

Australian and New Zealand College of Anaesthetists

PRIVACY POLICY

1. Purpose

The Australian and New Zealand College of Anaesthetists recognises the importance of protecting the privacy and the rights of individuals in relation to their personal information. This document sets out how we collect and manage your personal information.

We respect your rights to privacy under the '*Privacy Act 1988 (Cth)* and *Privacy Act 2020 (NZ)*' (**Privacy Act**) and we comply with all its requirements in respect of the collection, management and disclosure of your personal information.

For purposes of this policy:

ANZCA, College, we, us or our means Australian and New Zealand College of Anaesthetists.

Council means the Council of the College;

Constitution means the constitution of the College;

Director means an individual elected or appointed from time to time to the office of director of the College in accordance with this Constitution;

Members means collectively, means Fellows, trainees, SIMG of the College;

SIMG means Specialist International Medical Graduates applying for recognition by the College;

Trainees used collectively, means trainees of the College's Australian and New Zealand training program;

You used collectively, means Members, non-members and the general public interacting with the College;

2. Background

The Privacy Policy is tended to enable members and others who interact with the College to understand what types of personal information are collected and what is done with such information in performing its functions and in light of privacy obligations.

The College respects your privacy and is committed to protecting the privacy, confidentiality and security of personal information it collects and receives. This Privacy Policy seeks to explain how the College collects, uses, discloses and otherwise handles personal information. It also seeks to explain how you can access and correct the personal information the College holds about you or complain about any suspected privacy breach.

A copy of this Privacy Policy is available on the College's website www.anzca.edu.au.

3. Policy Statement

The College may collect, hold, use and disclose personal information about its Members, volunteers, delegates, suppliers, employees and other individuals to effectively carry out its purposes as outlined in its Constitution and as an employer.

3.1. Sources of Privacy Laws and Exemptions

- 3.1.1. The College is required to comply with the *Australian Privacy Principles (APPs)* in the *Privacy Act 1988 (Cth)* and the principles in the *Privacy Act 2020 (NZ)*. These regulate the manner in which personal information is handled throughout its life cycle, from collection/receipt to use and disclose, storage, accessibility and disposal.
- 3.1.2. The College is generally exempt from the Privacy Acts when it collects and handles employee records. However, it is the College's policy to protect the personal information of its employees.
- 3.1.3. The College is also required to comply with other laws, including more specific privacy legislation in some circumstances and in some jurisdictions (where applicable), such as:
 - applicable data protection and privacy legislation of the other national and international jurisdictions in which the ANZCA operates;
 - applicable Australian State and Territory and New Zealand health privacy legislation when the College collects and handles certain health information;
 - *Spam Act 2003 (Cth)* (and any applicable law in New Zealand);
 - *Do Not Call Register Act 2006 (Cth)*; and
 - *Notifiable Data Breaches Scheme under Part IIIC of the Privacy Act*.

European Union's General Data Protection Regulation (GDPR)

- 3.1.4. When it applies, the College complies with the principles of data protection set out in the GDPR for the purpose of fairness, transparency and lawful data collection and use. When the GDPR applies, under these principles:
 - We process your personal information as a Processor and/or to the extent that we are a Controller as defined in the GDPR;
 - We must establish a lawful basis for processing your personal information. The legal basis for which we collect your personal information depends on the data that we collect and how we use it;
 - We will only collect your personal information with your express consent for a specific purpose and any data collected will be to the extent necessary and not excessive for its purpose. We will keep your data safe and secure;
 - We will also process your personal information if it is necessary for our legitimate interests or to fulfil a contractual or legal obligation;
 - We process your personal information if it is necessary to protect your life or in a medical situation, it is necessary to carry out a public function, a task of public interest or if the function has a clear basis in law;
 - We do not collect or process any personal information from you that is considered sensitive personal information under the GDPR, such as

personal information relating to your sexual orientation or ethnic origin unless we have obtained your explicit consent or it is being collected subject to and in accordance with the GDPR; and

- You must not provide us with your personal information if you are under the age of 16 without the consent of your parent or someone who has parental authority for you. We do not knowingly collect or process the personal information of children.

Your Rights Under the GDPR

3.1.5. If you are an individual residing in the EU, you have certain rights as to how your personal information is obtained and used. The College complies with your rights under the GDPR as to how your personal information is used and controlled if you are an individual residing in the EU. Except as otherwise provided in the GDPR, you have the right:

- to be informed as to how your personal information is being used;
- to access your personal information;
- to correct your personal information if it is inaccurate or incomplete;
- to delete your personal information (also known as the 'right to be forgotten');
- to restrict processing of your personal information;
- to retain and reuse your personal information for your own purposes;
- to object to your personal information being used; and
- to object against automated decision making and profiling.

Please contact us at any time to exercise your rights under the GDPR at the contact details in this Privacy Policy. We may ask you to verify your identity before acting on any of your requests.

3.2. Types of Information

Personal Information

3.2.1. Personal information means information or an opinion about an identified individual, or an individual who is reasonably identifiable.

3.2.2. Personal information can be:

- true or false;
- verbal, written or photographic; or
- recorded or unrecorded.

3.2.3. Personal information includes:

- name;
- mailing address;
- email address;
- telephone or facsimile;
- age or date of birth;
- profession, occupation or job title;
- details of the products and services you have purchased from us or which you have enquired about, together with any additional information necessary to deliver those products and services and to respond to your enquiries;

- any additional information relating to you that you provide to us directly through our websites or indirectly through use of our websites or online presence, through our representatives or otherwise; and,
- information you provide to use through customer or member surveys from time to time.

3.2.4. Personal information does not include:

- anonymous information (e.g. anonymous answers to surveys);
- aggregated information (e.g. data about how users use our website that reflects trends without identifying the sample);
- de-identified information; or
- information about companies or other entities which does not identify individuals.

Sensitive Information

3.2.5. Sensitive information is a special category of personal information and is subject to stricter legal requirements for collection, storage, use and disclosure.

3.2.6. Under the *Privacy Acts*, information will be considered sensitive information where it is information or an opinion about a person'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; or
- genetic information.

3.2.7. The College only collects sensitive information where it is reasonably necessary for its functions or activities and either the individual has consented and is required or authorised by or under law (including applicable privacy legislation) to do so.

For example, we may collect:

- information about your membership of other professional associations;
- information about dietary requirements or mobility needs when we conduct events such as convocations, conferences, courses, lectures and workshops;
- for purposes of application for special consideration, copies of medical reports/certificates and psychiatric assessments (i.e. medical grounds); bereavement notice, police incident report and statutory declaration (i.e. compassionate grounds); medical report/certificate confirming the nature of disability (i.e. disability grounds); or
- identification as Aboriginal, Torres Strait Islander or Māori.

Health Information

3.2.8. Health information (or genetic information or biometric information) is also a form of sensitive information. This includes information or opinion about a person's:

- physical and mental health;
- disability (at any time);
- health preferences (including future provision of health services);
- use of health services;
- bodily donations (e.g. blood, organs); or
- genetics.

3.3. Information collected

3.3.1. The College will collect and retain Personal Information about Fellows and other College members, trainees, SIMG employees, contractors, suppliers, conference delegates and other individuals who interact with the College (referred to in this Privacy Policy as "you"). The Personal Information the College may collect includes, but is not limited to:

- name, date of birth, address, phone number, fax number and email address;
- financial information including bank account details and credit card;
- other relevant Personal Information, including qualifications, experience, medical training and work history;
- medical registration details in Australia, New Zealand, and where applicable other countries;
- hospital affiliations and other specialist or other relevant memberships; and
- examination results and details of professional qualifications, continuing professional development, training and assessments.

The College will only collect Personal Information relevant and reasonably necessary for the College to fulfil its purpose, functions, activities, and objectives.

Personal information may be collected by the College when a person:

- visits the College website;
- applies to join the College as a Fellow, trainee or employee or applies as an SIMG;
- participate in College examinations, training, peer review, or other College activities;
- submits continuing professional development records; and
- communicates with College for any reason.

The College will generally collect Personal Information directly from you and from third parties associated with your training, peer review or assessment, including for example from referees, supervisors, peer reviewers and supervisors of training. When Personal Information is collected, the College will take reasonable steps to ensure that the individual to whom the Personal Information relates is aware of the following:

- that Personal Information is being collected;
- the purpose for which it is being collected;
- who are the intended recipients of the Personal Information;

- whether the Personal Information is required under a particular law;
- the consequences if Personal Information is not provided; and
- that the individual is able to contact the College and/or request access to their Personal Information.

3.4. Purposes for Which Personal Information is Collected, Held and Disclosed

General

- 3.4.1. The College collects personal information reasonably necessary to be able to perform its core functions, including but not limited to, administration of the various College programs (e.g. education, training assessment and examination, SIMG applications), membership administration, professional development, publications, surveys and research, scientific and educational meetings, tutorials, regional committee meetings, social functions and networking events among others.
- 3.4.2. A main purpose for which the College collects, holds, uses and discloses personal information are: to provide quality services and benefits to its Members; to alert Members to issues, opportunities and updates in which they might be interested in; and to maintain and extend its membership.
- 3.4.3. The College also interacts with non-members (both prospective members and the general public) and personal information is collected and used for those processes stated above.
- 3.4.4. The College policy is to provide individuals with the option of not identifying themselves or of using a pseudonym when dealing with the College if it is lawful and practicable to do so. A pseudonym is a name or other descriptor that is different to an individual's actual name. For example, the College's policy is to enable you to access our website and make general phone queries without having to identify yourself and to enable you to respond to our surveys anonymously.
- 3.4.5. In some cases, however, if you don't provide us with your personal information when requested, we may not be able to respond to your request or provide you with the product or service that you are requesting. For example, you must identify yourself to become a Member of the College; if you sit an exam, we will check your photo ID to confirm that you are the person who is entitled to sit for the exam.
- 3.4.6. The College collects and holds Personal Information about you for the purposes of fulfilling the College's purposes, functions, actions and objectives including, but not limited to:
- facilitating the provision of services by the College (including but not limited to the College's Fellowship administration service, scholarships, the selection to and delivery of the College training program including peer review, assessments, examinations and continuing professional development programs, and the organisation of educational conferences and meetings);
 - reporting to the Medical Board of Australia, Australian Medical Council, Medical Council of New Zealand, a trainee's employer, and other regulators and bodies in relation to a trainee's training, peer review,

- assessments, examinations, or as otherwise permitted or required by law;
- the assessment of SIMG training, qualifications and experience. For this purpose the Medical Board of Australia, Australian Medical Council, and the Medical Council of New Zealand may disclose applicant's Personal information with the external institutions or individuals, and obtain additional information to complete relevant assessments;
 - monitoring and investigating the conduct of Members and employees under the College Constitution any Code of Conduct and other relevant policies;
 - enabling the College to procure goods and services;
 - allowing the College to contact you;
 - organising and conducting continuing education and training programs;
 - the College's administrative functions;
 - conducting anonymous voluntary member surveys in order to gain member feedback on College matters and improve the services provided by the College to College members;
 - providing member-related information to you including invitations to College related events;
 - supporting and managing password protected, member-only access to the College website and other online platforms;
 - supporting and managing an online member and public directory on the College website;
 - administering the activities of a College member in fulfilling their representative duties (such as a position on the Council, Committee, as a training supervisor or examiner;
 - supporting the collection of data on workforce and training matters in order to inform College and governments' policy positions;
 - maintaining lists of College members to contact i.e. with a particular area of sub-speciality interest;
 - helping the College manage its servers and the College website and to improve the College's understanding of the needs of users of the College website; and
 - investigating security incidents and misuse of College facilities.

For those above-stated purposes, the College's activities include:

Program Administration via Education, Training, Assessment, Examination and Professional Development

3.4.7. Administering various programs includes, but not limited to:

- recording and updating candidate details and profile information;
- sending notices about courses, lectures, workshops and examinations;
- distributing program updates and changes to regulations, handbooks and policies; and
- promoting and conducting CPD events for members and non-members.

Membership Administration

- 3.4.8. Administering membership includes, but not limited to:
- recording and updating membership details and profile information;
 - sending notices of College meetings;
 - distributing annual reports; and
 - sending out renewal notices and advertising.

Services and Publications Administration

- 3.4.9. Administering the College's services and publications include, but not limited to:
- corresponding with Members and affiliated persons on issues of mutual interest;
 - conducting Member surveys and market research for product and service improvement purposes and to compile statistics and analyse trends;
 - distributing College publications, newsletters and bulletins;
 - provision of other professional information and materials to Members and non-members; and
 - providing Members with access to and information about a range of current and future membership services and benefits.

General Office Administration

- 3.4.10. Administering general office processes include, but not limited to:
- recruiting office staff;
 - processing payments and refunds;
 - answering queries and resolving issues; and
 - using aggregated information for business intelligence and analysis.

Email Communications

- 3.4.11. The College communicates frequently with its Members and non-members by email and other means (e.g. mobile messaging and post).
- 3.4.12. To ensure that communications are effective, the College employs software which reports deliverability rates, open rates, click through rates, unsubscribers, hard and soft bounces. The College sees this information at individual record level (if required), but only engages that functionality in very unusual circumstances.

Opting Out

- 3.4.13. Subject to the above, where you have consented to receiving direct marketing communications from the College, your consent will remain current until you advise us otherwise. However, you can, at no cost, opt out at any time, in the following ways:
- send a letter to the College at ANZCA House 630 St Kilda Road, Melbourne, VIC 3004; email: membership@anzca.edu.au ; or ring the College office at +61 3 9510 6299
 - use the unsubscribe facility that is included in electronic messages (i.e. emails and SMS) to opt out of receiving those messages.

- 3.4.14. The following are mandatory College communications and are excluded from the opt out provision:
- Notice of Annual General Meeting;
 - Annual Report; and
 - Annual Fee Renewal Notice.

3.5. Kinds of Personal Information We Collect and Hold

The type of personal information the College collects and holds about you depends on the type of dealings that you have with the College. For example, if you:

- 3.5.1. Are admitted as a Fellow or apply as a trainee or SIMG, we collect information including your name, date of birth, email address, contact number/s (i.e. home, work, mobile), mailing address, principal work address, details of academic qualifications, principal area/s of practice, honours and awards, particulars of academic achievements (i.e. research, publications, scholarships and prizes), other training and experience, professional and membership qualifications, photo IDs, passport size photo and signature on declaration;
- 3.5.2. Are a prospective Councillor of the College, we collect your signed declaration of eligibility and fit and proper person test and consent to act as a director as required by the Corporations Act 2001 (Cth);
- 3.5.3. Are a non-member and involved on the Council, College committees and working parties as an advisor, examiner or lecturer, we obtain your name, address, contact numbers, email address and professional credentials;
- 3.5.4. Undertake a College program as a candidate, we may collect the same type of information as being admitted as a Fellow or when applying as a trainee or SIMG;
- 3.5.5. Contact the College with an enquiry, and, if you do not take advantage of the option to use anonymity or pseudonymity and depending on the nature of the enquiry, we record details about you and relating to the enquiry;
- 3.5.6. Attend a College convocation meetings, course, workshop, masterclass or lecture, we collect your contact details, address, membership number (if applicable), payment details and any dietary and accessibility requirements;
- 3.5.7. Are a supplier to the College, we collect contact address details, usually including but not limited to, all forms of contact and address, billing information and information about the goods or services you supply;
- 3.5.8. Are a sponsor of the College, we collect contact address details, usually but not limited to all forms of contact and address and information about the sponsorship;
- 3.5.9. Buy or otherwise obtain professional information/materials and merchandise, we collect contact address details and billing information including credit card or other payment details;
- 3.5.10. Apply for a job in the College, we collect the information you include in your application for employment, including your cover letter, resume, contact details and referee reports; and

Use of Government-Related Identifiers

- 3.5.11. It is the College's policy not to: use a government-related identifier of an individual (e.g. Medicare number or driver's license number) as our own identifier of individuals; otherwise use or disclose such a government-related identifier; and unless permitted by the *Privacy Acts* (e.g. where the use or disclosure is required or authorised by or under an Australian or New Zealand law or a court or tribunal order).

3.6. How We Collect and Hold Personal Information

Method of Collection

- 3.6.1. The College is required by the *Privacy Acts* to collect personal information only by lawful and fair means. If it is reasonable and practicable, we will collect personal information we require directly from you, including:

- by email;
- over the telephone;
- through written correspondences (e.g. letters, faxes);
- when you complete and application or purchase order whether on hard copy forms or otherwise (i.e. event registration forms, competition entry forms);
- in person during conversations between you and our representatives (e.g. job interviews, exams);
- through your access and use of our website;
- at events such as convocation, courses, lectures and workshops (e.g. survey forms);
- during assessments and examinations as part of our educational programs;
- electronic systems such as applications;
- through surveillance cameras in our building premises (which we use for security purposes);
- Cookies,
- from third parties, including but not limited to: educational providers that assist us in running our educational programs; government bodies; insurers in relation to professional indemnity insurance, public sources (e.g. telephone directories, membership lists of business, professional and trade associations, public websites, corporate, business and government searches, bankruptcy searches, searches of court registries).

- 3.6.2. The College also collects Personal Information in a number of ways, including:

- directly from you through various online and hard copy registration and application forms issued to facilitate the provision of services by the College;
- from third parties, such as supervisors, peer reviewers, referees, associated with your training or review; evaluation activities; and from any area of the College, including College offices in another country;
- via the College website;
- via email and other electronic means, including credit card payment remittance slips;

- through online surveys where the member has not chosen to remain anonymous;
- from the Medical Board of Australia, Australian Medical Council, and the Medical Council of New Zealand and other regulatory authorities and health organisations. This may be through applicable data-sharing arrangements with key regulatory organisations in Australia and New Zealand (such as the Australian Health Practitioner Regulation Agency (AHPRA));
- via social media; and
- by recording of some or part of the College examinations (access is restricted in accordance with relevant College policies).

Collection Notices

- 3.6.3. Where the College collects personal information directly from you, our policy is to take reasonable steps to notify you, at or before the time of collection, or as soon as practicable afterwards, including:
- our identity and how to contact us;
 - the purposes for which we are collecting the information;
 - whether the collection is required or authorised by or under an Australian or New Zealand law or a court or a tribunal order;
 - the third parties to whom we would normally disclose information of that kind;
 - whether any of those third parties are located overseas and if practicable to specify, the countries in which they are located; and
 - the fact that this *Privacy Policy* contains information about how to access and correct personal information and make privacy complaints and how we deal with those complaints.
- 3.6.4. The College will generally include these matters in a collection notice. For example, where personal information is collected on a paper or online form, we will generally include a collection notice or a clear link to it.
- 3.6.5. Collection notices may provide more specific information than this Privacy Policy in relation to particular collections of personal information. The statements in this Privacy Policy are subject to any specific provisions contained in collection notices and in the terms and conditions of particular offers, products and services. We encourage you to read those provisions carefully.
- 3.6.6. Where the College collects information about you from a third party, our policy is to take reasonable steps to make sure that you are made aware of the collection details listed above and, if you may not be aware that we have collected the information, of the fact and circumstances of the collection.

Unsolicited Information

- 3.6.7. Unsolicited personal information is personal information the College receives that we have taken no active steps to collect (e.g. employment application sent to us by an individual on their own initiative rather than a response to a job advertisement; personal information provided via user comments or blogs on The College's social media platforms).

- 3.6.8. The College may keep records of unsolicited personal information if the Privacy Acts permit it (e.g. if the information is reasonably necessary for one or more of our functions or activities). If not, the College's policy is to destroy or de-identify the information as soon as practicable, provided it is lawful and reasonable to do so.

3.7. Disclosure of Personal Information to Third Parties

- 3.7.1. Personal information may be disclosed to the following third parties where appropriate for the purposes set out above:
- financial institutions for payment processing;
 - insurers;
 - persons involved in external dispute resolution involving the College;
 - universities and other educational services providers involved with or engaged by the College for its educational programs and other professional programs;
 - Member's employer or prospective employer (e.g. to confirm membership status);
 - international colleges (e.g. to confirm membership status);
 - members of College committees;
 - regulatory bodies for Anti-Money Laundering and Counter Terrorism and combating fraud and other crime in compliance with legislative requirements;
 - bodies such as Australian Health Practitioner Regulation Agency (AHPRA); Australian Medical Council (AMC); Medical Council of New Zealand (MCNZ) and other regulatory bodies;
 - Australian Securities and Investments Commission (ASIC), Australian Taxation Office (ATO), Australian Charities and Not-for-profits Commission (ACNC), and equivalent New Zealand bodies and other similar bodies to comply with our legal obligations;
 - referees whose details are provided to us by job applicants;
 - third parties who have complained (including to advise them of the conduct and outcome of the complaints);
 - the College's contracted service providers, including but not limited to: information technology service providers; publishers of our newsletters, magazines, handbooks and course material; conference organisers; marketing and communication agencies; companies that conduct member surveys and electronic voting on our behalf; mailing houses, freight and courier services; printers and distributors of direct marketing material; and, external business advisers (e.g. recruitment advisers, auditors and lawyers);
 - law enforcement and regulatory bodies as required by law or authorised by or under any law or the order of a court or tribunal;
 - other professional bodies of which a Member is also a member in relation to disciplinary proceedings;
 - training, assessments, reviews, examinations and professional development. This may include; to current or future supervisors, supervisors of training, medical colleges and specialist medical societies and associations, hospitals and health centres, health institutions accredited for training, and other statutory bodies including the Medical Board of Australia, Australian Medical Council and the Medical Council of New Zealand;

- enabling the College's lawyers, consultants, auditors, contractors and/or service providers to provide advice to, or undertake relevant activities for, the College;
 - registration and membership of the College;
 - educational events such as seminars and other events endorsed, held by or supported by the College. This may include disclosure of relevant Personal Information to third party seminar or event organisers for registration purposes;
 - membership benefits and services offered by the College that are provided by third parties to the College. You can request that your Personal Information is not disclosed to these parties;
 - information and notices regarding College elections, committees and other College events that may be managed by a third party on behalf of the College;
 - confirming your membership of the College to members of the public;
 - providing relevant information to academic or research institutions and publishers that the College considers appropriate to share information about members with;
 - conducting or facilitating surveys or research for purposes related to the College or its activities;
 - monitoring or investigating Members' conduct under the College Constitution, Code of Conduct and other relevant policies; and
 - providing College Committee members contact information to other members.
- 3.7.2. In the case of contracted service providers, the College may disclose personal information to the service provider and the service provider may in turn provide us with personal information collected from you in the course of providing the relevant products or services.
- 3.7.3. The College holds numerous events such as the ASM. Third party sponsors and exhibitors help us defray the costs of staging such events. Commonly, such sponsors and exhibitors conduct competitions and similar activities at those events. Where attendees indicate their consent expressly or by their actions, the College may facilitate the process by which information (e.g. name and contact details) of consenting participants is provided to sponsors and exhibitors for follow up marketing.

Cross Border Disclosure of Personal Information

- 3.7.4. The College has members in more than 25 countries, including Australia, New Zealand, Hong Kong, Singapore, Malaysia and the United Kingdom. Disclosure of personal information to these countries may occur in the normal course of College business.
- 3.7.5. Direct Marketing
- The College defines direct marketing as a form of advertising which allows communication straight to College members';
 - The College may use your Personal Information for direct marketing purposes;
 - The College does not provide Personal Information to third parties for direct marketing purposes;

- If you do not wish to receive any marketing material from the College you can opt out by contacting the Privacy Officer appointed by the College;
- All direct marketing communication undertaken by the College will include a notice stating that the recipient may elect this direct and details of how to notify the College of this decision.

3.7.6. Cookies and other Information

- A Cookie is a feature stored on your computer's hard drive by your web browser. On each visit to the College website, the College's web browser will recognise the Cookie and give the College information about your visit;
- The Cookie does not contain information that personally identifies you and the College does not use Cookies for that purpose;
- When you visit the College website and apps, the College's servers collect routine logging information such as the pages visited, the time of your visit, the web browser that you are using and the IP address associated with your request. The College uses this information and Cookies to learn about your preference and the way that you use the College website, so that it can improve the College website;
- Most browsers accept Cookie automatically, but you should also be able to alter the settings of the browser to refuse Cookies;
- You should note that de-activating Cookies may mean that you will no longer be able to enjoy the full operational capabilities of the College website;
- In some circumstances, when used in conjunction with the other information, the IP address associated with your online interaction with the College can be used to identify you. The College will not attempt to do so nor will it assist anyone else in doing so, unless it is necessary in the course of an authorised College security or misuse investigation, or the College is required or authorised to do so by law; and
- Some pages on the College website use Google Analytics or other third-party tools to better understand how users use the College website. This makes information similar to that of routine server logs available to Google or other third-party statistics providers. The analytic reports that are produced are aggregated and do not identify users.

3.7.7. The College sets out a wide variety of situations in which personal information may be disclosed. In some of those situations, the disclosure may be to parties located overseas, for example:

- to international colleges (e.g. to confirm member's status);
- to Members of College committees who are located overseas; and,
- to referees whose details are provided to us by job applicants.

3.7.8. Likewise, where examinations are conducted overseas, personal information about Candidates may be disclosed to a third party contracted to conduct such examinations.

3.7.9. We may disclose personal information to our contracted information technology service providers that are hosted off-shore.

- 3.7.10. In each case, the College's policy is to comply with the requirements of the Privacy Act that apply to cross border disclosures of personal information, as well as with any legal requirements applicable in the relevant jurisdiction.

3.8. Data Quality and Security

General

- 3.8.1. The College holds personal information in a number of ways, including in electronic databases, email contact lists and paper files held in drawers and cabinets (secured and locked where appropriate). Paper files may also be archived in boxes and stored offsite in secure facilities. The College's policy is to take reasonable steps to:
- make sure that the personal information that we collect, use and disclose is accurate, up-to-date, complete and relevant; and
 - protect the personal information that we hold from misuse, interference and loss from unauthorised access, modification or disclosure.
- 3.8.2. You can help us keep your information up-to-date by letting us know about any changes to your personal information, such as your email address or phone number, or where applicable, you can easily review and update your information on an on-going basis online by logging in to your account.
- 3.8.3. The steps we take to secure the personal information we hold include securities such as encryption, firewalls, anti-virus software, login and password protection, secure office access, personnel security and training and workplace policies.

Payment Security

- 3.8.4. The College processes payments using EFTPOS and online technologies and ensures that all transactions processed meet industry security standards to ensure payment details are protected.

Website Security

- 3.8.5. While the College strives to protect the personal information and privacy of website users, we cannot guarantee the security of any information that you disclose online. You disclose that information at your own risk. If you are concerned about sending your information over the internet, you can contact the College.
- 3.8.6. You can also help to protect the privacy of your personal information by keeping passwords secret and by ensuring that you log out of the website when you have finished using it. In addition, if you become aware of any security breach, please let us know as soon as possible.

Third Party Websites

- 3.8.7. Links to third party websites that are not operated or controlled by the College are provided for your convenience. The College is not responsible for the privacy or security practices of those websites which are not covered by this Privacy Policy. Third party websites should have their own privacy and security policies, which we encourage you to read before supplying any personal information to them.

Access and Correction of Your Personal Information

- 3.8.8. Individuals have a right to request access to the personal information that the College holds about them and to request its correction.
- 3.8.9. If you ask the College to correct personal information that we hold about you, or if we are satisfied that the personal information we hold is inaccurate, out of date, irrelevant or misleading, the College's policy is to take reasonable steps 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.
- 3.8.10. If the College corrects personal information about you and you have previously disclosed that information to another organisation that is subject to the Privacy Act, you may ask us to notify that other entity. If so, the College's policy is to take reasonable steps to do so, unless this would be impracticable or unlawful.
- 3.8.11. Except in the case of more complicated requests, the College will endeavour to respond to access and correction requests within thirty (30) days.
- 3.8.12. If the College refuses your access or correction request or if we refuse to give you access in the manner you requested, the College's policy is to provide you with written notice setting out: the reasons for our refusal (except to the extent that it would be unreasonable to do so); and, available complaint mechanisms.
- 3.8.13. In addition, if we refuse to correct personal information in the manner you have requested, you may ask us to associate with the information a statement that the information is inaccurate, out-of-date, incomplete, irrelevant or misleading and we will take reasonable steps to associate the statement in such a way that will make it apparent to users of the information.
- 3.8.14. To the extent that we are governed by the *European General Data Privacy Regulation (GDPR)*, you have the 'right to be forgotten'.

3.9. Complaints Process

- 3.9.1. The College will ensure a designated employee is appropriately trained in privacy legislation and will act as Privacy Officer in order to be the primary source of information regarding privacy matters.
- 3.9.2. If you have a complaint about how the College has collected or handled your personal information, please contact our Privacy Officer (see details below).
- 3.9.3. In most cases, we expect that complaints will be investigated and a response provided within thirty (30) days of receipt of such complaint. If the matter is more complex and our investigation may take longer, we will write and let you know, including when we expect to provide our response.
- 3.9.4. Our response will set out: whether in the Privacy Officer's view there has been a breach of this Privacy Policy or any applicable privacy legislation; and, what action, if any, the College will take to rectify the situation.

- 3.9.5. If you are unhappy with our response, you can refer your complaint to the Office of the Australian Information Commissioner (OAIC) or Privacy Commissioner in New Zealand or, in some instances, other regulatory bodies.

Managing a data or privacy breach

- 3.9.6. A privacy breach is the result of unauthorised access to, or collection, use or disclosure of personal information. All privacy breaches (actual or potential) must be reported to the Privacy Officer without delay.
- 3.9.7. If the College becomes aware of a privacy breach, or suspected breach, the College will:
- take appropriate action to contain the breach and undertake a preliminary assessment of the breach;
 - evaluate the risks associated with the breach;
 - determine who needs to be notified, including whether the person(s) concerned, and/or Office of the Privacy Commissioner or New Zealand Privacy Commissioner, should be notified, and how that notification should occur; and
 - take appropriate action to prevent a repeat of the breach.
- 3.9.8. The Privacy Officer is responsible for managing the response to all privacy breaches.
- 3.9.9. Legislation in Australia and New Zealand may require a mandatory reporting of data breaches to relevant authorities and in serious cases the person(s) concerned.

3.10. Retention of Personal Data

- 3.10.1. All personal data that has been collected from you by the College will only be kept for a limited duration that is relevant to the purpose for which your personal data is to be used and for as long as required by applicable law.
- 3.10.2. The College will not use or disclose Personal Information it collects and holds without taking reasonable steps to check it is accurate, complete, relevant, up to date, and not misleading.
- 3.10.3. The College will take reasonable steps to update records to ensure as far as possible that the Personal Information it holds is accurate, complete and correct. The College will not take responsibility for incorrect data if an individual has failed to notify or has erroneously notified the College of changes to their Personal Information, or where another organisation provides erroneous information on your behalf.
- 3.10.4. You may contact the Privacy Officer appointed by the College to request correct Personal Information that you consider is inaccurate, out-of-date or misleading.
- 3.10.5. The College will not update records on the basis of information provided by third parties unless the third party has legal authority or the individual concerned has provided consent for the third party to act as their agent.

- 3.10.6. The College will not use or rely on information that it knows to be incorrect or misleading.
- 3.10.7. If the Privacy Officer is satisfied that your Personal Information is inaccurate, out-of-date, incomplete or irrelevant, or if you request the College to correct your Personal Information then the College will take reasonable steps to correct your Personal Information to ensure that, having regard to the purpose for which it is held, it is accurate, up-to-date, complete and relevant.
- 3.10.8. The College will respond to a request to correct Personal Information it holds about you within the statutory timeframes set out in the Australian Privacy Act or New Zealand Privacy Act whichever applies in the particular circumstances.
- 3.10.9. The College will not charge you a fee for the making of the request or for correcting your Personal Information.
- 3.10.10. If the College refuses your request to correct your Personal Information, the College will meet its obligations under the applicable privacy legislation, including informing you of:
- the reason(s) for the refusal;
 - the mechanisms available to complain about the refusal; and
 - any other matters prescribed by the applicable privacy law or regulations.

3.11. Further Information

- 3.11.1. Please contact the College if you have any queries about the personal information that we hold about you or the way we handle that personal information. Our contact details for privacy queries and complaints are set out below.

Privacy Officer
Australian and New Zealand College of Anaesthetists
ANZCA House, 630 St Kilda Road, Melbourne, VIC 3004 Australia
E: privacy@anzca.edu.au
P: +61 3 9510 6299

3.12. Changes to this Privacy Policy

- 3.12.1. The College may amend this Privacy Policy from time to time. The current version will be posted on our website and a copy may be obtained free of charge from our Privacy Officer.

3.13. Consent

Fellows and other College members, trainees, employees, contractors, suppliers, conference delegates and other individuals who interact with the College acknowledge and agree that the College is permitted to collect, store, use and disclose Personal Information in the manner set out in this Privacy Policy and in accordance with the Australian or New Zealand Privacy Principles and applicable law.

8. Concerns or comments

If you have any concerns about the Privacy Policy, please contact the Privacy Officer at privacy@anzca.edu.au. Requests must be in writing and resolution of concerns will be sought as promptly as possible.

9. Changes to Privacy Policy

The College may modify or amend this policy at any time. Formal notice of amendments will not ordinarily be given, but the current Privacy Policy will be available via the website, the Policy Hub on the college intranet, or by contacting the college on +61 3 9510 6299.

10. Policy review

Promulgated: July 2024

Review date: 2026

Date of current policy: July 2024

Policy custodian: People and Corporate Services

11. Change control register

Version	Author	Approved by	Approval date	Sections Modified
1.0	People and Corporate Services	Council	19/7/2024	New version (complete revision by lawyers)

Minor changes may not constitute a version change and should be marked .1 or .2. These changes may not require high level approval. Examples of such changes could be corrections of mistakes, formatting changes and new departments responsible for a task.

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