



POLICY

Drafted by	J. Briscoe	Approved by Board on	April 2014
Date Drafted	April 2014	Date Last Reviewed	June 2018
		Scheduled review date	June 2021

Privacy and Confidentiality

Purpose

To establish policy and guidelines for ValleyFM (VFM) Members for compliance with the Commonwealth Privacy Act of 1988.

Responsibilities

The Board is responsible for the development, operationalisation and review of this policy. Compliance with the policy is the responsibility of all members.

Policy

ValleyFM collects information about its members and members have a right to have this information used responsibly and only for the purpose for which it has been collected by those authorised to use it.

Members also have the right to have their grievances and disputes resolved with confidentiality, and the obligation to respect the process and accept its outcomes.

National Privacy Principles

The following clauses are policy statement based on the National Privacy Principles.

Privacy

Collection: ValleyFM Broadcasters Association Inc. must only collect that information which is necessary for the operation of the station, or required by official bodies, and through official documents approved by the Board for the purpose.

Use and Disclosure: The contact details of members will only be revealed to other members for purposes approved by the Board.

The contact details of presenters will be available to other presenters for the purposes of exchanging materials or arranging replacements.

The contact details of members will be available to Board Members for the purposes of performing their duties.

The contact details of Board members will be available to members for contact for the purposes of station business.

Contact details of members must not be disclosed to members of the general public.

Notwithstanding the above clauses, if the information is required by a member of the Police in the investigation of a possible unlawful activity, or in the case of personal emergency, or in the avoidance of harm to the member, the required information may be disclosed.

Data Quality: Members have a right to inspect the information held about them and to amend incorrect information. Members have the obligation to update information in a timely manner.

Data Security: Lists of members' contact details will not be displayed in any public area. Members using lists of members' contact details must ensure that they kept out of public view.

Confidentiality

Confidentiality must be maintained when members are involved in any dispute, disciplinary process or grievance procedure. Where a member is involved in a dispute, disciplinary process or grievance procedure any discussion of the issues involved will be held in closed session of the Board.

Members of the Board are ethically bound not to discuss these matters with any member not involved in the process.

Where a member is involved in a dispute, disciplinary process or grievance procedure, the member may not disclose details of these matters to other members or persons not involved in the process.

In the case of correspondence generated in a dispute, disciplinary process or grievance, that correspondence must not be disseminated to any other member or person not involved in the process.

If the dispute, disciplinary process or grievance becomes the subject of an appeal at a special general meeting, details of the matters under discussion may be revealed at that meeting only and in such a manner as determined by the President.

Information gained during an information gathering process about the personal circumstances or health of a member may not be revealed without the consent of the member, except within the context of a closed meeting of the Board where that information is relevant to a discussion of business.

Personal information revealed about a member in the Board during the course of discussion of business must be regarded as privileged.

Personal information about a member must not be broadcast without the knowledge and permission of the member.

Interviews and Comment

Attention is drawn to the section of the Community Broadcasting Code of Practice: "2.5 Community broadcasting licensees in observance of privacy laws will respect each person's legitimate right to protection from unjustified use of material, which is obtained without an individual's consent, or other unwarranted and intrusive invasions of privacy; not broadcast the words of an identifiable person unless:

- That person has been informed in advance that the words may be transmitted, or
- In the case of words which have been recorded without the knowledge of the person, the person has subsequently, but prior to the transmission, indicated consent to the transmission of the words, or
- The manner of the recording has made it manifestly clear that the material may be broadcast."

Legislation Framework

ACT Associations Incorporation Act 1991

Commonwealth Privacy Act 1988

Commonwealth Freedom of Information Act 1982

References

ACMA Community Broadcasting Codes of Practice 2008

Australian Information Commission

Australian Council of Social Services

ValleyFM Broadcasters Association Incorporated Constitution, 30 October 2013

ValleyFM Volunteers Policy, April 2014

ValleyFM Grievance and Dispute Resolution Policy, April 2014

ValleyFM Complaints Management Policy, April 2014

ValleyFM Volunteers Policy, April 2014