

National Folk Festival

PRIVACY AND DISCLOSURE OF PERSONAL INFORMATION POLICY

POLICY NO: 12

Policy Type:	Organisational
Contact Officer:	Managing Director
Application of this Policy:	This policy applies to all employees, volunteers, workers and Festival patrons and to those who apply to be employees or volunteers with the Organisation
Date Approved by Board:	August 2022
Date of Next Review:	June 2024 – action Governance Committee
Related Policies:	Grievance and Complaints Policy – Staff # 9 Grievance and Complaints Policy – Volunteers and Patrons #10
Forms:	None

1. Definitions

Organisation - The National Folk Festival Ltd (ACN 058 761 274)

Employee - A paid worker in the service of the Organisation under contract of hire, express or implied, oral or written, where the Organisation has the power or right to control and direct the employee in the material details of how the work is to be performed and supplies the equipment required to perform that work. Terms of employment for employees may be governed by contract or by overarching industrial relations awards or principles. Any reference to an employee includes a former employee.

Volunteer - An unpaid worker who gives their time, experience and skills to support the National Folk Festival or the Organisation and does not expect nor demand remuneration in return. Any reference to a volunteer includes a former volunteer.

Workers - Employees or volunteers working for the Organisation in a regular capacity, most likely in the office. Any reference to a worker includes a former worker.

Patron - A member of the public who attends the National Folk Festival or who subscribes to one of the Organisation's contact lists.

Performer – An individual engaged by the Organisation to participate in the artistic program at the National Folk Festival. Performers may be paid or unpaid.

Stall holder – An individual who is contracted to operate a stall at the National Folk Festival or an employee of such an individual who is engaged to work on the premises of the National Folk Festival.

Personal Information – See Section 3

2. General Policy Statement

2.1 National Folk Festival Ltd (herein referred to as 'the Organisation', 'We' or 'Us') is committed to providing a quality experience to our employees, volunteers,

performers, stall holders, and patrons (herein referred to as 'You'). This policy outlines our ongoing obligations to you in respect of how we manage your Personal Information.

- 2.2 We have adopted the Australian Privacy Principles (APPs) contained in the *Privacy Act 1988 (Cth)* (the Privacy Act). The National Privacy Principles (NPPs) govern the way in which we collect, use, disclose, store, secure and dispose of your Personal Information.
- 2.3 A copy of the Australian Privacy Principles may be obtained from the website of The Office of the Australian Information Commissioner at www.oaic.gov.au

3. What is Personal Information and why do we collect it?

- 3.1 Personal Information is information or an opinion that identifies an individual. Examples of Personal Information we collect include: names, addresses, email addresses, social media identifiers, phone and facsimile numbers.
- 3.2 This Personal Information is obtained in many ways including via our website www.folkfestival.org.au, correspondence, by telephone and facsimile, by email and from third parties, including our ticketing provider and content management service. From time to time, the Organisation may provide a link to the website of third parties. We do not guarantee the accuracy of such links and the third party operators of such sites may have privacy policies that differ from ours.
- 3.3 We collect your Personal Information for the primary purpose of providing our services to you (including marketing and fundraising), communicating with you, or in relation to your prospective employment, volunteer role, performer role or stall holding with the Organisation. We may also use your Personal Information for secondary purposes closely related to the primary purpose, in circumstances where you would reasonably expect such use or disclosure. You may unsubscribe from our mailing/marketing lists at any time by contacting us in writing.
- 3.4 We may make photographs, video recordings and audio recordings at our events including the National Folk Festival for media and other promotional purposes. Such photographs and recordings may be published by us on our website, social media accounts or through other third parties engaged by us from time to time.
- 3.5 When we collect Personal Information we will, where appropriate and where possible, explain to you why we are collecting the information and how we plan to use it.

4. Sensitive Information

- 4.1 Sensitive information is defined in the Privacy Act to include information or opinion about such things as an individual's racial or ethnic origin, political opinions, membership of a political association, religious or philosophical beliefs, membership of a trade union or other professional body, criminal record or health information.
- 4.2 Sensitive information will be used by us only:
 - a. For the primary purpose for which it was obtained
 - b. For a secondary purpose that is directly related to the primary purpose
 - c. With your consent; or where required or authorised by law.

5. Third Parties

- 5.1 Where reasonable and practicable to do so, we will collect your Personal Information only from you. However, in some circumstances we may be provided with information by third parties. In such a case we will take reasonable steps to ensure that you are made aware of the information provided to us by the third party.

6. Disclosure of Personal Information

- 6.1 Your Personal Information may be disclosed to third parties in a number of circumstances including the following:
- a. Where you consent to the use or disclosure; and
 - b. Where required or authorised by law.
- 6.2 We will never sell your Personal Information to third parties.

7. Security of Personal Information

- 7.1 Your Personal Information is stored in a manner that reasonably protects it from misuse and loss and from unauthorised access, modification or disclosure. The Organisation ensures that only individuals with a genuine business requirement to access your Personal Information will access such records.
- 7.2 When your Personal Information is no longer needed for the purpose for which it was obtained, we will take reasonable steps to destroy or permanently de-identify your Personal Information. However, most Personal Information is or will be stored indefinitely in secure client, volunteer and performer databases used to maintain the Organisation's ongoing communication with patrons, volunteers, performers and stall holders.
- 7.3 In the case of unsuccessful applicants for employment, the Organisation will destroy details of your application no more than six months after the recruitment process is complete, unless you have provided written permission for the Organisation to retain this information in order for us to consider you for other positions that may arise from time to time.
- 7.4 The Organisation is required to keep employee records for seven years from the date on which an entry is made or from termination of an employee's employment, depending on which happens first.
- 7.5 In the case of some other records such as tax records, the Organisation must maintain those records for a continuous period of seven years from the date the entry is made.

8. Access to your Personal Information

- 8.1 You may access the Personal Information we hold about you and update and/or correct it, subject to certain exceptions in accordance with relevant legislation. If you wish to access your Personal Information, please contact us in writing.
- 8.2 The Organisation's employees and volunteers do not have a general right to access and review their Personal Information which is held about them by the Organisation. Employees may, however, access certain statutory employment records including:
- a) the name of the industrial instrument or instrument under which his/her employment is regulated. For example, the name of the

relevant Award Agreement, Enterprise Bargaining Agreement or Australian Workplace Agreement;

- b) his or her time and wages records including overtime (if applicable) and remuneration;
 - c) his or her records of leave, including leave taken and available entitlements;
 - d) his or her records of superannuation contributions; and
 - e) workers' compensation records, if an employee or volunteer has had an accident.
- 8.3 All other employment records are exempt from the Privacy Act and those employment records and personnel records may not be made available to employees and volunteers.
- 8.4 National Folk Festival Ltd will not charge any fee for your access request, but reserves the right to charge a reasonable administrative fee for providing a copy of your Personal Information.
- 8.5 In order to protect your Personal Information we may require identification from you before releasing the requested information.

9. Maintaining the Quality of your Personal Information

- 9.1 It is important to us that your Personal Information is up to date. We will take reasonable steps to make sure that your Personal Information is accurate, complete and up-to-date. If you find that the information we have is not up to date or is inaccurate, please advise us as soon as practicable so we can update our records and ensure we can continue to provide quality services to you.

10. Policy Updates

- 10.1 This Policy will be updated from time to time to ensure it is aligned with relevant legislation and operational requirements. It is available on our website.

11. Complaints

- 11.1 Complaints about the collection and security of private information are dealt with under the Grievance and Complaints Policy – Staff and the Grievance and Complaints Policy – Volunteers and Patrons policies.

15. Responsibility

- 15.1 The Board of Directors has established this policy.
- 15.2 The Managing Director is responsible for the implementation of this policy.
- 15.3 The policy will be reviewed in line with Board Policy Review requirements or as needed.

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WORKPLACE PARTICIPANT ACKNOWLEDGEMENT

The National Folk Festival Ltd Privacy and Disclosure of Personal Information Policy

I acknowledge receiving the National Folk Festival Ltd Privacy and Disclosure of Personal Information Policy. I confirm that I understand the information contained in the Policy and agree to comply with the terms of the Policy.

Your Name	
Signature	
Date	