

## Privacy Policy

<b>Area of College</b>	Shared Services/CFO
<b>Document Writer</b>	Privacy Officer
<b>Document Owner</b>	Executive General Manager, Shared Services and Chief Financial Officer
<b>Approved by</b>	Board
<b>Effective Date</b>	1/08/2024
<b>Next Review Date</b>	31/07/2027
<b>References/Legislation</b>	Privacy Act 1988 (Cth) (Australia) Australian Privacy Principles Privacy Act 2020 (Aotearoa New Zealand) Information Privacy Principles
<b>Associated RACP Documents</b>	Position on Disclosure of Email Addresses Privacy guidelines Privacy FAQ
<b>Applicability</b>	Australia and Aotearoa New Zealand

*Note: This is a controlled document within the [RACP Policy Framework](#). The Framework covers all RACP policies, procedures, by-laws, terms of reference, guidelines, forms and so forth. Any new documents or amendments of existing documents or changes to approver, owner or area of college should be done in accordance with the RACP Policy Framework and Document Control (RACP Policy Framework) Procedure.*

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## 1. INTRODUCTION

- 1.1. The College is an industry organisation responsible for training, educating, and representing physicians and paediatricians in Australia and Aotearoa New Zealand. The College is dedicated to ensuring that we comply with our obligations under the Privacy Act 1988 (Cth) (Australia), the Australian Privacy Principles (APPs), the Privacy Act 2020 (Aotearoa New Zealand) and the New Zealand Information Privacy Principles (IPPs).

## 2. PURPOSE

- 2.1. This Privacy Policy establishes how the College protects Personal Information and explains:
  - 2.1.1. what Personal Information the College collects;
  - 2.1.2. how the College uses/discloses that information;
  - 2.1.3. how the College stores that information;
  - 2.1.4. your entitlement to access Personal Information.
- 2.2. By 'Personal Information,' we mean information or an opinion about an identified individual or an individual who is reasonably identifiable.

## 3. SCOPE

- 3.1. This Policy applies to all Personal Information collected, stored, used, and disclosed by the College.
- 3.2. By providing the College with Personal Information, using our website, or interacting with us in the circumstances described below, you consent to our collection and use of your Personal Information in the manner detailed in our Privacy Policy, including the disclosure of your Personal Information to overseas recipients as set out in section 7.
- 3.3. This Privacy Policy applies in addition to, and does not limit, our rights and obligations under the privacy laws referred to above or any specific authorisation that you provide to us.

## 4. WHAT PERSONAL INFORMATION THE COLLEGE COLLECTS

- 4.1. The College only collects Personal Information that is relevant to and reasonably necessary for the College to fulfil its purposes, functions, activities, and objectives, including to serve and work with its members, employees and other individuals (collectively 'you').
- 4.2. The College may collect your Personal Information when:
  - 4.2.1. visiting the College website;
  - 4.2.2. applying to join the College as a Fellow or Trainee, or to be assessed as an Overseas Trained Physician or Paediatrician;
  - 4.2.3. registering for training;
  - 4.2.4. applying for recognition of learning gained in another training program;
  - 4.2.5. requesting reconsideration or review of, or appealing a decision made by, a College Body;
  - 4.2.6. expressing interest in joining a College Body;
  - 4.2.7. accepting a nomination to act as supervisor for a trainee;
  - 4.2.8. undertaking College examinations, training, or peer review;

- 4.2.9. arranging to attend a College, Specialty Society or other College partnership event or activity, either in-person or online, for which Continuing Professional Development hours may be recorded on your behalf;
- 4.2.10. registering for online learning;
- 4.2.11. submitting continuing professional development compliance records;
- 4.2.12. applying to and joining the College as an Employee;
- 4.2.13. donating to the College or to the RACP Foundation;
- 4.2.14. agreeing to take part in a survey, recording, video, or clinical examination;
- 4.2.15. applying for a grant, fellowship, scholarship, or other funding from the RACP Foundation;
- 4.2.16. applying for State or Federal funding administered by the RACP;
- 4.2.17. when otherwise contacting or communicating with the College, including when using LiveChat on the College's website.
- 4.3. The type of information the College may collect includes:
  - 4.3.1. name, address, email address, other contact details and date of birth;
  - 4.3.2. bank account details and credit card information;
  - 4.3.3. qualifications, experience, medical training, and work history;
  - 4.3.4. medical registration details in Australia and/or New Zealand, and where applicable from overseas;
  - 4.3.5. hospital affiliation and any other specialist or other relevant memberships;
  - 4.3.6. attendance at a seminar, or other event or online learning opportunity;
  - 4.3.7. details of continuing professional development that you have completed;
  - 4.3.8. examination results and details of any professional qualifications, training, and assessment;
  - 4.3.9. the amount of any donation made;
  - 4.3.10. health information such as allergies and dietary preferences.
- 4.4. We collect Personal Information directly from you and from third parties associated with your training or peer review, for example referees, supervisors, peer reviewers, specialty societies, and Regulators.
- 4.5. Some information which we collect, such as membership of a professional association, is 'Sensitive Information' as defined in the Privacy Act 1988 (Cth). We will only collect Sensitive Information with your consent.
- 4.6. The only Personal Information the College collects from you via its website is that which you agree to provide, for example, when you complete an online form or application for education or registration to attend a seminar, web-cast, or online learning series.
- 4.7. You are not required to provide the College with any Personal Information that the College requests. However, if you do not do so, it may affect the services that the College provides to you.
- 4.8. The College collects the following information about your use of our website (though please note the College makes no efforts to associate this with your identity):
  - 4.8.1. your IP address;
  - 4.8.2. the search terms you used;
  - 4.8.3. the pages you accessed on our website and the links you clicked on;

- 4.8.4. the date and time you visited the site;
- 4.8.5. the referring site (if any) through which you clicked to our website;
- 4.8.6. your operating system (such as Windows 10 or 11);
- 4.8.7. the type of web browser you use (such as Mozilla Firefox);
- 4.9. Go to Use of cookies on RACP websites for more information about the cookies used on the RACP website (for example to make our website or e-learning modules function, or to track and analyse website usage).

## 5. HOW THE COLLEGE USES/DISCLOSES THAT INFORMATION

- 5.1. Your Personal Information will not be sold, exchanged, transferred, or given to any other company for any reason whatsoever, without your consent, other than for the purpose of working with you, and providing training and education services to you.
- 5.2. The College has business relationships with third parties. In some instances, the College may disclose your Personal Information to third parties for the purposes set out in this Privacy Policy or to provide us with services on your behalf such as training and education, event management, payment processing, provision of cloud services, provision of member benefits, and the preparation of mailings. Wherever possible, these third parties have contractually agreed to treat Personal Information they receive from us in a confidential manner consistent with the APPs and/or the IPPs.
- 5.3. Personal information held by the College may be used by the College or disclosed to third parties for one or more of the following purposes:
  - 5.3.1. training, peer review, assessments, examinations and continuing professional development. This may involve the disclosure of Personal Information to third parties connected with training, peer review, assessments, examinations and continuing professional development such as current or future supervisors, speciality societies, the Australian Medical Council, and the Medical Council of New Zealand;
  - 5.3.2. membership registration;
  - 5.3.3. inviting you to attend College events and/or offering seminars endorsed or supported by the College. This may involve disclosure of your Personal Information to third party seminar organisers for the purpose of event registration;
  - 5.3.4. offering member benefits and other services to you, such as the College's eBulletin updates and discounts on products and services available to College members that are provided by external partners to the College. You may request that this information not be sent to you;
  - 5.3.5. sending you notices and information about College events, elections, and committees and otherwise communicating with you. This may involve the disclosure of your Personal Information to third parties engaged by the College to assist with the sending of notices or information or to manage our communications with you;
  - 5.3.6. confirming your membership of the College to members of the public;
  - 5.3.7. reporting to regulators and government departments in relation to training, peer review, assessments, examination and continuing professional development or as otherwise required by law;
  - 5.3.8. providing information about members to academic or research institutions and academic or research publishers, that the Board considers to be appropriate bodies for the College to share information about members with;

- 5.3.9. monitoring or investigating the conduct of Members under the College Constitution, the Code of Conduct, and the Working Together Policy;
- 5.3.10. procuring funding, donations, or other support for the activities of the College, including the Foundation;
- 5.3.11. if you are a College Committee Member, providing your contact information to other Members from the same College Committee;
- 5.3.12. conducting or facilitating research or surveys for purposes related to the College or its activities. This may involve the disclosure of Personal Information to third parties who manage the survey on our behalf. These third parties have contractually agreed to treat any Personal Information they receive from us in a confidential manner consistent with the APPs and/or the IPPs;
- 5.3.13. otherwise collecting, using, or disclosing Personal Information about you in a manner consistent with the purposes, objectives, and functions of the College.
- 5.4. We may communicate with you, for the purposes outlined above, by email and other electronic means. If you do not wish to receive our notices, you can unsubscribe by clicking the unsubscribe function in any electronic communication, by updating your preferences, or by sending an email to [privacy.racp@racp.edu.au](mailto:privacy.racp@racp.edu.au) or [privacy.racp@racp.org.nz](mailto:privacy.racp@racp.org.nz).
- 5.5. The College may also disclose your Personal Information, both within and outside Australia or New Zealand as required or permitted by law (refer to section 7 below). This includes disclosure to the following persons to enable the College to comply with the law, enforce our policies, or protect our or others' rights, property, or safety:
  - 5.5.1. Our professional advisors including lawyers, accountants, tax advisors, and auditors;
  - 5.5.2. law enforcement bodies to assist in their functions, Courts of law or as otherwise required or authorised by law;
  - 5.5.3. debt collection agencies and other parties that assist with debt-recovery functions;
  - 5.5.4. regulatory or government bodies for the purposes of resolving customer complaints or disputes both internally and externally or to comply with any investigation by one of these bodies.

## 6. HOW THE COLLEGE STORES THAT INFORMATION

- 6.1. The College is committed to taking steps to protect the security of your Personal Information. The College is responsible for ensuring that Personal Information held by the College about you is protected by such security safeguards as it is reasonable in the circumstances to take against loss, unauthorised access, modification, disclosure, or other misuse of your Personal Information.

## 7. ENTITLEMENT TO ACCESS PERSONAL INFORMATION

- 7.1. You are entitled to request access to your Personal Information held by the College.
- 7.2. In normal circumstances the College will give you full access to your information.
- 7.3. However, there may be some legal or administrative reasons to deny access. If the College decides to deny access, the College will provide you with the reason why.
- 7.4. You are entitled to request the correction of any Personal Information, and if there is a reasonable basis for declining the correction request, you are entitled to request that a statement of correction sought but not made be attached to the information.

- 7.5. If you would like to access your Personal Information or if you believe that your Personal Information may be inaccurate, out of date or incomplete, you can make a request for access or correction by sending an email to [privacy.racp@racp.edu.au](mailto:privacy.racp@racp.edu.au). We will respond to your request for access and/or correction within twenty (20) working days after your request is made. We may charge reasonable costs for making information available to you.

## **8. KEEPING INFORMATION ACCURATE AND UP-TO-DATE**

- 9. The College makes every reasonable effort to keep your information accurate, up to date and complete, for the College to provide the best possible service to you. You can assist by keeping the College informed of any updates such as address change, email change or legal name change. Please contact us as soon as practicably possible when your information changes by emailing us at [memberservices@racp.edu.au](mailto:memberservices@racp.edu.au)** **DISCLOSURE TO RECIPIENTS OUTSIDE OF AUSTRALIA OR AOTEAROA NEW ZEALAND**

- 9.1. Occasionally, the information you provide to the College, or authorise the College to collect, may be accessed by or given to staff and third parties working outside of Australia or Aotearoa New Zealand.
- 9.2. The information you provide to the College may be accessed by or given to staff and third parties in the US and other countries identified in the Appendix to this Privacy Policy. This list of countries is not exhaustive and may change from time to time.

### *Recipients outside Australia:*

- 9.3. Where Australian law applies and disclosure is made in accordance with section 9.2, APP 8.1 requires the College, before it discloses Personal Information to an overseas recipient, to take such steps as are reasonable, in the circumstances, to ensure that the overseas recipient does not breach the APPs. We will notify you and obtain your consent prior to disclosure to the overseas recipient.
- 9.4. If you consent to the College's disclosure of your information to overseas recipients, APP 8.1 will not apply to that disclosure so that, if an overseas recipient handles your Personal Information in a manner which breaches the APPs, the College will not be accountable under the Privacy Act 1988 (Cth) for the breach, nor will you be able to seek redress under the Privacy Act 1988 (Cth). We note that the recipient may not be subject to laws or principles which are similar to the APPs.
- 9.5. The College undertakes that it will ensure that it has in place contractual arrangements with the overseas recipients, whereby the recipients are contractually obliged to comply with the APPs, the IPPs, and any other relevant privacy principles.

### *Recipients outside Aotearoa New Zealand:*

- 9.6. Where New Zealand law applies and disclosure is made in accordance with 9.2, you acknowledge and authorise us to disclose Personal Information to overseas recipients that may be subject to foreign laws that do not protect the information in a way that, overall, provides comparable safeguards to those in the Privacy Act (Aotearoa New Zealand).
- 9.7. The College undertakes that it will ensure that it has contractual arrangements with overseas recipients in place that overall provide comparable safeguards to the Privacy Act (Aotearoa New Zealand) and any other relevant privacy principles.



## 10. REPORTING A BREACH OF YOUR PRIVACY

- 10.1.If you have any concerns that your privacy has been compromised or have any other privacy related complaint, please email [privacy.racp@racp.edu.au](mailto:privacy.racp@racp.edu.au) or [privacy.racp@racp.org.nz](mailto:privacy.racp@racp.org.nz) and we will contact you within ten (10) business days to confirm receipt of your email.
- 10.2.We will investigate your complaint and provide you with our response within a reasonable time.
- 10.3.If, after receiving our response, you still consider that your privacy complaint remains unresolved, you may then, for example, take your complaint to the Office of the Australian Information Commissioner or the New Zealand Office of the Privacy Commissioner.

## 11. CHANGES TO OUR PRIVACY POLICY

- 11.1.We reserve the right to modify this Privacy Policy at any time by posting changes on this Privacy page. The updated version of this Privacy Policy will take effect immediately upon such notice and will apply to all Personal Information that we hold about you. We may also take additional steps to bring the changes to your attention, including by notifying you directly. We will update you of any material changes as required by law.

## 12. CONTACTING THE COLLEGE

- 12.1.If you have any questions regarding the College's Privacy Policy or its handling of Personal Information, please contact the Privacy Officer at [privacy.racp@racp.edu.au](mailto:privacy.racp@racp.edu.au) or [privacy.racp@racp.org.nz](mailto:privacy.racp@racp.org.nz) or by telephone on +61 2 9256 5491.

## 13. REVIEW OF POLICY

- 13.1.We will review this policy every three years or as required in the event of legislative changes or requirements. We may change this policy because of amendments to other policies, regulations, or legislation.
- 13.2.Members and employees of the College may provide feedback about this document by emailing [RACPPolicy@racp.edu.au](mailto:RACPPolicy@racp.edu.au).

## 14. DEFINITIONS

Term	Means
"Board"	the Board of Directors of the College.
"College"	The Royal Australasian College of Physicians, ACN 000 039 047, an incorporated body limited by guarantee.
"College Body"	a Division, Faculty, Chapter, or committee of the College, including a council, working group, advisory group, special interest group, working party, reference group.
"Fellow", "Trainee", and "Member"	have the same meaning as in the College Constitution
"Foundation"	The RACP Foundation
"OTP"	Overseas Trained Physician/Paediatrician
"Personal Information"	information or an opinion about an identified individual or an individual who is reasonably identifiable.



## 15. HISTORY

Revision	Effective Date	Summary of Changes
1.0	9 April 2014	Initial approval
2.0	25 July 2014	Updated contact telephone numbers
3.0	22 May 2015	<ul style="list-style-type: none"> <li>Clarify the consent to disclose Personal Information to overseas recipients. This reflects the introduction of new software systems, some of which hold information in offshore facilities (such as the convention software used to provide Congress attendees, providing personalised agendas on smart phones) or where development of software may occur in offshore facilities (such as the OSCAR project) – Clause 1.4</li> <li>Specifically refer to the College holding bank account and credit card details. Updating College systems, including the introduction of the Aptify CRM system, means that the College will retain credit card and banking information, which will be held in an encrypted format.</li> <li>Clarify that contact details will be provided to members of the same College Committee</li> <li>Detail how to report a suspected breach of privacy by the College and advise how the College will respond to reports.</li> <li>Clarify that information may be disclosed to third parties to provide services to members or to meet legal requirements</li> </ul>
4.0	17 April 2018	Update to clause 2.3.7 to include when using LiveChat on the College's website
5.0	29 October 2020	<ul style="list-style-type: none"> <li>Update to reflect the introduction of the Privacy Act 2020 in Aotearoa New Zealand.</li> <li>Changes to clauses 1.4, 1.5, 3.2, 3.5, 7.1, 7.2, 7.3, 9.1, and 11</li> <li>Addition of clauses 2.8, 2.9, 3.4, and 7.5</li> </ul>
6.0	18 December 2023	<ul style="list-style-type: none"> <li>Updated to current template and consequent adjustments to clause numbering.</li> <li>Added: clauses 4.2.3, 4.2.4, 4.2.5, 4.2.6, 4.2.7, 4.2.9, 4.2.10, 4.2.14, 4.2.15, 4.2.16, 4.3.6, 4.3.10, 13, definition of "College Body".</li> <li>Removed former clause 2.2.</li> <li>Changes to clauses 4.2, 4.2.1, 4.2.2, 4.2.11, 4.2.12, 4.2.13, 4.3, 4.4, 4.5, 4.6, 4.8.6, 4.9, 5.2, 5.3.1, 5.3.5, 5.3.12, 5.4, 5.5, 6.1, 8.1, 9.3, 9.4, 9.5, 9.6, 9.7, 10.1, 10.2, and 12.1.</li> </ul>

## **APPENDIX: LIST OF COUNTRIES**

- Aotearoa New Zealand
- India
- The Phillipines
- United States of America.

## **APPENDIX: USE OF COOKIES ON RACP WEBSITES**

### **Use of cookies on RACP websites**

1. Cookies are small text files that are placed in your browser by the websites you visit. They are widely used to help users navigate websites efficiently, to perform certain functions on the sites, and/or to provide site owners with information about how their sites are used.
2. We use cookies on our site where they are required for particular features to work – for example, if you are a logged in user, to allow you to remain logged in whilst you complete certain tasks.

### **Web analytics cookies:**

3. The College uses tracking cookies with the Google web analytics tool to analyse non-identifiable web traffic data to improve our services. This data is aggregated and cannot personally identify you. If you prefer, you can opt out of the tracking cookies we use without affecting your ability to use our site. Our web analytics will also respect any “do not track” setting that you might have set on your browser.
4. Feel free to delete the cookies associated with the RACP website. You’ll find them in an racp.edu.au folder wherever your web browser stores its cookie files.

### **Social media cookies**

5. We use social media on some sections of our website to help communicate our messages and give you the best experience – e.g., the Twitter, Facebook, and LinkedIn links on our home page, and the YouTube videos we embed.
6. These social media services have their own privacy policies and may track your use of our website on those pages where their links are displayed. They do this using persistent session cookies. If you are logged in to those services (including any Google service) while using our site, their tracking will be associated with your profile with them.

### **To disable all cookies**

7. Most web browsers will allow you to set some control over cookies in your browser settings. This includes deleting them from your browser or disabling them altogether.
8. If you do choose to set your browser to disable all cookies, this may affect your ability to use some of the features on our site.
9. To learn more about cookies and how you can manage them in your web browser, visit:

[www.allaboutcookies.org](http://www.allaboutcookies.org)

[www.aboutcookies.org](http://www.aboutcookies.org)