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Australian Government
Sport Integrity Australia



SPORT INTEGRITY
AUSTRALIA

Policy

Privacy

Policy owner: Legal

Endorsed by: Bill Turner, General Manager – Corporate and Privacy
Champion

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1. Introduction

This privacy policy outlines how we deal with personal information, in line with our obligations under the *Privacy Act 1988* (Cth) (**Privacy Act**) and the Australian Privacy Principles (**APPs**). We must also comply with secrecy provisions in the *Sport Integrity Australia Act 2020* (Cth) (**SIA Act**).

This privacy policy is also informed by the World Anti-Doping Code (**Code**) and the International Standard for the Protection of Privacy and Personal Information (**ISPPPI**).

We are required by the APPs to have a privacy policy. This policy is written in simple terms to help you understand the kinds of personal information we collect, why we collect it, and how we handle it. We will update this privacy policy when our information handling practices change. Updates will be publicised on our website. For further information, please contact privacy@sportintegrity.gov.au.

1.1 Protection of personal information

Much of the information we collect and handle is highly sensitive and personal in nature. We place great emphasis on maintaining and enhancing the privacy and security of the personal information we hold.

All individuals who have dealings with us, including our staff, are entitled to the protection of their privacy. Failure to protect the privacy of those that deal with us is serious, and criminal penalties may apply to staff for unauthorised disclosure of personal information, including imprisonment for up to 2 years.

1.2 Overview

We collect, hold, use and disclose personal information to carry out functions or activities under the SIA Act and other legislation that confer powers or functions on SIA, including the *Sport Integrity Australia Regulations 2020* (Cth) (**SIA Regulations**).

Our main functions and activities are to:

- prevent, monitor and detect, investigate and take enforcement action in relation to threats to sports integrity, to counter:
 - use of prohibited substances and methods in sport
 - abuse of children and other persons in a sporting environment
 - manipulation of sporting competitions
 - failure to protect members of sporting organisations and other persons in a sporting environment from bullying, intimidation, discrimination or harassment
- provide policy advice, and coordinate a national response to such matters
- engage in education, outreach and capability building provide education resources.

More information about our functions is available on our [website](#).

1.3 Athlete privacy

If you are an athlete, additional information about how we handle your personal information is detailed in our [Athlete Privacy Statement](#).

2. Collection of personal information

We only collect the personal information we need to perform our functions and activities.

2.1 Purposes of collection

We collect personal information for a variety of purposes, including:

- performing our legislative and administrative functions
- policy development, research, education and evaluation
- data sharing or data integration with other Australian Government agencies, or other Anti-Doping Organisations (ADOs)
- performing our management, employment and personnel functions in relation to staff and contractors
- administering requests received by us under the Privacy Act, the FOI Act or the ISPPPI
- complaints handling.

2.2 Means of collection

We may collect personal information when you:

- communicate with us by telephone, mail, email, or SMS
- participate in our anti-doping testing or other programs
- attend a face-to-face meeting or event conducted by us or by people or organisations acting on our behalf (e.g. contracted service providers)
- use our website(s) or App
- participate in a survey administered by us
- interact with us on our social media platforms.

We may also collect your personal information from other people and organisations, including other government agencies and sporting bodies, where:

- you expressly or impliedly consent (e.g. as part of a testing program)
- this is required or authorised by or under the SIA Act and Regulations or another Australian law (e.g. to confirm your registration with a sport)
- it is impractical or unreasonable to collect it from you (e.g. as part of performing our investigative functions).

We also monitor news and media, including social media, in the public domain.

2.3 Types of personal information we collect

We collect a broad range of personal information, including:

- identity data (name, nationality, date of birth, gender)
- contact details (address, phone number, email)
- information about your personal circumstances
- participation information (e.g. sport and discipline you compete in, organisations and/or sports federations to which you belong, current level of competition, events, relationships with coaches and medical professionals)

- athlete whereabouts data (training, competitions, travel, time at home, vacation, any other regular or exceptional activities)
- data relating to test distribution planning (for the testing pools in which you participate)
- medical or biological information including:
 - medical conditions and medications or supplements used e.g. for a therapeutic use exemption (TUE)
 - information derived from laboratory analysis of samples and specimens
 - information collected as part of results management (e.g. drug test histories)
- information related to sports integrity issues (e.g. complaints and reports)
- information collected during hearings and appeals
- photographs, video recordings and audio recordings.

We also collect personal information relating to contract management and for providing secretariat services to the Australian Sports Drug Medical Advisory Committee (**ASDMAC**).

Additionally, we collect and hold personal information in relation to employees, job applicants, contractors and others in relation to employment. The personal and sensitive information may include records relating to:

- personnel (including correspondence, travel records, curricula vitae and remuneration)
- payroll matters
- disciplinary and counselling matters
- applications for employment and CVs
- identity documents
- security clearances and police record checks
- travel records
- work health and safety matters including accident and injury records, compensation and rehabilitation files.

2.4 Collection of sensitive information

In carrying out our functions and activities, we may collect personal information that is sensitive information, such as the health information listed in section 2.3 or criminal record information if relevant to the performance of our sports integrity functions.

We may only collect sensitive information where:¹

- we have consent
- the collection is required or authorised by or under the SIA Act, Regulations, or another Australian law (e.g. information relating to a Therapeutic Use Exemption)
- the collection is otherwise permitted under the Privacy Act, for example, where a 'permitted general situation' exists, such as to lessen or prevent a serious threat to safety.

¹ APP 3.3

2.5 Collection of personal information from children and young people

In carrying out our functions and activities, we may collect personal information about children and young people, either directly from them, through their parents or guardians, or from their sporting team or coach. We protect personal information regardless of a person's age.

2.6 Collection of unsolicited information

Sometimes personal information is delivered or sent to us by individuals or third parties without us having requested it.

If you provide us with unsolicited personal information, we will determine if we are able to collect the information. If we can collect the information, we will provide you with notice of collection in accordance with the requirements of the APPs.

If we are unable to collect the information, we will destroy or de-identify the information unless we are required to retain the information in accordance with the *Archives Act 1983* (**Archives Act**).

2.7 Collection via our website and App

We collect your personal information when you use the Sport Integrity App or our website. This includes when you supply information (e.g. through completing a form) or through the operation of Google Analytics.

Further information about Google Analytics, including how to [opt-out](#), is set out in the [privacy notice](#) on the Google website.

2.8 Remaining anonymous or using a pseudonym

You may wish to remain anonymous or use a different name (pseudonym) when interacting with us. Where possible, we will allow you to do so, for example when you attend events or seek general information from SIA's website.

However, in some circumstances, it may be impractical for you to remain anonymous or use a pseudonym, or we may be legally required to deal with you as an identified individual. For example, it is necessary to collect some personal information about you to investigate and resolve an integrity complaint.

3. Use and disclosure of personal information

We may use and disclose your personal information for the primary purpose for which it was collected. For example, if you correspond with us, we may use or disclose your personal information in order to respond to your correspondence, or address matters raised within your correspondence.

We may use or disclose personal information for another, secondary, purpose if:

- you expressly or impliedly consent (e.g. for research as part of a testing program)
- you reasonably expect us to use or disclose the information for the other purpose and it is either related, or directly related (in the case of sensitive information), to the purpose for which the information was collected (e.g. to conduct user satisfaction surveys)
- we are required or authorised by or under the SIA Act and Regulations or another Australian law (e.g. to anti-doping organisations and sporting bodies)

- we reasonably believe that the use or disclosure is reasonably necessary for enforcement related activities conducted by, or on behalf of, an enforcement body (e.g. to refer suspected match-fixing or child abuse to relevant authorities)
- a 'permitted general situation' exists as defined in the Privacy Act (e.g. to take appropriate action in relation to suspected unlawful activity or misconduct of a serious nature).

If your sport has adopted the National Integrity Framework (**NIF**), information relating to complaints submitted to SIA may be used and disclosed in accordance with your sport's Complaints, Disputes and Discipline Policy.

3.1 Disclosure of protected information

Because of the potentially severe consequences to an individual, the SIA Act and Regulations impose strict legal obligations on entrusted persons in relation to the disclosure of 'protected information'². It is an offence for the CEO, a staff member, an ASDMAC member, or certain other persons to disclose protected information to a person other than the person to whom the information relates.³

However, it is not an offence if the disclosure is authorised by the SIA Act or is required by certain other laws. The SIA Act authorises the disclosure of protected information in certain circumstances, including:

- if the disclosure is for the purposes of the SIA Act (s 68)
- if the disclosure will enable or assist another body or person to perform or exercise any of the functions, duties or powers of the body or person (s 68B)
- if the disclosure is for the purpose of preventing or lessening a serious threat to the life or health of an individual (s 68C)
- if the disclosure is by the CEO for the purposes of SIA responding to certain public comments (s 68E)
- the protected information has already been lawfully made available to the public (s 68D).

3.2 Disclosure of personal information overseas

We may be required to disclose your personal information to parties or persons who are located overseas. For example, it may be necessary for us to disclose personal information to ADOs, sporting bodies, government agencies or enforcement bodies located overseas in the exercise of our functions under the SIA Act.

International organisations which are likely to receive this type of information include:

- WADA (located in Canada)
- International Sporting Federations (IFs)
- bodies established by IFs to investigate integrity breaches in the sport
- major games organisers
- foreign national anti-doping organisations

² The term protected information is defined in s 4 of the SIA Act to mean information that:

- (a) was obtained under or for the purposes of this Act or a legislative instrument made under this Act; and
- (b) relates to the affairs of a person (other than an entrusted person); and
- (c) identifies, or is reasonably capable of being used to identify, the person.

³ Section 67 of the SIA Act.

- any other organisation that is a signatory to the World Anti-Doping Code and is responsible for undertaking any part of the doping control processed.

Where information is disclosed to WADA, for example by including information in the Anti-Doping Administration and Management System (**ADAMS**), this information is subject to protections under Canadian law, specifically the Personal Information Protection and Electronic Documents Act (**PIPEDA**).

If we store your personal information in databases such as the Athlete Whereabouts Online System (**AWOS**) and ADAMS, ADOs, national anti-doping agencies, international or national sporting federations, sports bodies and major games organisers may be able to access your data in countries where you compete, train or travel.

For more information, see our [Athlete Privacy Statement](#).

It is not practicable to list every country to which we may provide personal information as this will vary depending on the circumstances.

Otherwise, we will only send your personal information overseas:

- with your consent
- if the disclosure is made to an overseas enforcement body that performs similar functions or exercises similar powers to SIA.

3.3 Disclosure to service providers

We use a number of service providers to whom we disclose personal information. These include providers that host our website servers, manage our IT and manage our human resources information.

To protect the personal information we disclose we:

- enter into a contract or MOU that requires the service provider to only use or disclose the information for the purposes of the contract or MOU
- include special privacy requirements in the contract or MOU to ensure your personal information is handled securely and in accordance with the APPs.

4. Storage and security of personal information

Personal information we hold is stored on secure media including an electronic document and records management system, databases and paper files. We store and dispose of personal information (when no longer required) in accordance with the Archives Act. Electronic and paper records containing personal information are protected in accordance with Australian Government security policies.

We take all reasonable steps to protect the personal information we hold against loss, unauthorised access, use, modification, disclosure or misuse. If we become aware of a data breach or possible data breach, we will take action in accordance with our Data Breach Response Plan Policy.

5. Access to, and correction of, personal information

Under the Privacy Act and the ISPPPI, you have the right to ask:

- for access to personal information that we hold about you
- that we correct that personal information.

You also have similar rights under the *Freedom of Information Act 1982* (Cth).

You can ask for access or request correction by contacting us (see section 8 of this privacy policy).

6. Your obligations during an investigation

If you are involved in a SIA investigation into a complaint under your sport's NIF (for example, as a respondent, a complainant, a witness, or a parent/guardian or support person to another person involved in the process), you will be required to keep information about the investigation confidential for the duration of the complaints process.

This requirement of confidentiality is in place to make sure that the complaints process is not compromised. This means that you must not discuss information about the investigation process with, or provide information to, anyone who is not directly involved (for example, media or other people in the sport who are not involved in the complaint).

However, you are able to speak on a confidential basis to:

- a Member Protection Information Officer in your sport
- a legal or other professional adviser
- if you are a complainant or a respondent, a person who may be able to give evidence as a witness to the investigation to confirm if they consent to you providing their details to SIA.

You may be required to continue to keep certain information confidential after the investigation has been finalised where you have been given access to personal information or sensitive information of another person as part of the complaints process.

7. Complaints

If you think we may have breached your privacy, or you are not satisfied with our response to your request, you may contact us to make a complaint (see section 8 of this privacy policy).

If you are unsatisfied with our response, you may complain to:

- the OAIC at enquiries@oaic.gov.au or telephone 1300 363 992
- the Commonwealth Ombudsman by online complaint form or telephone 1300 362 072
- WADA at compliance@wada-ama.org or privacy@wada-ama.org.

8. Contact us

To find out more about how we manage personal information, to make a complaint, or to request access to or correction of personal information, please contact our Privacy Officer via:

Email: privacy@sportintegrity.gov.au

Post: PO Box 1744, Fyshwick, ACT, 2609

Phone: 13 000 27232