

GOVERNANCE - PUBLIC

Privacy Policy

1.0 Purpose and scope

1. This policy documents ESSA's commitment to ensuring that personal information collected is dealt with in accordance with the Privacy Act 1988 and the Privacy Amendment (Enhancing Privacy Protection) Act 2012.
2. This policy describes how ESSA manages personal information collected, held, used and disclosed for the purpose of fulfilling the objectives of ESSA.
3. This policy applies to ESSA Board Directors, staff, council members, committee members, members and accredited professionals.

2.0 Principles and key requirements

2.1 Personal information

1. Where ESSA solicits personal information from any person it will do so, wherever possible by requiring the person providing the personal information to provide the personal information in writing or keying the information into ESSA's database.
2. When obtaining personal information by solicitation, ESSA will inform the person providing the information the following:
 - why the information is being collected,
 - how the information will be used, and
 - the identity of any person to whom or anybody or agency to which ESSA discloses the personal information as a part of their usual practices.
3. All forms and documents, which contain provisions for any person to provide personal information to ESSA, will provide a link to ESSA's Privacy Policy.

2.1.1 Unsolicited personal information

1. Where ESSA receives personal information that it did not solicit, ESSA will not keep or retain the documents or other medium containing the personal information or record the personal information unless a purpose directly related to ESSA's functions or activities can be identified; and establish that the personal information in question is necessary for or directly related to that purpose.

2.1.2 Kinds of personal information collected

1. ESSA collects and holds personal information for the purpose of carrying out the purpose of the Organisation which is to promote the common interests of members and accredited professionals. Kinds of information relate to professional qualifications, training and employment and include:
 - Name
 - Address/es

- Telephone number/s
- Email address
- Date of birth
- Photographic identification
- Education
- Qualifications
- Continuing Professional Development
- Training & Employment

2.1.3 Kinds of sensitive information collected

- Criminal history
- Ethics history
- Racial/ethnic origin

2.1.4 Access to personal information

1. Members and accredited professionals can access their personal information or amend their personal information.
2. Members can access their personal information via the Members Portal on ESSA's Website. Accredited professionals can request amendments to their personal information by notifying ESSA at info@essa.org.au or 07 3171 3335.

2.1.5 Access to sensitive information

1. An individual may be permitted to access sensitive information held by ESSA on that individual by submitting a written request to ESSA. In such an event, ESSA will provide to the individual information that it is lawfully required to provide.

2.2 Third party disclosure

1. ESSA will, as a general rule, identify the names of the organisations to which it usually passes, or is likely to pass, personal information, and the purpose for the disclosure of the information, including:
 1. Accredited exercise professional details may be disclosed to Medicare Australia, Department of Veterans' Affairs, NDIS Quality and Safeguard Commission, workers compensation authorities and Private Health Insurers to ensure inclusion in relevant schemes.
 2. If required to do so, members' details may be disclosed to bodies authorised to investigate complaints such as health ombudsman or complaints commissioners, Sport Integrity Australia (ASADA) and sports integrity unit(s).
 3. ESSA may publish information about the outcome of a disciplinary matter and notify such information to another professional body or regulatory body or agency.
 4. Accredited members' details are disclosed to the public on the ESSA websites' search function for the purpose of promoting member services. Members may opt out of having their details

published on ESSA's website search function via the Member Portal on ESSA's website or in writing to ESSA.

5. Contact details for members of ESSA's councils, committees or working groups may be provided to the Chair of the council, committee or working group to enable communication for the purpose of undertaking the responsibilities assigned to the council, committee or working group.
6. The Verify Accreditation Search function on the ESSA website displays the full name and accreditation type/s of current and previously accredited individuals based on a name search.
7. Accredited exercise physiologists' business details may be disclosed to Primary Health Networks and the National Health Services Directory for the purpose of promoting member services.
8. Member mailing lists are provided to external service providers such as printers and postal services involved in the provision and maintenance of business systems and services (e.g., member magazine). Members may opt out of receiving such communication via the Members Portal on the ESSA website or in writing to ESSA.
9. Delegate details are disclosed to ESSA professional development presenters.

2.2.1 Cross border disclosure

1. ESSA may confirm membership and accreditation information to international organisations, to allow registration for membership, accreditation, professional development and conferences.
2. Such organisations include:
 - British Association for Sport and Exercise Sciences (BASES)
 - Clinical Exercise Physiology Association (CEPA), United States of America (USA)
 - Sport and Exercise Science New Zealand (SESNZ)

2.3 Security

1. All staff of ESSA are required to comply with internal procedures concerning access to personal information, and the requirement to maintain confidentiality of personal records.
2. All personal information will be stored in ESSA's electronic databases. The electronic databases are secured in accordance with current commercial practice for restricting unauthorised access. Authorised access is subject to secure login and password control.
3. All sensitive information will be stored separately in ESSA's electronic databases. The electronic databases are secured in accordance with current commercial practice for restricting unauthorised access. Authorised access is subject to secure login and password control.

2.3.1 Notifiable data breaches

1. Should a notifiable data breach occur, ESSA will comply with the Notifiable Data Breaches scheme, through notifying affected individuals and the Australian Information Commissioner about any eligible data breach.

2.4 Complaints handling

1. In the event applicants, members and/or accredited professionals wish to complain about a perceived breach of this Policy, the applicant, member and/or accredited professional may:

- lodge a complaint with the Chief Executive Officer following which ESSA’s Complaints and Disciplinary Procedures will be enacted to respond to the complaint, and/or
- lodge a breach of privacy complaint with the Office of the Australian Information Commissioner www.oaic.gov.au.

3.0 Monitoring, review and assurance

1. The National Board must ensure the relevance, veracity and consistency of content in this Policy
2. All ESSA workers are encouraged to see the documents as living and evolving documents and make suggestions on appropriate corrections or efficiencies.
3. This Policy is subject to tri-annual review.

4.0 Appendix

4.1 Definitions

Act – means [Privacy Act 1988](#).

Board Directors – means all members of the ESSA National Board.

Committee members – means an appointed member to a Committee in accordance with the Terms of Reference of that Committee.

Council members – means an appointed member to a Council in accordance with the Terms of Reference of that Council.

ESSA – means Exercise & Sports Science Australia.

Members – means all members of ESSA.

Personal information – means information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- whether the information or opinion is true or not, and
- whether the information or opinion is recorded in a material form or not.

Sensitive information – means a sub-set of personal information and is given a higher level of protection under the [Australian Privacy Principles](#).

Staff – means all paid employees of ESSA.

5.0 Metadata for document management

Owner	National Board
Custodian	Governance & Nominations Committee
Last Approval Date	5 November 2021
Next Review Date	5 November 2024
Audience / Users	Public, Members, Accredited Professionals, Contributors, Staff

6.0 Modification history

Date	Version	Details
July 2008	V1	The policy was developed
January 2014	V2	The policy has been rewritten to comply with the new Privacy Amendment Act 2012 which comes into effect on 12 March 2014.
July 2015	V2.1	New format
November 2015	V3	Update for separation of membership and accreditation functions and Chief Executive Officer title
March 2018	V4	Update to list disclosure of personal information to third parties, management of sensitive information records, and inclusion of Notifiable Data Breaches section.
November 2019	V4.1	Remove clause 5.1.10 (Members' personal details may be provided to business partners for the purpose of offering ESSA member benefits through direct marketing under a business agreement involving financial benefit to ESSA.) Removal of clause due to ESSA National Board decision not to disclose member personal details to business partners.
October 2021	V4.2	Inclusion of clause 2.1, point 1.1 to highlight the collection of AES information to optimise the profession's inclusion in Private Health schemes and other compensable schemes. Change to new format.