

Community & Public Sector Union

State Public Services Federation Tasmania, Inc.

Policy Document

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Introduction

1. The CPSU (SPSFT) Inc. / CPSU (SPSF Group, Tas. Branch) (**Union**) is the union representing members employed in the Tasmanian government, its government business enterprises and former public sector services.
2. The Union collects personal information in order to conduct its business of achieving the objects of the Union as defined by the rules of the Union. The Union operates in the political, legal, industrial and social spheres.
3. The Union is committed to protecting the privacy of its members providing the members relevant information and services.
4. The Union complies with the *Privacy Act 1988* (Cth) (**Privacy Act**) and the Australian Privacy Principles (**APPs**). This Privacy Policy (**Policy**) should be read in conjunction with the Privacy Act and the APPs.

How this Policy applies

5. This Policy applies to personal information the Union may from time to time collect:
 - via one of our websites;
 - via social media;
 - via telephone;
 - via email;
 - via fax;
 - in person; and/or
 - in writing.

This Policy also applies to personal information the Union collects from the Australian Council of Trade Unions (**ACTU**) or any other third party, about members.

Union websites

6. The Union websites collect two types of information. The first type is anonymous information. The web server makes a record of your visit and logs the following information for statistical purposes:
 - the user's server address;
 - the user's top level domain name (e.g. com, .gov, .net, .au, etc.);
 - the date and time of the visit to the site;
 - the pages accessed and documents downloaded;
 - the previous site visited; and
 - the type of browser used.

7. The system may also collect information that identify users or their browsing activities but this information would only be used by the union to target programs and services or in the unlikely event of an investigation, where a law enforcement agency may exercise a warrant to inspect the internet service provider's logs.

Use of “cookies”

8. Another way information may be collected is through the use of "cookies". A cookie is a small text file that the website may be placed on your computer. Cookies may be used, among other things, to track the pages you have visited, to remember your preferences and to store personal information about you.
9. Members can adjust their Internet browser to disable cookies or to warn when cookies are being used. However, if a member disables cookies, the member may not be able to access certain areas of the Website or take advantage of the improved web site experience that cookies offer.
10. Our website may contain links to other websites and social media pages including Facebook and Twitter. The Union isn't responsible for the privacy policies of the entities responsible for those websites and we recommend that members review the privacy policies applicable to any other websites a member visit.

Union Emails

11. Our union emails may contain tracking images which record time and member number when viewed and similar system to track the use of internal email web links
12. The information recorded is the name of the newsletter viewed, the member number of the member viewing it and the time the image was retrieved from the web server. The link tracking records the name of the URL. This information is stored securely within our network and personally identifiable information is destroyed after a fixed period of time. It is used to produce statistics about the use of Union newsletters to improve our effectiveness when communicating with members.
13. If a member does not view images in an email client this information will not be stored on our system.

The kinds of information the Union may collect

14. From time to time a member may voluntarily supply personal information to the Union.
15. The Union will record the e-mail address if the member sends the Union a message, subscribes to an email newsletter, or completes a form if this information is requested.
16. When a member provides personal information, it allows the Union, to;
 - 16.1. assist with industrial relations and employment queries,
 - 16.2. inform about industrial, social and political campaigns, or
 - 16.3. accept an application for membership.

17. A member may supply personal information to the Union by, for example, responding to a survey, filling in a meeting attendance sheet, taking part in a competition, completing a membership form, or signing up to a campaign. The Union only collects personal information that is necessary for the Union to perform its functions and/or activities.
18. Depending upon the circumstances a member may provide to the Union, and the Union may collect, information such as, but not limited to a members':
 - name;
 - contact details;
 - social media details (e.g. blogs, twitter, Facebook, LinkedIn);
 - gender;
 - marital status;
 - employment details;
 - educational qualifications; and
 - inquiry or complaint details.
19. Some personal information is considered sensitive information and includes:
 - political opinions;
 - political party membership (if any);
 - voting electorate (State and Federal);
 - any disabilities, illnesses or injuries; and/or
 - any other health information.

When the Union can collect sensitive information

20. The Privacy Act allows the Union to collect sensitive information which relates solely to Union members or people who have regular contact with the Union if the sensitive information relates to the Union's activities. The Union will only collect sensitive information where it has received consent from a member that to personal information can be collected, used, disclosed and stored by the Union in accordance with this Policy.

Sensitive information in job applications

21. Where an applicant provides information to the Union in relation to a job application the personal information provided will only be collected, held, used and disclosed for the purposes of considering potential employment with the Union.
22. By providing the details of referees a job applicant confirms:
 - 22.1. the job applicant has informed the referees that he/she is providing the referees contact information to the Union; and
 - 22.2. the referees have consented to the Union contacting them and discussing the personal information the applicant has provided in relation to the job application.

Collection of personal information from third parties

23. The Union will collect personal information directly from a member unless:
- the member has consented to the Union's collection of personal information from third parties - for example, from the ACTU, or your representatives; or
 - when the Union is legally required to do so; or
 - it is unreasonable or impractical to do so.
24. Where the Union has collected personal information about a member either directly or by other means as set out above, we will notify the member at the time, or as soon as practicable, to ensure that you are aware of such collection and its purpose.

Use of pseudonyms and anonymous communication

25. The member can choose to interact with the union anonymously or by using a pseudonym where it is lawful and practicable. For example, a member may wish to participate in a blog or enquire about a particular campaign anonymously or under a pseudonym. A decision to interact anonymously or by using a pseudonym may affect the level of services the Union can offer for example, we may not be able to assist with a specific industrial enquiry or investigate a privacy complaint on an anonymous or pseudonymous basis. The Union will inform the member if this is the case and let the member know the options available.

Unsolicited personal information received externally

26. If the Union receives unsolicited personal information about or relating to a member and the Union determines that such information could have been collected in the same manner if it had solicited the information, then the Union will treat it in the same way as solicited personal information and in accordance with the APPs.
27. If the Union determines that such information could not have been collected in the same manner as solicited personal information, and that information is not contained in a Commonwealth record, it will, if it is lawful and reasonable to do so, destroy the information or de-identify the information.

The purposes for which personal information is collected, held, used and disclosed

28. The Union collects, holds, uses and discloses your personal information to:
- assist with industrial relations and employment queries;
 - inform about industrial, social and political campaigns;
 - inform about rights at work;
 - inform about changes to legislation;
 - refer a member to a legal practitioner, accountant or other professional;
 - improve service delivery;
 - manage the relationship with between the Union and its members ;

- conduct surveys and research;
- provide educational services and professional development; or to
- conduct Union elections.

Using your information for direct marketing

34. Members consent to our use and disclosure of your personal information for the purposes of direct marketing which may include providing you with information about events, products or services which may be of interest to you;
35. If a member does not wish the Union to use personal information for direct marketing purposes, the member may elect not to receive direct marketing at the time of providing your personal information.
36. The union will require any third party to agree with and comply with our privacy policies and principles, including signing a contract that restricts the use of any data from the Union to the specified purpose only and to destroy that data once the specified purpose is complete.

Unsubscribing and opting out

37. If a member no longer wishes to receive direct marketing or other communications, the member may request at any time to cancel their consent to such communications as follows:
 - If subscribing to an email newsletter the member may "unsubscribe" at any time from the newsletter mailing list;
 - The Union may, from time to time, send a member a text messages about issues of importance such as events or campaigns. A member may "opt out" by texting STOP in reply to a text message from the Union; or
 - a member may contact us at any time by mail or email directed to our Privacy Officer.

Disclosure of your personal information

38. The Union may disclose your personal information, in connection with or to further the purposes outlined above, to:
 - the ACTU;
 - affiliated trades halls or labour councils;
 - government bodies or agencies (including the Fair Work Commission, the Fair Work Ombudsman, the Australian Tax Office, an anti-discrimination body, a work/occupational health and safety regulator);
 - organisations to whom the Union outsources functions (including information technology providers, print service providers, mail houses);
 - Insurance companies where the Union holds a policy that covers members (eg Journey Insurance or Professional Indemnity insurance etc);
 - Law firms and solicitors or barristers where the Union engages these firms to act for a member or group of members;

- otherwise as a member has consented; and/or
 - otherwise as required by law.
39. If any of these organisations are located outside Australia, a member expressly consents to the Union disclosing your personal information to those organisations.
40. We take reasonable steps to ensure that each organisation that we disclose your personal information to is committed to protecting your privacy and complies with the Australian Privacy Principles, or is subject to a law or scheme that is at least substantially similar to the way in which the Australian Privacy Principles protect information.
41. By providing your personal information to the Union, a member consents to us transferring your personal information to such other organisations.

How the Union holds personal information

42. Wherever reasonably practicable the Union holds electronic personal information on data servers that are owned and controlled by the Union in Australia. The data servers are password protected and login secured. The Union will take reasonable steps to ensure that any third party providers comply with the APPs. If personal information is only routed through servers located outside of Australia – this is not regarded as a disclosure.
43. Wherever reasonably practicable the Union holds physical personal information in access controlled premises.
44. When the Union no longer requires personal information for a specific purpose and the Union is not required to keep it to comply with any laws, the Union will take such steps as are reasonable in the circumstances to destroy personal information or to ensure that the information is de-identified.

Government Identifiers

45. The Union will not adopt as our own identifier a government related identifier of an individual, such as a tax file number or Medicare card number and will only use or disclose a government related identifier where the use or disclosure:
- is reasonably necessary for the Union to verify your identity for the purposes of our activities or functions;
 - is reasonably necessary for the Union to fulfil its obligations to an agency or a State or Territory authority;
 - is required or authorised by or under an Australian law; or
 - Is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

How you may seek access and/or correction to personal information held by the Union

46. You have the right to request access to your personal information and request that it be updated or corrected. In most cases you can gain access to your personal information that the Union holds. To request access to, correction of, or updating of any personal information held about you, please write to the Privacy Officer at the following address:

The Privacy Officer
CPSU SPSFT Inc.
GPO Box 54
HOBART, TAS 7001

Or email the Privacy Officer at privacy@tas.cpsu.com.au

General enquiries can be made via telephone by calling the following number:

(03) 6234 1708

47. The Union requires that a member provide proof of identity in order to seek access to her/his personal information. The Union may charge a reasonable fee where access is provided. The Union may refuse to provide access if permitted to do so by law or under the APPs. The Union will seek to provide access to personal information within 30 days of receipt of a valid request and may charge a reasonable fee for doing so.
48. A member could contact the Union when your personal information details change. It is important that membership details are up to date. Please contact the Membership officer in the relevant Branch or the Privacy Officer to update any personal information. The Union may also take steps to update personal information by reference to publicly available sources such as telephone directories or electoral rolls.
49. Membership officer can be contacted via membership@tas.cpsu.com.au

How you may complain about a breach of the APPs

50. To make a complaint about an alleged breach of the APPs please write to or email the Privacy Officer at one of the following addresses:

CPSU SPSFT Inc.
GPO Box 54
HOBART, TAS, 7001

Or email the Federal Office Privacy Officer at privacy@tas.cpsu.com.au

51. All complaints must be written. Please provide all details about your complaint as well as any supporting documentation to the Privacy Officer.

How the Union will deal with complaints

52. The Union will seek to deal with privacy complaints as follows:
- complaints will be treated seriously;
 - complaints will be dealt with promptly;
 - complaints will be dealt with confidentially;
 - complaints will be investigated by the Privacy Officer; and
53. The outcome of an investigation will be provided to the complainant where the complainant has provided proof of identity. The Union will seek to respond within 30 days of receipt of a valid complaint.

Variations to the Policy

54. This Policy may be varied from time to time and an updated version will be posted on the Union's websites. Please check our websites regularly to ensure that you have the most recent version of the Policy.