

# **Australian and New Zealand College of Anaesthetists PRIVACY POLICY**

## **1. PURPOSE**

The purpose of this policy is to communicate clearly the personal information handling practices of the College, in accordance with relevant legislation.

## **2. INTRODUCTION**

The Australian and New Zealand College of Anaesthetists (the College) is committed to ensuring the privacy of individuals.

The College complies with the following:

Australian Privacy Principles - Privacy Act 1988 (Australia)

Information Privacy Principles - Privacy Act 1993 (New Zealand)

This policy outlines the way the College collects, uses, stores and discloses personal information, the procedures concerning management of privacy complaints and the procedures that allow access to personal information.

## **3. BODY OF POLICY**

All personal information that enters the College is dealt with in a consistent manner and every effort is made to maintain its security.

The College collects and holds personal information about Fellows, trainees, conference delegates, applicants, recipients of College services, hospitals, suppliers, and other individuals who interact with the College. This information typically includes name, address, telephone and fax details, email address, and may also include other personal information (for example, curriculum vitae) and financial information. This information facilitates the provision of College services such as education and training, enables the College to procure goods and services from suppliers, and allows the College to contact individuals and others.

Business needs may require the disclosure of personal information to related service providers. In appropriate cases we will endeavour to inform the individual of the type of personal information held, the reasons for disclosure, and the type of individuals and organisation to whom it is usually disclosed. Personal information where required by law will be disclosed.

### **3.1 Collection**

The College will only collect information from individuals when it is reasonably necessary for the performance of its functions and activities, and all such collection will be subject to this policy. The information collected will depend on the individual's relationship with the

College. Sensitive information will only be collected if the individual gives consent or if it is required by law.

“Sensitive information” means information about an individual’s racial or ethnic origin, political opinions, membership of a political, professional or trade association, philosophical beliefs or affiliations, membership of trade union, sexual preferences or practices, or criminal record. It also includes health information.

When collecting information, the College may require individuals to consent to the collection of this information. An appropriate collection statement will be provided to individuals at or before the time of collection (or where impracticable to do so, as soon as possible thereafter).

### **3.2 Use**

The College uses personal information for the purpose for which it was collected. This information may be used for secondary purposes which directly relate to the primary purpose of collection. For example, an individual may be required to fill in a form to register for a scientific meeting or conference and the College may use these contact details to send a conference program or other conference information.

Contact information held by the College may also be used to inform individuals of special offers or additional services provided by the College. Where required or appropriate, the individual contacted will be provided with the option of not receiving further communication of this nature from the College.

De-identified clinical information is used to ensure that the ANZCA trainees have a broad clinical experience prior to qualification. De-identified clinical information is used by the ANZCA continuing professional development program to confirm maintenance of clinical standards by Fellows. De-identified clinical information is used by the Australian and New Zealand Tripartite Anaesthetic Data Committee (ANZTADC) and the ANZCA Quality and Safety Committee to improve patient safety.

The College collects, uses and stores personal information, and may disclose information to third parties to provide College membership services and benefits, maintain College membership and service/benefits records, provide information, assist continuing professional development and education and training, and to conduct research for purposes related to the College, anaesthesia and the above. All specific requests for information from a third party in connection with College services and benefits will be documented, and managed in accordance with the ANZCA privacy policy, and information privacy legislation.

### **3.3 Disclosure**

The College does not sell any of the personal information it collects. The College will disclose personal information for the primary purpose for which it was collected or for a secondary purpose if it directly relates to the primary purpose. Individuals will be informed of this, and may have to sign a consent form at the point of collection.

For example, aggregated membership and training information may be shared with medical boards, health authorities, government, hospitals and other health institutions in connection with uses identified in this policy.

The College does engage third parties to perform certain business functions. Therefore, it is sometimes necessary to disclose personal information to those suppliers. Where disclosure takes place, the College seeks to ensure that personal information is handled in accordance with the Australian Privacy Principles and the New Zealand Information Privacy Principles. The College requires third parties to sign a confidentiality agreement

Information will not be disclosed where to do so would breach other statutory or legal obligations.

### **3.4 Security**

The College undertakes to protect personal information from unauthorised use, access, disclosure and alteration. Staff must comply with the College's policy on the handling of personal information. IT protection systems and internal procedures are also utilised to protect the personal information held by the College. Information will be held until there is no longer a business or legal need to retain it.

### **3.5 Correction**

The College seeks to maintain the accuracy of personal information. Individuals are encouraged to contact the College if the information held is incorrect or to notify the College if personal information has changed. Changes to personal details can also be made by individuals through the College website [www.anzca.edu.au](http://www.anzca.edu.au) or by email [privacy@anzca.edu.au](mailto:privacy@anzca.edu.au).

### **3.6 Period of retention**

The College shall not retain the personal information of any person for longer than necessary. The ANZCA records disposal schedule (for internal use only) lists the status and retention period of all documents archived by the College.

### **3.7 Access**

The privacy officer may be contacted on +61 3 9510 6299 or at [privacy@anzca.edu.au](mailto:privacy@anzca.edu.au) at any time by an individual to access their personal information. A request in writing from that individual will be required to access their information. Access will be provided unless the request is unreasonable or the Australian Privacy Principles or New Zealand Information Privacy Principles permit or require the College to decline that access. As permitted by law, a fee may be requested to cover the cost of access. Any queries regarding an individual's personal online information should be checked by that individual prior to any such request.

## **4. PARTICULAR PROVISIONS AND INFORMATION USE**

In addition to the above, the following provisions apply:

### **4.1 International medical graduate assessment**

The College is involved in the assessment of international medical graduates' anaesthesia training, qualifications and experience, and the Australian Medical Council (AMC) and the Medical Council of New Zealand (MCNZ) discloses applicants' personal information to the College for this purpose and vice versa. Applicants for assessment for "area of need" anaesthesia positions in Australia disclose personal information to both the AMC and the College in parallel.

The College may need to clarify this information with external institutions or individuals, such as employers, recruitment agents, or health departments, and gather additional information in order to complete assessments. Information may also be sought from any area of the College including the New Zealand National Office. As part of the specialist assessment process, the College's recommendation(s) will be provided to the AMC or to the MCNZ and to any relevant state or territory medical board or council. The College may also disclose personal information where required to do so by law. The College will handle any personal information in accordance with the privacy acts of Australia and New Zealand and Australian Privacy Principles or New Zealand Information Privacy Principles. Any information provided to the College for the purpose of assessment will be used and disclosed in the manner set out in this policy.

#### **4.2 Fellows and trainees**

The College holds personal information about Fellows and trainees which is used to conduct College business, for the purpose of education, training and assessment and for continuing professional development and other purposes set out in this policy. It may be disclosed to College staff, ANZCA Council and committees, hospitals, external suppliers, and societies and associations of which the individual is an applicant or member. General information may be provided to members of the public if requests are made about a Fellow's or trainee's status, or otherwise. Personal information may be disclosed where required by law.

Any information provided to the College will be used and disclosed in the manner set out in this policy. Failure to provide this information may prevent the College from adequately delivering its services. Further information regarding the use and disclosure of personal information may be provided at the point of collection.

#### **4.3 Faculties**

Faculties of the College are part of the College legal entity, and as such the Faculty of Pain Medicine is subject to the same conditions as outlined in this policy.

#### **4.4 Special interest groups**

Special interest groups have been formed by the College with the Australian Society of Anaesthetists and the New Zealand Society of Anaesthetists, and personal information relevant to the activities of the special interest groups may be shared with those societies.

#### **4.5 External suppliers**

The College discloses information to external suppliers, including examination and training supervisors, when entering into transactions for the purpose of College business. This information will be handled in accordance with the Australian Privacy Principles or

New Zealand Information Privacy Principles. It will not be utilised for any other purpose and only disclosed to suppliers for the contracted purpose. Failure by an external supplier to act in accordance with the College privacy policy may result in termination of the relationship with the College.

The College holds personal information about external suppliers which may be used and disclosed in the course of conducting College business. Personal information may be disclosed to other suppliers to the College or to College staff, council and committees where necessary in order to conduct this business. Failure to provide this information may impede the process of transacting business.

## **5. COMPLAINTS AND CONCERNS**

If you wish to make a complaint about a breach of your privacy, the complaint should be made in writing to (insert appropriate contact details).

Receipt of your complaint will be acknowledged, and the College will endeavour to deal with your complaint and provide you a response within 30 days. Some matters may require detailed investigation, and may accordingly take longer to resolve. The College will provide you with progress updates if this is the case, and may seek further information from you.

The College may refuse to investigate and deal with a complaint if it is considered to be abusive, trivial; or vexatious.

If you are dissatisfied with the outcome of a privacy complaint after an initial decision has been made by the College, you may seek internal review of the decision. Internal review will be conducted by a different officer of the College who has not previously been involved in your complaint.

If you are still dissatisfied with the outcome of your complaint after internal review, you are able to take your complaint to the Office of the Australian Information Commissioner for resolution.

If you have any concerns about the College's handling of personal information, please contact the privacy officer on +61 3 9510 6299 or via [privacy@anzca.edu.au](mailto:privacy@anzca.edu.au).

## **6. CHANGES TO ANZCA PRIVACY POLICY**

The College may modify or amend this policy at any time provided the policy still complies with the relevant privacy legislation. Information will be held and used in accordance with the privacy policy, as amended from time to time. Formal notice of amendments will not ordinarily be given, but the current privacy policy will be available via the College website. The latest version of the policy can be accessed via the College website [www.anzca.edu.au](http://www.anzca.edu.au) or by contacting the College on +61 3 9510 6299.

## 7. CHANGE CONTROL REGISTER

Version	Author	Approved by	Approval Date	Sections Modified
1	Policy Unit	Council	Dec, 2007	Created
1.1	Policy Unit	Executive	Nov 19, 2011	References to JFICM removed, references to records disposal schedule included
1.2	Policy Unit	Council	Jan 15, 2014	Updated for consistency with 2014 Australian Privacy Principles. Section 3.2 additional information on use of personal information. Addition of generic email address for queries <a href="mailto:privacy@anzca.edu.au">privacy@anzca.edu.au</a>
1.3	Policy Unit	CEO	March 11, 2014	Copyright statement added

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