



PRIVACY POLICY

Adopted or Amended	By Whom	Date
Adopted	Board of Directors	23 rd February 2011
Reviewed	Board of Directors	29 th January 2013
Amended	Board of Directors	3 rd June 2014
Reviewed	Board of Directors	1 st November 2016
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Amended	Board of Directors	31 st May 2022
Reviewed	Board of Directors	27 th July 2024

SWIMMING NEW SOUTH WALES LIMITED
PRIVACY POLICY
(the **Privacy Policy**)

1. Introduction

The protection of personal information is critical and SNSW recognises the importance of your privacy, and your right to control your personal information.

Swimming New South Wales Limited (**SNSW**; in this Privacy Policy, SNSW may also be referred to as **we** and **our**) is the New South Wales governing body for the sport of swimming. The SNSW Head Office is located at 11-21 Underwood Rd, Homebush NSW 2140.

SNSW is a member of Swimming Australia Limited (**SAL**). SAL is the Australian national governing body for swimming and is recognised as such by World Aquatics.

This Privacy Policy sets out how SNSW may collect, hold, use and disclose your personal information. By providing your personal information to SNSW, you consent to its use, storage and disclosure in accordance with this Privacy Policy. This policy is made in accordance with the Privacy Act 1988 (Cth) (**Act**) and the Australian Privacy Principles.

Individuals have the option of not identifying themselves when dealing with SNSW, provided that it is lawful and practical to do so. Where it is lawful and practicable, SNSW will offer you an opportunity to interact and deal with SNSW anonymously or using a pseudonym.

If you do not provide some or all of the personal information that we request from you, this may affect SNSW's ability to communicate with you or provide the requested products or services.

By not providing requested personal information, you may jeopardise your ability to participate in programs or competitions, apply for employment or volunteer positions with SNSW, or otherwise obtain products and services from SNSW. If it is impracticable for SNSW to deal with you because of you not providing the requested information or consent, SNSW may refuse to do so.

SNSW may from time to time update this Privacy Policy by publishing an updated version of this Privacy Policy on its website, www.nsw.swimming.org.au (the **SNSW Website**).

What information does SNSW collect?

The types of personal information that SNSW collects and holds depends on the purpose(s) for which the personal information is collected and held. SNSW will only collect personal information that is reasonably necessary.

In the case of a Child or Young Person SNSW or an SNSW Affiliate may also collect personal information about that person from the parent(s) or legal guardian(s).

The types of personal information collected and held by SNSW may include without limitation a person's name and gender information; street address, postal address and email address; phone numbers, mobile phone numbers, photograph, date and country of birth; participation and participation history in the sport of swimming; residence history; family background and demographic information; emergency contact details; occupation details; credit card and bank account details; swimming results, training location, your purchasing history and financial details. SNSW also collects Working With Children Check numbers and relevant accreditations.

SNSW may also collect and hold **sensitive information** about you. The term **sensitive information** as it is used throughout this Privacy Policy, is given the same meaning as given to the term in the Act. The term includes information that is personal information, and which also has the characteristic of being information about an individual's:

- Racial or ethnic origin
- Political opinions or associations
- Religious or philosophical beliefs
- Trade union membership or associations
- Sexual orientation or practices
- Criminal record
- Health or genetic information
- Some aspects of biometric information.

SNSW may use this sensitive information in certain circumstances, including making sure that the swimming programs, events, and activities that you participate in are run safely and in accordance with any special health needs that you may have, and for insurance purposes. SNSW may also use sensitive information as required by SNSW's rules and regulations, including medical and anti-doping testing and investigations.

The term **health information** as it is used throughout this Privacy Policy, is given the same meaning as given to the term in the Act. Basically, health information is a subset of sensitive information, with the specific additional characteristic of being information or an opinion about the health of a person (including an illness, injury or disability); a person's expressed wishes about the future provision of health services; or the health services provided, or to be provided to a person.

Why does SNSW collect personal information?

The primary purpose for which SNSW collects and holds personal information about you is to enable SNSW to achieve its objectives and perform its functions as the NSW governing body for the sport of swimming.

In more detail, SNSW collects, holds, uses and discloses personal information about you for purposes including the following:

1. To verify your identity.
2. To ensure compliance with rules, regulations and policies implemented by SAL, SNSW and other organisations such as World Aquatics, the International Olympic Committee (**IOC**) and the Australian Olympic Committee (**AOC**).
3. To register you as a member of SNSW and to participate in competitions, events and activities organised and conducted under the control and auspices of SNSW.
4. To provide insurance under SNSW insurance policies.
5. To provide you with appropriate emergency or medical assistance in cases of injury or emergency.
6. To develop programs, activities, events, products, services and merchandise relating to swimming.
7. To provide you information about SNSW's products and services.

8. To contact you if you win a prize in a competition you have entered and send that prize to you.
9. For any use which is reasonably apparent at the time the personal information is collected.

How does SNSW collect and hold personal information?

SNSW collects personal information:

1. When you become a member of a swimming club, association or other body which is a member of, or affiliated with SNSW (**SNSW Affiliate**)
2. When you provide personal information to SNSW by filling in SNSW approved forms
3. When you subscribe to any publication of SNSW, including electronic publications
4. When you provide details to SNSW or SNSW Affiliate in an application, consent form, survey, feedback form or incident report
5. When you enter personal information into, or agree to having your personal information entered into one of SNSW's online systems
6. When you access the SNSW website or SNSW Affiliate
7. When you contact SNSW via email, telephone or mail or engage with SNSW via social media
8. When you participate in any program, activity, competition or event run by SNSW or a SNSW Affiliate
9. When you purchase tickets to a SNSW or sporting event from SNSW or an authorised agent
10. When you purchase merchandise, products or services from SNSW or an authorised agent or licensee
11. If you are elected or appointed to the Board or a committee of SNSW
12. If you apply for employment or a volunteer position with either SNSW, or a SNSW Affiliate
13. If you enter a competition conducted by or on behalf of SNSW
14. Where SNSW is required to do so by law (for education, child protection, work health and safety laws, charitable collections, medical treatment or other legislation in Australia)

SNSW may also collect personal information about you from third parties where you would reasonably expect it or where you have consented to your personal information being share, including for example:

1. SAL and other state and territory swimming governing bodies (**State Members**)
2. SNSW Affiliates
3. State and territory sports institutes and academies (**SSIAs**).
4. Sport Australia (**Sport Australia**), the Australian Institute of Sport (**AIS**) and the Australian Olympic Committee (AOC).
5. Sport Integrity Australia (**SIA**).
6. World Aquatics
7. Program partners e.g. venues, local councils, Office of Sport

If SNSW receives unsolicited personal information that has not been requested, we will handle this information in accordance with the Privacy Act.

Information storage and data security

SNSW stores information in several different ways, including in paper and in electronic form. Much of the personal information we collect from, and about our members is added to Swimming Australia's membership database Swim Central. When your personal information is entered into Swim Central, the information may be combined or linked with other information held about you.

The security of personal information is important to SNSW. SNSW has taken steps to protect the information we hold from misuse, loss, unauthorised access, modification or disclosure. Specifically, SNSW will take all reasonable steps to:

1. Ensure that only authorised officers, staff and volunteers have access to the personal information.
2. Ensure that personal information is disclosed only in accordance with this Privacy Policy.
3. Protect the personal information from misuse and loss, from unauthorised access, modification, interference or disclosure.
4. De-identify or destroy personal information when it is no longer needed by SNSW for any purpose for which the information may be used or disclosed, or if you withdraw your consent, unless any legal requirements prevent SNSW from de-identifying or destroying that personal information.

SNSW will take all reasonable steps to make sure that the personal information it collects, uses and discloses is accurate, complete and up to date.

SNSW will only collect identity information (e.g. passport), including through scanning, if the handling of that information complies with the Australian Privacy Principles and it is considered reasonably necessary. SNSW will take reasonable steps to protect the ID information that we scan from misuse, interference and loss and from unauthorised access, modification or disclosure.

How does SNSW use and disclose personal information?

Swimming SNSW will not use or disclose personal information for another reason unless an exception applies. Exceptions include:

- You have consented to SNSW using or disclosing your personal information for a secondary purpose.
- Where it is reasonably necessary for enforcement purposes carried out by, or on behalf of, an enforcement body.
- A secondary purpose is required or authorised under an Australian law, or court or tribunal order.

SNSW, and the third parties to whom we may disclose personal information in accordance with this Privacy Policy, may collect, hold and use your personal information to:

1. Verify your identity
2. Complete background checks
3. Research, develop, run, administer and market competitions, programs, activities and other events relating to swimming
4. Research, develop and market products, services, merchandise and special offers made available by us and third parties
5. Respond to emergency situations involving or requiring medical treatment

6. Administer, manage and provide you with access to the Swimming NSW membership database and the SNSW Website
7. Keep you informed of news and information relating to various swimming events, activities and opportunities via various mediums.

SNSW may use health information to ensure that programs we operate are run safely and in accordance with any special health needs participants may require. Health information may also be kept for insurance purposes. In addition, we may use de-identified health information and other sensitive information to carry out research, to prepare submissions to government, or to plan events and activities.

Disclosure within Australia

SNSW may disclose your personal information to a range of organisations which include, but are not limited to:

1. SAL, State Members, SNSW Affiliates and other organisations involved in swimming programs in Australia
2. Companies we engage to carry out functions and activities on SNSW's behalf, including direct marketing
3. Our professional advisers, including our accountants, auditors and lawyers
4. Our insurers
5. Relevant sporting bodies such as the World Aquatics, the Australian Sports Commission, the AIS, SIA, SSIA's, various national sporting bodies, federal and state departments of sport
6. In any other circumstances permitted by law.

Disclosures outside Australia

In certain circumstances it may be necessary for SNSW to disclose your personal information to recipients that are located overseas, such as World Aquatics and IOC, each of which is located in Lausanne, Switzerland. It may also be necessary to disclose personal information to overseas recipients in relation to managing the travel and logistics for athletes, officials and staff travelling overseas, or where a person is participating in a swimming event overseas.

SNSW will take reasonable steps to ensure that the overseas recipients of your personal information do not breach the privacy obligations relating to your personal information.

Without limiting the foregoing paragraph, SNSW will not transfer your personal information to an overseas recipient unless SNSW has first taken steps reasonable in the circumstances to ensure that the personal information that it transfers will not be held, used or disclosed by the recipient of the information inconsistent with or in otherwise in breach of applicable privacy laws and (where necessary) the European Union's General Data Protection Regulations.

Direct marketing

SNSW will use non-sensitive personal information to provide better services and for marketing purposes (including disclosure of such information to service providers).

If you do not wish to receive email, SMS or posted offers from SNSW, you may opt-out by using the link provided by SNSW in that email or other communication. Alternatively, you may advise us of your choice at any time by contacting the SNSW Privacy Officer, via the contact details set out in this Privacy Policy.

Other disclosures

In addition, SNSW may also disclose personal information:

1. with your express or implied consent
2. when required or authorised by law
3. to an enforcement body when reasonably necessary
4. to lessen or prevent a threat to an individual or public health or safety.

SNSW Website and “Cookies”

When you visit the SNSW Website, our systems may record certain information about their use of the site, including the web pages visited and the time and date of their visit. SNSW uses this information to help analyse and improve the performance of the SNSW Website.

In addition, we may use “cookies” on the SNSW Website. Cookies are small text files that assist our website retain user preferences to improve the experience of using our website. In some cases, the cookies that we use may collect some personal information. SNSW will treat this information in the same way as other personal information we collect.

You can configure your browser to accept all cookies, reject all cookies or notify you when a cookie is sent. Each browser is configured differently, and as such you must check the “help” (or similar) menu on your browser to understand how to change your cookie preferences.

Websites linked to the SNSW Website are not subject to SNSW's privacy standards, policies or procedures. SNSW cannot take any responsibility for the collection, use, disclosure or security of any personal information that you provide to a third-party website.

Accessing and seeking correction to personal information held by SNSW

Subject to some exceptions provided by law, you have the right to access your personal information that SNSW holds.

If SNSW does not allow you access to any part of the personal information which we hold about you, we will tell you why. SNSW will also provide you with information as to the mechanisms you can use to complain about the refusal. SNSW will respond to a request for access to personal information within a reasonable period.

For security purposes, if you would like to access personal information that SNSW holds about you, we require that you put that request in writing. SNSW will not charge you any fee or other amount for lodging such a request to access your personal information; however, SNSW may charge you for our reasonable costs in supplying you with access to this personal information.

If you have any questions in relation to this Privacy Policy, or if you have a complaint, **you can contact the SNSW privacy officer via daniel.blattman@nsw.swimming.org.au.**

SNSW will take all reasonable steps to ensure that the personal information it collects, uses or discloses is accurate, complete and up to date. However, we rely on the accuracy of personal information as provided to us both directly and indirectly.

We encourage you to regularly review and update your personal information. If you believe that personal information that SNSW holds about you is incorrect, incomplete or inaccurate, then you may request us to amend it.

SNSW will consider if the information requires amendment. If we do not agree that there are grounds for amendment, then we will add a note to the personal information stating that you disagree with it. SNSW will also notify you in writing of the reason(s) for refusing to amend the personal information held about you.

If SNSW determines that the personal information held about you is incorrect, incomplete or inaccurate, then SNSW will take reasonable steps to correct the personal information to ensure that, having regard for the purpose(s) that the personal information is held, that it is accurate, complete, relevant, up-to-date and not misleading.

Resolving privacy issues and complaints

SNSW takes complaints about privacy seriously. SNSW will be efficient and fair when dealing with, and responding to, complaints received in accordance with this Privacy Policy. SNSW will investigate and deal with complaints in a confidential manner and in accordance with any mandatory guidelines established by the Office of the Australian Information Commissioner (**OAIC**).

SNSW will inform you of the outcome of an investigation into a complaint that you make within a reasonable period of time.

Any complaints in relation to the collection, use, disclosure, quality, security of or access to your personal information may be made to the **SNSW Privacy Officer via daniel.blattman@nsw.swimming.org.au**. If we are unable to resolve your complaint or you are unhappy with the outcome, you can contact the OAIC via its enquiries line 1300 363 992 or website <http://www.oaic.gov.au/> to lodge a complaint.

For further information on SNSW's management of personal information, please contact SNSW.

Notifiable data breaches scheme

Where any loss of, or unauthorised access or disclosure of your personal information is likely to result in serious harm to you, SNSW will investigate and notify you and where applicable the OAIC within 72 hours of SNSW becoming aware of the loss of, or unauthorised access or disclosure of your personal information.

Liability

To the maximum extent permitted by law, SNSW expressly disclaims any liability for a breach of this Privacy Policy.

By providing SNSW with your personal information, you acknowledge that any damage caused to you or to any other individual by the disclosure of that information shall be limited to the amount recoverable under applicable legislation and otherwise not recoverable from SNSW.

Updates to this Privacy Policy

SNSW may change this Privacy Policy from time to time. Any updated versions of this Privacy Policy will be posted on the SNSW Website.

This Privacy Policy was last reviewed and updated in May 2024.