

## HEALTH SERVICES UNION

### Privacy Policy

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#### Purpose

The HSU is committed to protecting members' privacy and providing them with information and services relevant to them.

The purpose of this policy is to provide information about the way HSU collects and manages personal information.

#### Introduction

The Health Services Union (**HSU**) is the union representing members employed or usually employed in the health and human service industries in Australia. The HSU collects personal information in order to conduct its business of achieving the objects of the HSU as defined by the rules of the HSU. The HSU operates in the political, legal, industrial and social spheres.

The HSU is committed to protecting your privacy and providing you with information and services relevant to you. The HSU complies with the *Privacy Act 1988* (Cth) (**Privacy Act**) and the Australian Privacy Principles (**APPs**). This Privacy Policy (**Policy**) should be read in conjunction with the Privacy Act and the APPs.

#### How the HSU collects your personal information

The HSU collects personal information from you in ways that include, but are not limited to:

- when you view or use one of our websites or online tools, including the HSU Member Portal;
- through conversations you have with HSU staff or other representatives, in person or via telephone;
- when you use or access any services provided by the HSU or that are made available to you through your HSU membership;
- via your interactions with HSU's online communities and social media channels;
- when you take part in a meeting, campaign, formal research process, survey, petition or competition;
- when you respond to an email, newsletter, SMS, or any other communication from the HSU;
- from physical documents or electronic records that you supply to the HSU, including by fax;
- from other third parties where it is reasonable and practical to do so, such as from the Australian Council of Trade Unions (**ACTU**), for example; or
- from other third parties, where you have consented to HSU's collection of your information.

#### HSU websites

The HSU websites collect two types of information. The first type is anonymous information where the web server makes a record of your visit and logs the following information for statistical purposes:

- the user's server address;
- the user's top level domain name (e.g. .com, .gov, .net, .au, etc.);
- the date, time and duration of the visit to the site;
- the pages or links accessed and documents downloaded;
- the previous site visited; and
- the type of browser used.

No attempt will be made to identify users or their browsing activities from this anonymous information except if (a) you choose to identify yourself to us during the browsing session by, for example, providing your name via a form on the website, or, (b) in the unlikely event of an investigation, where a law enforcement agency may exercise a warrant to inspect the internet service provider's logs.

The second type of information collected is not anonymous and is collected through the use of "cookies". A cookie is a small text file that the website may place on your computer. Cookies may be used, among other things, to track the pages you have visited, to remember your preferences and to store personal information about you. You can adjust your Internet browser to disable cookies or to warn you when cookies are being used. However, if you disable cookies, you may not be able to access certain areas of the website or take advantage of the improved web site experience that cookies offer.

Our websites may contain links to other websites and social media pages including Facebook, Twitter and LinkedIn. We are not responsible for the privacy policies of the entities responsible for those websites and we recommend that you review the privacy policies applicable to any other websites you visit.

### **The kinds of information the HSU may collect**

From time to time you may voluntarily supply your personal information to the HSU. For example, the HSU will record your e-mail address if you send us a message, subscribe to an email newsletter, or complete a form if this information is requested.

When you provide your personal information, it allows us, for example, to assist you with industrial relations and employment queries, inform you about industrial, social and political campaigns, and accept your application for membership. You may supply personal information to the HSU by, for example, responding to a survey, filling in a meeting attendance sheet, taking part in a competition, completing a membership form, discussing your issues with a delegate, purchasing goods or services, or signing up to a campaign.

The HSU only collects personal information that is necessary for the union to perform its functions and/or activities.

**Personal information the HSU collects**

Depending upon the circumstances, you may provide to the HSU, and the HSU may collect, information such as, but not limited to:

- your name;
- your postal and/or residential address;
- the State and/or Federal voting electorates corresponding to your address;
- your contact details, including your email address and phone number;
- your social media details (e.g. blogs, Twitter, Facebook, LinkedIn);
- your gender;
- your date of birth;
- your marital status;
- your employment details including occupation, classification, worksite;
- other details relating to your employment, such as your educational qualifications, pay history or any elected positions you hold;
- your inquiry, claim, or complaint details and any related information that is necessary to provide services to you;
- your involvement in Union activities;
- your Bank account and/or credit card details (managed in compliance with PCI-DSS);
- languages you speak;
- case notes and supporting documentation for industrial inquiries made by you;
- case notes and supporting documentation for insurance claims made by you; and/or
- your video recording/photos and/or story to be shared by the HSU in its publication, social media, and other communications/media channels.

**Sensitive personal information the HSU collects**

Some personal information that the HSU may collect is considered sensitive information, and may include:

- your union membership;
- your membership of any professional or trade association;
- whether you identify as Aboriginal and/or Torres Strait Islander;
- your religious, professional, social and political opinions;
- your political party membership (if any);
- information or an opinion about any criminal record;
- any disabilities, illnesses or injuries you may have; and/or
- any other health information relevant to your industrial inquiry or claim.

The Privacy Act allows the HSU to collect sensitive information which relates solely to HSU members or people who have regular contact with the HSU if the sensitive information relates to the HSU's activities. We will only collect sensitive information where we have received your consent to your

personal information being collected, used, disclosed, and stored by the HSU in accordance with this Policy.

Where you provide information to the HSU in relation to a job application the personal information you provide will only be collected, held, used and disclosed for the purposes of considering your potential employment with the HSU. Where you provide the details of referees, you confirm that you have informed the referees that you are providing their contact information to the HSU and they have consented to the HSU contacting them and discussing the personal information you have provided in relation to the job application.

We will not collect personal information directly from you unless:

- you have consented to the HSU's collection of your personal information from third parties - for example, from the ACTU, or your representatives; or
- we are legally required to do so; or
- it is unreasonable or impractical to do so.

Where we have collected personal information about you either directly or by other means as set out above, we will notify you at the time, or as soon as practicable, to ensure that you are aware of such collection and its purpose.

You can choose to interact with us anonymously or by using a pseudonym where it is lawful and practicable. For example, you may wish to participate in a blog or enquire about a particular campaign anonymously or under a pseudonym. Your decision to interact anonymously or by using a pseudonym may affect the level of services we can offer you. For example, we may not be able to assist you with a specific industrial enquiry or investigate a privacy complaint on an anonymous or pseudonymous basis. We will inform you if this is the case and let you know the options available to you.

If we receive unsolicited personal information about or relating to you and we determine that such information could have been collected in the same manner if we had solicited the information, then we will treat it in the same way as solicited personal information and in accordance with the APPs. Otherwise if we determine that such information could not have been collected in the same manner as solicited personal information, and that information is not contained in a Commonwealth record, we will, if it is lawful and reasonable to do so, destroy the information or de-identify the information.

### **The purposes for which personal information is collected, held, used and disclosed**

The HSU collects, holds, uses and discloses your personal information to:

- assist you with industrial relations and employment queries;
- inform you about industrial, social and political campaigns;
- inform you about your rights at work;
- develop material for recruitment, industrial and political campaigns;
- inform you about changes to legislation;

- inform you about services and benefits available to you through your membership;
- comply with Australian law, such as state and Commonwealth industrial relations law;
- refer you to a legal practitioner, accountant or other professional;
- improve our service delivery;
- manage our relationship with you;
- recruit staff and manage employment relationships;
- conduct surveys and research;
- provide educational services and professional development;
- provide you with relevant online services and information;
- conduct Union elections;
- to respond to inquiries or complaints;
- to make payments to you by cheque or electronic funds transfer for the purposes of refunds or other payments; and
- to assist in recruitment and enabling union activism by providing names, job position titles, phone numbers and email addresses of current union members in your workplace or sub branch to local HSU delegates and representatives.

### **Using your information for direct marketing**

You consent to our use and disclosure of your personal information for the purposes of direct marketing which may include providing you with information about events, products or services which may be of interest to you.

If you do not want us to use your personal information for direct marketing purposes, you may elect not to receive direct marketing at the time of providing your personal information.

### **Unsubscribing and opting out**

If you no longer wish to receive direct marketing or other communications, you may request at any time to cancel your consent to such communications as follows:

- If subscribing to an email newsletter you may "unsubscribe" at any time from the newsletter mailing list;
- The HSU may, from time to time, send you text messages about issues of importance such as events or campaigns. You may "opt out" by texting STOP in reply to a text message from the HSU; or
- You may contact us at any time by mail or email directed to our Privacy Officer.

### **Disclosure of your personal information**

The HSU may disclose your personal information, in connection with or to further the purposes outlined above, to:

- HSU delegates or representatives in your workplace;
- the ACTU;
- other Australian trade unions;
- affiliated trades halls or labour councils;
- political parties;
- as required by Australian law to government bodies or agencies (including the Fair Work Commission, the Fair Work Ombudsman, the Australian Tax Office, an anti-discrimination body, a work/occupational health and safety regulator);
- organisations to whom we outsource functions (including information technology providers, print service providers, mail houses);
- Insurance companies where the HSU holds a policy that covers you (e.g. Journey Insurance or Professional Indemnity insurance etc.);
- Law firms and solicitors or barristers where the HSU engages these firms to act for a member or group of members;
- retail shopper services;
- web host provider;
- online subscription services;
- auditors appointed by the HSU to conduct audits in accordance with legal requirements;
- Australian Electoral Commission for the conduct of HSU elections;
- otherwise as you have consented; and/or
- otherwise as required by law.

If any of these organisations are located outside Australia, you expressly consent to us disclosing your personal information to those organisations.

We take reasonable steps to ensure that each organisation that we disclose your personal information to is committed to protecting your privacy and complies with the Australian Privacy Principles, or is subject to a law or scheme that is at least substantially similar to the way in which the Australian Privacy Principles protect information.

The HSU is not likely to disclose personal information to overseas recipients, though this may occur from time to time in accordance with contracts for the provisions of services to the HSU by third party providers. It is not practicable to specify all the countries in which such recipients are likely to be located in this Policy. However, any such disclosure will be based on agreements which requires the overseas entity to comply with the same obligations that the HSU has with respect to your personal information under Australian Privacy Law.

By providing your personal information to the HSU, you consent to us transferring your personal information to such other organisations.

The HSU will never sell, trade or rent information about an individual to anyone else.

### **How the HSU holds personal information**

Wherever reasonably practicable the HSU holds electronic personal information on data servers that are owned and controlled by the HSU in Australia. The data servers are password protected and login secured. However, by providing personal information to the HSU you consent to your information being stored and processed on a data server or data servers (e.g. cloud services) owned by a third party or third parties that may be located either inside or outside of Australia. The HSU will take reasonable steps to ensure that any third party providers comply with the APPs. If personal information is only routed through servers located outside of Australia – this is not regarded as a disclosure.

Wherever reasonably practicable the HSU holds physical personal information in access controlled premises.

When the HSU no longer requires your personal information for a specific purpose and we are not required to keep it to comply with any laws, we will take such steps as are reasonable in the circumstances to destroy your personal information or to ensure that the information is de-identified.

### **Government Identifiers**

We will not adopt as our own identifier a government related identifier of an individual, such as a tax file number or Medicare card number and will only use or disclose a government related identifier where the use or disclosure:

- is reasonably necessary for the HSU to verify your identity for the purposes of our activities or functions;
- is reasonably necessary for the HSU to fulfil its obligations to an agency or a State or Territory authority;
- is required or authorised by or under an Australian law; or
- is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

### **How you may seek access and/or correction to personal information held by the HSU**

You have the right to request access to your personal information and request that it be updated or corrected. In most cases you can gain access to your personal information that the HSU holds. To request access to, correction of, or updating of any personal information held about you, please write to the Privacy Officer at the following address:

The Privacy Officer  
Health Services Union  
Level 2, 109 Pitt Street  
Sydney NSW 2000

Or email the Privacy Officer at [info@hsu.asn.au](mailto:info@hsu.asn.au)

General enquiries can be made via telephone by calling the following number: 1300 478 679

The HSU requires that you provide proof of identity in order to seek access to your personal information. The HSU may charge a reasonable fee where access is provided. The HSU may refuse to provide access if permitted to do so by law or under the APPs. The HSU will seek to provide you with access to your personal information within 30 days of receipt of a valid request and may charge you a reasonable fee for doing so.

As a member of HSU you should contact the HSU when your personal information details change. It is important that we keep your membership details up to date. Please contact the Membership officer or the Privacy Officer to update any personal information. The HSU may also take steps to update your personal information by contacting you directly by phone, letter, email, asking for Membership Update forms to be completed at meetings or by reference to publicly available sources such as telephone directories or electoral rolls.

Membership officers can be contacted via [info@hsu.asn.au](mailto:info@hsu.asn.au)

### **How you may complain about a breach of the APPs**

To make a complaint about an alleged breach of the APPs please write to or email the Privacy Officer at one of the following addresses:

#### **The Privacy Officer**

Health Services Union  
Level 2, 109 Pitt Street  
Sydney NSW 2000

Or email the Privacy Officer at [info@hsu.asn.au](mailto:info@hsu.asn.au)

All complaints must be written. Please provide all details about your complaint as well as any supporting documentation to the Privacy Officer.

### **How the HSU will deal with complaints**

The HSU will seek to deal with privacy complaints as follows:

- complaints will be treated seriously;
- complaints will be dealt with promptly;
- complaints will be dealt with confidentially;
- complaints will be investigated by the Privacy Officer; and
- the outcome of an investigation will be provided to the complainant where the complainant has provided proof of identity. The HSU will seek to respond within 30 days of receipt of a valid complaint.



### Variations to the Policy

This Policy may be varied from time to time and an updated version will be posted on the HSU's websites. Please check our websites regularly to ensure that you have the most recent version of the Policy.

### Policy Version Control

Policy Approval Date:	29 March 2023
Approved by:	Union Council
Approval Resolution No:	UC 15/2023
Version No:	V4
Replaced Version No & Date:	V3 2 December 2021
Relevant Legislation:	<i>Privacy Act 1988</i> (Cth) ( <b>Privacy Act</b> ) and the Australian Privacy Principles ( <b>APPs</b> )