

**BRANCH POLICY STATEMENT 1.08**

**PRIVACY**

There are government reforms to the Privacy Act aimed at enhancing privacy protections and addressing modern challenges. Key amendments include:

- (a) The definition of “personal information” will be broadened to include information “relating to” an individual and not just “about” an individual;
- (b) consent requirements will be strengthened, ensuring individuals provide clear and informed consent for data collection and use and enhancing transparency obligations by requiring more detailed privacy policies;
- (c) the reforms will expand individual rights, granting individuals the right to access and correct personal data, as well as the right to portability and erasure;
- (d) the introduction of a statutory tort for serious invasions of privacy, enabling individuals to sue for breaches;
- (e) the small business exemption will be removed, requiring all organisations to comply with the Privacy Act, regardless of the size;
- (f) stricter timelines for mandatory notification of serious data breaches will be reduced from 30 days to 72 hours;
- (g) employee records exemption will be narrowed to ensure that employees’ personal information is appropriately protected.
- (h) organisations must appoint a Privacy Officer from senior staff to oversee compliance by conducting regular privacy impact assessments.
- (i) Organisations will be required to have two factor authentication turned on and staff will be required to undertake cyber security education.

**1. Introduction**

1.2 **ADAVB** is the peak body and professional association for practising dentists, retired dentists and dental students in Victoria. ADAVB is committed to the oral health of

Victorians and the practice of dentistry more broadly. ADAVB delivers a range of services and activities to:

- (a) support members in their professional endeavours (including the provision of professional advice and support, continuing professional development, resources, news and updates);
- (b) promote dental health and oral health practices among the Victorian community;
- (c) support research into dentistry and oral disease;
- (d) engage with the State Government, and
- (e) In liaison with the federal peak body, Australian Dental Association Ltd (**ADA**), engage with the Federal Government to better address the delivery of dental care (collectively, the **ADAVB Services**).

## **2 Our commitment to privacy**

- 2.1 ADAVB is bound by the *Privacy Act 1988* (Cth) (**Privacy Act**) in managing the collection, use, storage and disclosure of personal information (including any sensitive information). ADAVB takes its privacy obligations seriously and is committed to best practice in managing personal information gathered from members and non-members (including supporters, donors, volunteers, and sponsors) during your dealings with us and ensuring the security and protection of that personal information.
- 2.2 This Privacy Policy provides details about how ADAVB collects, uses, stores, discloses, and otherwise handles your personal information in accordance with its obligations under the Privacy Act and other applicable privacy laws.
- 2.3 By engaging with us, visiting our website or social media channels or feeds that we promote, attending our events, or providing us with your personal information, you agree to your personal information being collected, used, stored and disclosed on the terms set out in this Privacy Policy.
- 2.4 In this Privacy Policy, 'personal information' has the same meaning as in section 6 of the Privacy Act:

*'information or an opinion about an identified individual, or an individual who is reasonably identifiable:*

*(a) whether the information or opinion is true or not; and*

*(b) whether the information or opinion is recorded in a material form or not.*

- 2.5 In addition to providing the ADAVB Services, ADAVB provides:
- (a) Administrative and secretariat support services for the eviDent Foundation (ABN 81 152 078 487) (**eviDent**). eviDent is a registered charity with the Australian Charities and Not-for-Profit Commission. ADAVB is the sole member of eviDent;
  - (b) administrative and support services to members of the Australian Dental Association, Tasmanian Branch Incorporated (ABN 98 462 652 749) (**ADATas**); and
  - (c) services to ADAVB members whereby ADAVB acts as an authorised representative of Guild Insurance Limited (ABN 55 004 538 863) (**Guild Insurance**) in facilitating member insurance claims or notifiable circumstances.
- 2.6 When we collect, use, disclose and manage personal information on behalf of eviDent, ADAVB, ADATas, ADA and Guild Insurance, we do so in accordance with the privacy practices outlined in this Privacy Policy.
- 2.7 eviDent, ADATas, ADA and Guild Insurance Ltd each have their own Privacy Policies that set out how those entities manage personal information they collect and hold. These privacy policies are available from their respective websites, which are set out below:
- (a) [eviDent](#);
  - (b) [ADATas](#);
  - (c) [ADA](#); and
  - (d) [Guild Insurance Ltd](#).

### **3 The collection of your personal information**

- 3.1 We collect personal information only for purposes directly related to your engagement with us and only where that use is permitted by the Privacy Act or other legislation. Below, we outline the types of personal information collected by ADAVB in providing the ADAVB Services, how that personal information is collected, and the purposes for which that personal information might be used and disclosed by us.

#### **The types of personal information we collect**

- 3.2 The type of personal information that we collect will ultimately depend on the types of interactions that you have with us, but will typically include:
- (a) contact details about you (your name, address, contact phone number, postcode, email address);
  - (b) demographic information (gender, date of birth, age);
  - (c) education information (your educational qualifications and year of graduation);

- (d) professional information (your professional qualifications, area of specialty, registration details with AHPRA, details of your continuing professional development activities);
- (e) employment details (including business details of your current employer, if applicable);
- (f) activities or areas of involvement with ADAVB (including your participation in ADAVB, other dental and community activities and events, and involvement in ADAVB Group(s));
- (g) financial information (for example, credit card numbers or bank account details to facilitate payment for membership fees and services); and
- (h) details about our interactions with you, such as:
  - (i) your ADA membership details and status;
  - (ii) any feedback, complaints, responses to surveys, records of correspondence and interactions with our staff (including in person, online, by telephone, email and social media); and
  - (iii) your preferences, interests products and services.

3.3 Where the ADAVB provides assistance services to members that involve our preferred indemnity provider, ADAVB may collect the following information:

- (a) Name and contact details of the relevant insured member; and
- (b) details relevant to the claim (including but not limited to) patient/dental consumer information and, if the consumer consents, details about their dental health, treatment plans and treatment provided.

3.4 We may, from time to time, also collect information from you which is considered sensitive information under the Privacy Act, including:

- (a) Your membership status and
- (b) information relevant to your activities and engagement with ADAVB, including health information, and/or information which may identify your racial or ethnic origin, religious or philosophical beliefs, or affiliation with political associations.

### **How we collect your personal information**

3.5 We may collect your personal information directly from you in a number of ways, including:

- (a) By email and postal correspondence;
- (b) over the telephone;

- (c) via voice or image recordings and SMS messages;
- (d) through written correspondence with you;
- (e) through the completion of forms (electronic or hard copy);
- (f) when you access our products and services;
- (g) in-person interactions with you;
- (h) through our website;
- (i) via messages and conversations posted on our social media channels, posts and feeds;
- (j) at seminars, events and functions or when delivering the ADAVB Services;
- (k) through engaging with market research and/or surveys, and
- (l) from third parties, such as our service providers and suppliers.

3.6 We may also collect your personal information from third parties or our service providers, whom we contract with to assist us in providing the ADAVB Services.

#### **Collection of your personal information via the website**

3.7 Our ADAVB website uses cookies to help personalise your online experience.

3.8 A “cookie” is a small text file stored on your computer’s browser that assists in managing customised website settings and delivering content. All visits to the ADAVB website are logged. We may use cookies to collect non-personal information such as your IP address and domain name, the device and type of operating system or browser being used, pages you have accessed on our website, access times, dates and length of visits, referring website addresses and the resources accessed, webpages visited, and documents downloaded. Cookies cannot be used to run programs or deliver viruses to your computer. You are not identifiable from such information. ADAVB uses this information for website administration, statistical analysis, and maintenance.

3.9 You can use your browser's settings to control how your browser handles cookies. However, doing so may prevent you from accessing specific pages, content and/or interactive features on our website.

3.10 ADAVB uses Google Analytics to monitor visitors to our website. Based on your interactions with our website, Google and third-party sites may choose to show you content and advertising that directs you back to our website.

#### **4 How we use your personal information**

4.1 ADAVB requires your personal information to perform its core functions and provide services and benefits to its members and the dental sector more generally. ADAVB only

collects personal information for purposes directly related to our functions or activities and only when necessary for, or directly related to, such purposes or as otherwise permitted by law. ADAVB use your personal information for a number of purposes, including:

- (a) To fulfil administrative functions associated with membership, including:
  - i. Contacting members, non-members and prospective members about the ADAVB Services;
  - ii. processing membership applications, renewals and related payments; and
  - iii. investigating and handling complaints about members.
- (b) Responding to your requests for information and general enquiries;
- (c) to send you information about the ADAVB Services and other services offered by ADAVB and its affiliates;
- (d) conducting business analysis, organising and managing data, and reporting statistical information about the ADAVB Services;
- (e) training and assisting in staff development;
- (f) complying with any legislation or regulations as required;
- (g) to operate the ADAVB website;
- (h) to conduct survey and market research;
- (i) for marketing purposes, such as informing you about our activities, events, facilities, continued professional development opportunities and ADAVB Services and distributing newsletters to subscribed email addresses;
- (j) to assess individuals for ADAVB and external honours and awards;
- (k) advertising employment opportunities in the dental industry and
- (l) any other purpose directly related to ADAVB work and for which consent has been provided (where it is reasonably required by law).

## **5 Disclosure of your personal information to third parties**

- 5.1 ADAVB may be required to disclose your personal information to third parties where necessary to complete a request from you or to carry out a service. Examples of

circumstances where we may disclose your personal information to third parties include the following:

- (a) Mailing houses for delivery of ADAVB services, subscriptions or other dental publications;
- (b) entities engaged by ADAVB to:
  - (i) undertake surveys, or
  - (ii) to collect information about the dental practice you work in or
  - (iii) perform data processing and analysis;
- (c) approved organisations such as sponsors or partners for the purpose of promoting products or services for which ADAVB is affiliated;
- (d) the eviDent Foundation to promote research activities and fundraising;
- (e) Guild Insurance Limited to facilitate and investigate insurance claims;
- (f) Bond membership database and website;
- (g) to our secure payment provider, Westpac to facilitate payment of membership and other services;
- (h) other organisations with which ADAVB has agreements for the delivery of specified services; and
- (i) in certain circumstances, ADAVB may be legally obligated to disclose your personal information, for example, to government departments, where permitted by the Australian Privacy Principles.

5.2 ADAVB does not rent, sell or exchange your personal information. We do not give your personal information to other organisations, agencies or individuals without your informed consent unless one of the following exceptions applies:

- (a) we believe you would reasonably expect or have been told, that information of that kind is usually passed on to those individuals, bodies or agencies as a matter of standard practice;
- (b) the disclosure will prevent or lessen a serious and imminent threat to somebody's life or health or
- (c) the disclosure is otherwise required or authorised by law.

- 5.3 ADAVB takes all reasonable steps to ensure that any third-party organisations to whom your personal information is disclosed are bound by confidentiality and privacy obligations that align with our obligations under the Privacy Act.
- 5.4 ADAVB may occasionally contact you on behalf of affiliates about a particular offering that we believe may be of interest to you. In those circumstances, your personal information is not transferred to a third party.
- 5.5 ADAVB may share aggregated and de-identified personal information with research organisations and ADA Ltd.

## **6 Third-party websites and public forums**

- 6.1 The ADAVB website may contain links to resources and information available on third-party websites. ADAVB is not responsible for the content or privacy practices of any such websites that are linked to our website.
- 6.2 Please be aware that disclosing your personal information in a public forum, including an electronic communication channel facilitated by ADAVB (for example, a public message board or social media platform), may result in your personal information being used and collected by unauthorised third parties.
- 6.3 We encourage you to read and familiarise yourself with the privacy practices of each website or social media platform you visit. ADAVB is not responsible for the privacy practices of third parties.

## **7 Overseas transfer of your personal information**

- 7.1 As of the date of this Privacy Policy, ADAVB does not disclose your personal information to overseas recipients. If, in the future, ADAVB does propose to disclose your personal information overseas, we will do so in compliance with the requirements of the Privacy Act. In this event, ADAVB will, where practicable, advise individuals of the countries where any overseas recipient is likely to be located.

## **8 Data quality and security**

- 8.1 The security of your personal information and sensitive information is important to us.
- 8.2 The ADAVB website and secure-access member website are hosted in Australia. If you choose to provide us with personal information, you are consenting to the collection, use, and disclosure of personal information in the manner outlined in this Privacy Policy and to the storage of that personal information on our servers located in Australia.
- 8.3 The personal and sensitive information provided to us is stored in electronic databases. In some instances, information may also be stored in physical paper-based files held in



locked facilities and, in appropriate circumstances, archived and stored securely offsite.

- 8.4 We take reasonable steps to ensure your personal information is stored securely and protected from misuse, interference, and loss, as well as from unauthorised access, modification, and disclosure. These steps include:
- (a) Two factor authentication (2FA) requires users to provide two distinct forms of identification before accessing sensitive data. 2FA is required at all times for staff to access your information;
  - (b) staff are required to undertake cyber security education on a regular basis;
  - (c) maintaining appropriate security, including 24-hour surveillance devices in our ADAVB offices, the office reception, the office building entrance, the car park and common areas;
  - (d) using secure payment gateways for the processing of any payments;
  - (e) using encryption technology (such as Secure Socket Layer (SSL) protocol) to protect personal information when it is being transmitted to other websites or stored by us;
  - (f) using technical security for information storage facilities, including login, password protection and encryption, web filters, firewalls and anti-virus software;
  - (g) access to personal information is restricted to personnel who require that information to perform their assigned roles;
  - (h) the ADAVB office WIFI system is routinely monitored for security purposes, and logs are maintained of all network activity; and
  - (i) in circumstances where we no longer require your personal information for the purpose for which it was collected (or any related purpose), and where we are not required to retain it by legislation, we will de-identify it or destroy it in a secure manner.

## **9 Anonymity**

- 9.1 You have the right to either refuse to provide details about yourself or to be dealt with anonymously, provided that it is lawful and practicable.
- 9.2 ADAVB will try to accommodate any requests for anonymity wherever possible; however, in some circumstances, this may prevent practical and effective communication or delivery of services. In such cases, you will be notified accordingly.

## **10 Use and disclosure of your personal information for direct marketing**

- 10.1 We may use or disclose your personal information to market to you and inform you about our services, upcoming promotions, continued professional development activities, training and events, or other opportunities that may interest you. If you do not want to receive direct marketing communications, you can opt out at any time by using the opt-out facility that will accompany every communication of this kind or by contacting our Privacy Officer (see details in section 12 below).
- 10.2 If you opt out of receiving marketing materials from us, we may still contact you as part of our ongoing relationship.
- 10.3 Without your consent, we will not disclose your personal information to third parties for marketing purposes.

## **11 Accessing and correcting your personal information**

- 11.1 ADAVB takes reasonable steps to ensure that the personal information it collects is accurate, up-to-date and complete.
- 11.2 If you request access to the personal information that we hold about you or request that we change that personal information, ADAVB will allow access or make the requested changes unless ADAVB considers there is a sound reason under the Privacy Act or other relevant law to withhold the information, or not make the change.
- 11.3 If you are an ADAVB member, you can update your personal information by logging into the ADAVB member website using your secure login and password, or by contacting the membership team at [membership@adavb.org](mailto:membership@adavb.org), or calling 03 8825 4600.
- 11.4 For questions about this Privacy Policy or to access or correct the personal information that we hold about you, please contact us via any of the following:
  - (a) Telephone: 03 8825 4600;
  - (b) Email: [ceo@adavb.org](mailto:ceo@adavb.org); or
  - (c) write to the Privacy Officer at 3/10 Yarra Street, South Yarra VIC 3141.

- 11.5 On request for access to personal information, adequate identification will be required to allow us to verify your identity.
- 11.6 A reasonable fee may be requested to cover the cost of access.
- 11.7 Occasionally, access may be refused. If we reject your access or correction request, we will provide you with a written notice stating the reasons for our refusal and how you can file a complaint with the Office of the Australian Information Commissioner (**OAIC**).

## **12 Making a complaint about the handling of your personal information**

- 12.1 If you have any questions, concerns or complaints about this Privacy Policy or how we handle your personal information, please contact the ADAVB Privacy Officer on the details provided below:

Telephone: 03 8825 4600

Email: [ceo@adavb.org](mailto:ceo@adavb.org)

- 12.2 Further personal information, information about the complaint, and the reasons behind the submission may be required in order to address your complaint effectively.
- 12.3 ADAVB takes all complaints seriously and will respond within a reasonable timeframe.
- 12.4 If a complaint remains unresolved, or you are not satisfied with our handling of your complaint, you may contact the OAIC. The OAIC is an independent government body which has the power to investigate complaints about suspected interference with privacy. The OAIC can be contacted by telephone on 1300 363 992, by email ([enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)) or by using the contact details on the OAIC website ([www.oaic.gov.au](http://www.oaic.gov.au)).

The most recent version of our Privacy Policy is available on the ADAVB website. We recommend that you visit our website regularly to stay updated about any changes to this Policy.

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<b>Relevant Rules</b>	
<b>Relevant By-Laws</b>	
<b>See also</b>	<b>Historical policy reference: 25/07, BPS 1.19, BPS 1.02 – Employee Disciplinary Policy, Staff Induction Notes</b>