

## Policy

Subject: **Privacy Policy**  
Approval Date: March 2014, May 2018, September 2020  
Review Date: September 2024  
Review Committee: Board of Directors  
Number: 1/2014

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### Introduction

This Policy has been developed, and is provided, in accordance with the *Privacy Act 1988* (Cth) (the “**Act**” or “**Privacy Act**”) and the Australian Privacy Principles under the *Privacy Act* and, where applicable, the New Zealand *Privacy Act 2020* (“**NZ Privacy Act**”).

This policy explains the way The Royal College of Pathologists of Australasia (**the College**) collects, uses, stores and discloses personal information. This policy does not cover health information privacy matters. Pathologists and Laboratories should be aware that health information is a type of “sensitive information” under the Act. Sensitive information is a type of personal information that must be protected to a higher standard. For further information, refer to the separate *Guideline: Managing Privacy Information in Laboratories 2/2014*. Staff members are covered under this Policy, to be read in conjunction with the RCPA Human Resources Manual. The College recognises the importance of protecting the privacy and the rights of individuals in relation to their personal information. This document is the College’s privacy policy and it tells you how the College collects and manages your personal information.

### What is your personal information?

When used in this privacy policy, the term “personal information” has the meaning given to it in the Act and the NZ Privacy Act. In general terms, it is any information that can be used to personally identify you. This may include your name, address, telephone number, email address and profession or occupation. If the information the College collects personally identifies you, or you are reasonably identifiable from it, the information will be considered personal information.

### What personal information does the College collect and hold?

The College only collects personal information that is necessary for it to serve and work with Fellows, Trainees, Staff and other individuals. The College collects the following types of personal information:

- name;
- mailing or street address;
- email address;
- telephone number;
- facsimile number;
- age or birth date;
- financial information, such as credit card numbers;
- profession, occupation or job title;
- workplace address;
- qualifications and medical training and work history;
- medical registration details both in Australia and where applicable from overseas;
- hospital affiliation and any other specialist or other relevant memberships;
- details of continuing professional development that you have completed;

- examination results and any other relevant professional training and assessment result details;
- details of training, education and events you have enrolled in or which you have enquired about;
- 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 us through the College Secretariat, customer surveys or visits by our representatives from time to time.

The College may also collect some information that is not personal information because it does not identify you or anyone else. For example, the College may collect anonymous answers to surveys or aggregated information about how users use the College's website.

### **How does the College collect your personal information?**

The College collects your personal information directly from you unless it is unreasonable or impracticable to do so. Personal information may be collected in the following ways including:

- when you complete applications or register for training, education or events offered or held by the College;
- when you request that the College provides or send you promotional or educational materials;
- when you apply to and join the College as an employee or as a contractor;
- when you provide personal information for the College's records or databases, or to update the records or databases held by the College;
- when you correspond with the College;
- through your access and use of the College website; or
- during conversations between you and the College's representatives.

### **Cookies**

In some cases, the College may also collect your personal information through the use of cookies. When you access the College's website, it may send a "cookie" (which is a small summary file containing a unique ID number) to your computer. This enables the College to recognise your computer and greet you each time you visit the website without bothering you with a request to register. It also enables the College to track the training and education materials that you view. The College also uses cookies to measure traffic patterns, to determine which areas of the website have been visited and to measure transaction patterns in the aggregate. The cookies used on the College's website 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.

### **What happens if the College cannot collect your personal information?**

If you do not provide the College with the personal information described above, some or all of the following may happen:

- the College may not be able to provide the necessary training and education to you or information relating to training and education that you may want; or
- the College may be unable to tailor the content of its websites to your preferences and your experience of our websites may not be as useful.

## **For what purposes does the College collect, hold, use and disclose your personal information?**

The College collects personal information about you in order to perform its business activities and functions. The College collects, holds, uses and discloses your personal information for the following purposes:

- to provide applicants with qualifications and exam assessments;
- to register attendees for events and seminars;
- to answer enquiries and provide information or advice about training and education;
- to correspond with Fellows, Trainees, Staff and other individuals, including to send emails, notices, surveys and newsletters;
- to provide membership lists for the College to regulators and other medical and training/educational organisations;
- to provide you with access to protected areas of the College's website;
- to assess the performance of the College's website and to improve the operation of that website;
- to update the College's records and keep your contact details up to date;
- to process and respond to any complaint made by you;
- to respond to enquiries about you and the College by medical registration authorities, regulators (including, without limitation, the Australian Health Practitioner Regulation Agency), public authorities and professional bodies;
- to provide information about you to medical registration authorities, regulators, public authorities and professional bodies to enable them to perform their regulatory, supervisory and other functions;
- to cooperate with third parties who have a legitimate interest in knowing whether or not you are a Fellow of the College holding a Certificate of CPDP Compliance;
- 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; and
- to process payroll and leave and other employee related matters for staff and contractors.

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

## **To whom may the College disclose your information?**

The College may disclose your personal information to:

- College employees, or contractors or service providers for the purposes of the College's administration services
- medical registration authorities, regulators (including, without limitation, the Australian Health Practitioner Regulation Agency), public authorities and professional bodies in order to facilitate the performance of their regulatory, supervisory and other functions, and the performance of the College's functions; and
- any organisation or other individual for any authorised purpose with your express consent.

## **Promotional materials**

The College may send you direct communications and information about training, education and events that may be of interest to you. These communications may be sent in various forms, including mail, fax and email, in accordance with applicable marketing laws, such as the *Spam Act 2003* (Cth) and the New Zealand *Unsolicited Electronic Messages Act 2007*. If you indicate a preference for a method of communication, the College will endeavour to use that method whenever practical to do so. In addition, at any time you may opt- out of receiving marketing communications from the College by contacting the College (see the details below).

The College does not provide your personal information to other organisations for the purposes of direct marketing.

### **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 the College (see the details below). Where the College holds information that you are entitled to access, the College will try to provide you with suitable means of accessing it (for example, by mailing or emailing it to you). The College may charge you a fee to cover administrative and other reasonable costs in providing the information to you. The College will not charge for simply making the request and will not charge for making any corrections to your personal information.

There may be instances where we cannot grant access to the personal information we hold. For example, the College may need to refuse access if granting access would interfere with the privacy of others or if it would result in a breach of confidentiality. If that happens, the College will give you written reasons for any refusal.

If you believe that personal information the College holds about you is incorrect, incomplete or inaccurate, then you may request that the College amends it. The College will consider whether or not the information requires amendment. If the College does not agree that there are grounds for amendment then the College will add a note to the personal information stating that you disagree with the accuracy of the information.

### **What is the process for complaining about a breach of privacy?**

If you believe that your privacy has been breached, please contact the College using the contact information below and provide details of the incident so that it can be investigated. The College procedure for investigating and dealing with privacy breaches is a four-step process, as follows:

1. ensure the breach has been contained and conduct a preliminary assessment of its impact;
2. conduct a thorough evaluation of the risks associated with the breach;
3. notification of affected individuals (including the outcome of complaints where relevant); and
4. taking steps to prevent future breaches.

The College will treat your requests or complaints confidentially. The College considers any potential breach seriously and will move to immediately investigate such situations. A member of the Management Team 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. The College will aim to ensure that your complaint is resolved in a timely and appropriate manner.

### **Does the College disclose your personal information to anyone outside Australia?**

The College may disclose, and you authorise the disclosure of, your personal information to regulators or other medical and training/educational organisations located overseas for some of the purposes listed above. These third parties may be located in New Zealand, Hong Kong, Singapore, Malaysia and Saudi Arabia.

The College will take reasonable steps to ensure that the overseas recipients of your personal information do not breach the privacy obligations relating to your personal information and, for the purposes of the NZ Privacy Act, are subject to privacy laws, or are required to protect the information in a way that, overall, provides comparable safeguards to those in the NZ Act.

## **Security**

The College will take reasonable steps to ensure your personal information is protected from misuse and loss and from unauthorised access, modification or disclosure. The College may hold your information in either electronic or hard copy form. Personal information is destroyed or de-identified when no longer needed.

As the College's website is linked to the internet, and the internet is inherently insecure, the College cannot provide any assurance regarding the security of transmission of information you communicate to the College online and cannot guarantee that the information you supply will not be intercepted while being transmitted over the internet. Accordingly, any personal information or other information which you transmit to the College online is transmitted at your own risk.

If the College suffers a data breach (such as unauthorised access to your personal information), the College may be required by the Privacy Act to notify you and the Australian Privacy Commissioner about the data breach. If you are located in New Zealand, then the College may also be required under the NZ Privacy Act to notify the New Zealand Privacy Commissioner about the data breach. Notifications are generally required if a data breach affects your personal information and is likely to result in serious harm to you. The College may also choose to notify you voluntarily in other circumstances.

## **Links**

The College website may contain links to other websites operated by third parties. The College 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. Third party websites are responsible for informing you about their own privacy practices.

## **Contacting the College and Complaints**

If you have any questions about this privacy policy, 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 using the details set out below.

Please contact our Privacy Officer at:

The Privacy Officer  
The Royal College of Pathologists of Australasia  
207 Albion Street  
Surry Hills NSW 2010  
Australia  
Tel: 61 2 8356 5858  
Fax: 61 2 8356 5828  
Email: [rcpa@rcpa.edu.au](mailto:rcpa@rcpa.edu.au)

If you are located in New Zealand, you have the right to complain to the New Zealand Privacy Commissioner if you believe there has been a breach of your privacy. To make a complaint, visit: <https://www.privacy.org.nz/your-rights/making-a-complaint/>.

## **Changes to College privacy policy**

The College may change this privacy policy from time to time. Any updated versions of this privacy policy will be posted on the website.