL to not use or disclose your personal information. However, doing so may limit the services SAL can reasonably provide to you. For example, SAL cannot reasonably provide membership services to a person who wishes to be a member of SAL but who is not prepared to provide his or her name, address or contact details.

3. What information does SAL collect?

The information SAL 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, contact details, size, your photograph, your signature, your training location, swimming results, insurance details, employment history, your passport details or any communication with SAL.

When you request or acquire SAL membership or other goods and services from SAL then SAL may also collect personal information about you such as your purchase details, preferences, histories and your bank account details.

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

4. How is information collected?

Information may be collected from you when you:

- become a member of a swimming club, state association or other body which is a member of or affiliated with SAL;
- subscribe to any publication of SAL or a SAL Affiliate, including electronic publications;
- provide details to SAL or a SAL Affiliate in an application, consent form, survey, feedback form or incident report;
- enter personal information into, or agree to having your personal information entered into, one of SAL's online systems;
- access the SAL website or a website of a SAL Affiliate;
- contact SAL via email, telephone or mail or engage with SAL via social media;
- participate in any program, activity, competition or event run by SAL or a SAL Affiliate;
- purchase tickets to a SAL or sporting event from SAL or an authorised agent;
- purchase merchandise, products or services from SAL or an authorised agent or licensee;
- are elected or appointed to the Board or a committee of SAL; or
- apply for employment or a volunteer position with SAL or a SAL Affiliate.

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

5. Collection from third parties

In some situations SAL may collect personal information about you from a third party such as the relevant State swimming organisation, relevant local club or School Sport Australia. SAL may also collect personal information from your family member (including where you are a minor).

If SAL collects personal information about you from any other third party not mentioned in this Policy then SAL will first endeavour to obtain your consent (unless such consent has already been provided). If that is not possible then SAL will only obtain the information from a third party if that is reasonably necessary for SAL provide services to you and where reasonably necessary, other Relevant Persons or to otherwise comply with any applicable laws or regulations. In any event, SAL will inform you, where reasonably practicable, about such collections and will use such personal information only in accordance with this Policy.

Where SAL 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).

6. How does SAL store this information?

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

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

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

7. How does SAL disclose this information to Third Parties?

SAL may, from time to time, disclose your personal information to a range of third party organisations which include, but are not limited to:

- SAL Members (including State and Territory swimming associations, the Australian Swimming Coaches and Teachers Association, the Australian Swimmers Association and local swimming clubs);
- relevant sporting bodies such as Fédération Internationale de Natation (FINA), Australian Olympic Committee, the Australian Commonwealth Games Association, the Australian Paralympic Committee, Australian Sports Commission, the Australian Sports Anti-Doping Authority, Australian Institute of Sport, various National sporting bodies, Federal and State Departments of Sport amongst others;
- disciplinary committees and investigative bodies;
- companies we engage to carry out functions and activities on SAL's behalf, including advertising agencies or for direct marketing;
- external service providers that provide SAL with financial, legal, administrative, information technology, banking, travel, uniform manufacturing, publications and other services;
- your agent or manager 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); or
- in other circumstances permitted by law.

In certain situations, SAL may disclose your personal information to organisations based overseas. SAL may from time to time be required to disclose an athlete's name, date of birth, gender and event performance history to the Fédération Internationale de Natation or the International Olympic Committee in Lausanne, Switzerland. SAL may also disclose your personal information to its information technology service provider in the United Kingdom.

SAL will take such steps as are reasonable to ensure that the overseas organisations to whom personal information is disclosed will abide by the Privacy Act 1988 (Cth) when dealing with your personal information.

8. Marketing Use and Disclosure

Direct marketing

We 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 SAL, you may opt-out by contacting the SAL Privacy Officer via the contact details set out in this policy.

Public and Media

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

9. SAL Website

SAL, 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/time/length of the visit and the files requested. The information is used to analyse our server traffic. Any cookies used on SAL hosted websites are not designed to capture personal information and 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 SAL's website logs.

Where a user of a SAL website provides SAL with information (including when communicating with SAL, registering as a member of SAL or otherwise requesting or acquiring goods or services from SAL) then any personal and financial 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, SAL has other ways of obtaining and providing information. Normal mail, telephone and fax facilities are available.

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

10. Sensitive Information

SAL may also need to collect a swimmer's sensitive information including medication being taken, diagnoses of specific conditions and results from any drug testing undertaken at the direction of SAL. SAL will only collect this information where permitted by the *Privacy Act 1988* (Cth).

SAL stores such sensitive information in secured files at the SAL offices and at the Australian Institute of Sport for offsite storage purposes.

SAL may disclose a swimmer's sensitive information to Australian Sports Anti-Doping Authority, FINA, medical boards, the Doping Control Panel, the swimmer's Team Manager and a SAL appointed Medical Practitioner from time to time.

11. Accessing and seeking correction of information held by SAL

SAL 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 review and update your personal information held by SAL.

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. SAL will respond within 30 days of receiving a request to access or seeking correction of information held by SAL.

12. 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 SAL Privacy Officer at this address:

Privacy Officer:
Swimming Australia Ltd
Level 2, 50-56 York Street, South Melbourne Vic 3205
Ph. (03) 9910 0700

Email: swim@swimming.org.au

We will respond to your complaint within 30 days, and try to resolve your complaint for you within 90 days. 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 SAL's management of personal information, please contact SAL.

13. Definitions

In this Policy the following words have the following meaning:

“Constitution and “By-Laws” respectively mean the Constitution and By-Laws of SAL.

“Privacy Officer” means the SAL employee who is responsible for overseeing Privacy for SAL. At present this is SAL's General Manager, Community Sport and Stakeholder Relations.

“Members” means the members of SAL as defined in the Constitution.

“Personal Information” is information or an opinion (including information or an opinion forming part of a database) from which it is possible to determine someone's identity.

“Policy” means this Privacy Policy.

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

“SAL” means Swimming Australia Limited.

“SAL Affiliates” means the Affiliates of SAL as defined in the Constitution.

“Sensitive Information” is a type of personal information that also includes information or an opinion about someone's:

- racial or ethnic origin;
- political opinions;
- membership of a political association, professional or trade association or trade union;
- religious beliefs or affiliations or philosophical beliefs;
- sexual preferences or practices;
- criminal record; or
- health, genetic information or disability.

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