



CORP-PRO-003

Privacy Procedure

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PRIVACY OBLIGATIONS

1. Overview

The Sydney Harbour Federation Trust (**Harbour Trust**) is bound by the *Privacy Act 1988* (Cth) (**Privacy Act**), including the Australian Privacy Principles (**APPs**). The APPs are designed to protect the privacy of individuals by regulating the way personal information is collected, used, disclosed and managed.

We recognise the importance of protecting the privacy and the rights of individuals in relation to their personal information. This privacy procedure explains the types of personal information that we may collect and hold, how that information is used and with whom the information is shared. It also sets out how you can contact us if you have any queries or concerns about our collection, use or disclosure of personal information, or if you believe we have not complied with the Harbour Trust Privacy Procedure and Procedure or the Privacy Act, including how to make a complaint or seek access to your personal information.

Personal information

When used in this privacy procedure the term “personal information” has the meaning given to it in the Privacy Act. In general terms, your personal information is any information or opinion about you that can be used to identify you or that could reasonably identify you. Personal information generally includes your name, address, telephone number, facsimile number, email address and profession or occupation. If the information we collect identifies you, or if your identity can be reasonably ascertained from it, the information will be treated as personal information.

Sensitive information

Sensitive information is defined under the Privacy Act and includes information about your health, your race or ethnic origin and religious beliefs, association memberships, sexual orientation or criminal history. We will only collect sensitive information about you with your consent (unless we are otherwise authorised or required by law to collect, use or disclose that information).

COLLECTING PERSONAL INFORMATION

2. What types of personal information does the Harbour Trust collect?

We collect, store and from time to time disclose personal information such as your:

- name;
- mailing or street address;
- e-mail address;
- telephone contact number;
- facsimile number;
- age or birth date;
- gender;
- profession, occupation or job title;
- financial details;
- insurance details;
- employment, curriculum vitae and education information;
- vessel and vehicle details;
- emergency details including next of kin;
- diversity and cultural background;
- driver’s licence and passport information;
- photograph;

- credit card transactions; and
- travel details.

Other personal information we collect may include:

- the products and services which you have purchased 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 other information disclosed to us by you or a third party which we believe to be reasonably necessary for the conduct of our law enforcement related activities including under the Sydney Harbour Federation Trust Regulations 2021; and
- other information relating to you that you provide to us directly or indirectly through use of our websites, through our representatives or otherwise.

3. How does the Harbour Trust collect your personal information?

We collect personal information directly from you unless it is unreasonable or impracticable to do so. We collect personal information in a number ways that include:

- when you provide personal information when using our websites;
- when you send correspondence and applications;
- during conversations between you and our authorised representatives;
- as part of commercial transactions and due diligence processes;
- when you complete an application form regarding programs and functions administered by us (e.g. Tour forms, Free community talk forms, School program forms, Community sponsorship forms, Lease forms, Venue hire forms, E-new subscriber form, Volunteer application forms);
- when you subscribe for information and updates of programs and functions administered by us;
- when you participate in our stakeholder engagement processes and public and statutory consultations;
- when you complete a survey and/or questionnaire (e.g. Post accommodation survey, Post tour survey);
- when you provide services or supply goods to us;
- if we need to conduct a criminal record check;
- when you access our databases; and
- through other lawful processes where provided for under legislation, including the Sydney Harbour Federation Trust Regulations 2021.

We may collect personal information from third parties if:

- you consent to the collection of the information from someone other than yourself, for example from organisations or individuals with an interest in our business and activities that you may be associated with (for example, you have been listed as an emergency contact or referee etc.), medical practitioners for health assessments, financial institutions, legal representatives, contracted service providers, consultants or industry groups.;
- we are required or authorised by or under an Australian law, or a court/tribunal order, to collect the information including from law enforcement agencies and other Commonwealth, State, local and international government agencies; or
- it is unreasonable or impracticable for us to collect the information from you.

4. Collecting through our website

Cookies

When you access our websites, we may send a “cookie” (which is a small summary file containing a unique ID number) to your computer.

Cookies are used to maintain a user’s settings and preferences on a website and can be analysed by us to help improve our online services. Our cookies do not collect personal information. If you do not wish to receive cookies, you can set your browser so that your computer does not accept them. We may also log IP addresses (the electronic addresses of computers connected to the Internet) to assist in analysing trends, administering the website, and gathering broad demographic information.

Google Analytics

Our website also uses Google Analytics, a service which transmits website traffic data to Google servers in the United States. We use Google Analytics in order to understand how users engage with our website. Data transmitted includes, for example, the web address of the page that you're visiting and your IP address. Google may also set cookies on your browser or read cookies that are already there. Google may transfer this information to third parties where required to do so by law, or where such third parties process the information on Google's behalf.

More information about how Google Analytics collects and processes data is described in [Google's Privacy Policy](#) . If you don't want Google Analytics to be used in your browser, you can use [the opt-out service provided by Google](#) or use [Incognito mode](#) in Chrome.

5. Links

Our website may contain links to other websites operated by third parties. The Harbour Trust makes no representations or warranties in relation to the privacy practices of any third party website and we are not responsible for the privacy policies or the content of any third party website.

6. Remaining anonymous or using a pseudonym

When interacting with us, you have the right to remain anonymous or use a pseudonym. For example, you may use a pseudonym when you request general information through our general enquiries line. However, for most of our functions and activities we usually need your name and contact information and enough information about the particular matter to enable us to fairly and efficiently handle your inquiry, request, complaint or application.

We may also be required by law to obtain your personal information. For example, if you submit an application for a permit or make a submission in response to a statutory public exhibition, then we may collect your personal information in accordance with the *Sydney Harbour Federation Trust Act 2001* and *Sydney Harbour Federation Trust Act Regulations 2021*.

7. How does the Harbour Trust treat Unsolicited personal information?

If we receive personal information from an individual that we have not requested we will determine whether or not the information is relevant to one or more of our functions. If the information is not relevant to what we do, we will destroy or de-identify the information as soon as practicable and in accordance with the law.

PURPOSE FOR COLLECTING, USING, DISCLOSING, AND STORING YOUR PERSONAL INFORMATION

8. Why does the Harbour Trust collect your personal information?

The Harbour Trust only collects personal information which is necessary for or directly related to its functions or activities. This allows us:

- to process and assess applications we administer including procurement and tender processes;
- to provide you with our products such as Harbour Trust publications;
- to provide services to you;
- to send communications requested by you;
- to provide information and to seek feedback or advice on matters;
- to answer enquiries, and provide information or advice about existing and new products or services;
- to conduct administrative functions including booking of travel, accommodation and allowance payments, health assessments and workers compensation matters;
- for the administrative, planning and service development purposes of the Harbour Trust;
- where we are required or authorised to collect your personal information under an order of a court or tribunal or under legislation (such as the Sydney Harbour Federation Trust Act);
- to update our records and keep your contact details up to date;
- to process and respond to any complaint made by you;
- to comply with any law, rule, regulation, lawful and binding determination, decision or direction of a regulator, or in co-operation with any governmental authority of another country;
- to ensure that we and members of the public comply with laws administered by the Commonwealth; and
- to conduct enforcement related activities, including under the Sydney Harbour Federation Trust Regulations 2021.

Your personal information will not be shared, sold, rented or disclosed other than as described in this privacy procedure.

9. How does the Harbour Trust use your personal information

We will only use your personal information for the primary purpose for which it was collected. Before using your personal information for any other purposes, we will ensure that:

- we have your consent for that other purpose;
- you would reasonably expect us to use or disclose the information for a secondary purpose that is related to the primary purpose;
- the use or disclosure is required under law or court order;
- we reasonably believe that the disclosure is necessary for an enforcement related purpose; or
- the use or disclosure is permitted by an exception under APP 6.2 or 6.3

10. When will the Harbour Trust disclose your personal information to third parties

We may disclose your personal information to:

- contractors or service providers for the purposes of operation of our website or our functions, fulfilling requests by you, and to otherwise provide information, products and services to you including, without limitation, web hosting providers, IT systems administrators, mailing houses, couriers, payment processors, data entry service providers, electronic network administrators, debt collectors, and professional advisors such as accountants, solicitors, business advisors, consultants, travel providers, medical practitioners and real estate agents;
- suppliers and other third parties with whom we have commercial relationships for business, marketing, and related purposes;
- peer reviewers and committee members for the purpose of assessing your applications;
- any organisation for any authorised purpose with your express consent;
- other Commonwealth or State agencies for the purposes of compliance breaches, investigations, legal actions and insurance claims;
- law enforcement bodies, agencies and authorities regarding infringement notices;
- our Minister or the Parliamentary Secretary for the purposes of administering Harbour Trust

programs and functions;

- a House or Committee of the Parliament of the Commonwealth of Australia;

Public submissions made in relation to the exhibition of planning applications or draft plans may be published by us in full, including personal details.

Do we disclose your personal information to anyone overseas?

The Harbour Trust does not generally disclose personal information to anyone overseas.

When you communicate with us through a social network service such as Facebook or Twitter, the social network provider and its partners may collect and hold your personal information overseas.

11. How is your personal information stored and secured?

Personal information contained in electronic and hard copy form is stored and secured in accordance with our records processes.

Our records process satisfies the security requirements of the APPs and the Australian Government Protective Security Policy Framework.

We take reasonable steps to ensure your personal information is protected from misuse, loss, unauthorised access, modification and / or disclosure.

Whilst steps are taken to ensure your personal information is protected once received, we cannot provide any assurances regarding the security of personal information during transmission to us.

ACCESS TO PERSONAL INFORMATION

12. Who has access to your personal information?

We take reasonable steps to ensure that access to your personal information is permitted only for legitimate purposes and on a need to know basis.

13. Personal information no longer required

We take reasonable steps to ensure that we delete or de-identify personal information that is no longer required for the purpose for which the information was originally collected. Where reasonable and practicable to do so, personal information is destroyed or de-identified when no longer needed in accordance with the Harbour Trust's archive disposal policies and as required under the *Archives Act 1983*.

14. How can you access and correct your personal information?

You may request access to any personal information we hold about you at any time by contacting us (details below). Where we hold information that you are entitled to access, we will try to provide you with suitable means of accessing it (for example, by mailing or emailing it to you). We will not charge you for providing your personal information to you, or for the costs of making any corrections to your personal information.

There may be instances where we cannot grant you access to your personal information. For example, we may need to refuse access if we are required or authorised to refuse access under an Australian law such as under the *Freedom of Information Act 1982*. If that happens, we will give you written notice of the reasons for the refusal within 30 days of receipt of your request, together with information about how you can complain about our refusal, if you wish to do so.

If you believe that your personal information is incorrect, incomplete or inaccurate, then you may request us to amend it. We will consider whether the information requires amendment. If we do not

agree that there are grounds for amendment, we will give you written notice of the reasons for the refusal within 30 days of receipt of your request, together with information about how you can complain about our refusal, if you wish to do so.

Current and former employees can make arrangements to access their personal information with our Human Resources Manager.

COMPLAINT PROCESS

15. What is the process for complaining about a breach of privacy?

If you have any questions about this privacy procedure, any concerns or a complaint regarding the treatment of your privacy or a possible breach of your privacy, please use the contact link on our website or contact our Privacy Officer via the details set out below

We will treat your requests or complaints confidentially and if you choose to respond anonymously, we will respect your right to do so. One of our representatives will contact you within a reasonable time after receipt of your complaint to discuss your concerns and outline options regarding how they may be resolved. We will aim to ensure that your complaint is resolved in a timely and appropriate manner.

At the conclusion of the investigation, we will provide a written response to you regarding your complaint. If you are not satisfied with our response, you may refer your complaint to the Privacy Commissioner at the Office of the Australian Information Commissioner. Details of the procedure to make a complaint are available at: <https://www.oaic.gov.au/individuals/how-do-i-make-a-privacy-complaint>

CONTACT US

16. Privacy Contact Officer

Contact details for our Privacy Officer are:

Privacy Contact Officer

Sydney Harbour Federation Trust

PO Box 607

Mosman NSW 2088

Phone: 02 89692100

Email: info@harbourtrust.gov.au(link sends e-mail)

17. Changes to our Privacy Policy or Privacy Procedure

We may change our Privacy Policy or Privacy Procedure from time to time. Any updated versions will be posted on our website.

This privacy procedure was last updated in February 2023.



Appendix A. Definition of commonly used privacy terms

Terms	Meaning
Personal information	<p>Is defined in the Privacy Act and means information or an opinion about an identified individual, or an individual who is reasonably identifiable:</p> <p>Whether the information is true or not; and</p> <p>Whether the information or opinion is recorded in a material form or not.</p>
Sensitive information	<p>Includes:</p> <ul style="list-style-type: none"> information or opinion (that is also personal information) 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, or

	<p>criminal record;</p> <p>health information about an individual;</p> <p>genetic information (that is not otherwise health information);</p> <p>biometric information that is to be used for the purpose of automated biometric verification or biometric identification; and</p> <p>biometric templates.</p>
Consent	<p>Includes any consent that is implied or expressed by an individual. In providing consent:</p> <p>it must be provided voluntarily;</p> <p>the individual must be adequately informed of what they are consenting to;</p> <p>it must be current and specific; and</p> <p>the individual must have the capacity to understand and communicate their consent.</p>
Commonwealth records	A record that is the property of the Commonwealth or a Commonwealth institution.
Collect	We collect personal information when we acquire it for inclusion in a record or generally available publication.
Disclosure	A release from effective control is generally a disclosure irrespective of our reason for releasing the information. It includes proactive release, release in response to a specific request and accidental release.
Use	We use personal information when we handle and manage that information within the Harbour Trust.
Holds	We hold personal information when we have possession or control of a record that contains personal information.

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