




HARNESS RACING VICTORIA

HRV PRIVACY POLICY

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1	December 2016	Manager, Risk & Compliance	New Edition
2	5 August 2020	Manager, Risk & Compliance	Review and Update
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 <p>HARNESS RACING VICTORIA</p>	<h1>HRV Privacy Policy</h1>	LRC-PO-005 (01 DEC 2016)
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1. INTRODUCTION

The handling of personal information is a key aspect of corporate governance. Harness Racing Victoria (“HRV”) is strongly committed to protecting the rights of individuals and complying with its obligations under the *Privacy and Data Protection Act 2014 (“PDP”) Act* and the *Health Records Act 2001*. HRV has adopted this Privacy Policy to affirm its commitment to protecting the privacy of the people from whom it collects personal information. The core requirements of the Acts are set out in Information Privacy Principles (“IPPs”) and Health Privacy Principles (“HPPs”). The IPPs and HPPs set out how organisation such as HRV should collect, use, keep secure and disclose personal information.

2. PURPOSE

The purpose of this policy is to inform individuals about HRV’s obligations and privacy practices, and to outline the principles that guide HRV in relation to:

- Responsible collection and management of personal information;
- Providing individuals with the rights to access the information HRV holds about them;
- Handling queries and complaints about privacy; and
- Balancing the public interest in the free flow of information with the public interest in protecting the privacy of personal information.

HRV’s handling of personal information is regulated by the Office of the Victorian Information Commissioner (“OVIC”).


3. SCOPE

This policy covers all personal information, including sensitive information collected and held by HRV as defined in the *PDP Act* and, where applicable, the *Health Records Act 2001 (Vic)*.

This policy applies to HRV employees, its advisory committees, contractors, volunteers and representatives.

4. INFORMATION PRIVACY

Information privacy relates to an individual’s ability to determine for themselves when, how and for what purpose their personal information is handled by others. Under the *PDP Act*, ‘personal information’ means, “*information or an opinion (including information or an opinion forming part of a database), that is recorded in any form and whether true or not, about an individual whose identity is apparent or can reasonably be ascertained, from the information or opinion*”.

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5. INFORMATION PRIVACY PRINCIPLES

Under the *PDP Act*, information privacy protections are embodied in the 10 Information Privacy Principles (IPP). The IPP's govern the collection, use and handling of personal information.

HRV is committed to ensuring that the Information Privacy Principles (IPP) are adhered to.

IPP 1: Collection of personal information

HRV will only collect personal and health information for the purposes of performing its functions or as required by law, most commonly, to assist in making licensing, registration and integrity/inquiry determinations. The particular purpose for which personal information is collected by HRV is generally either specified or reasonably apparent at the time the information is collected or is necessary to perform its functions. Health information may be collected from persons participating in the harness racing industry where it is considered necessary to ensure the safety of participants and the general public. In most cases, HRV collects information from individuals directly. HRV maintains collection notices on the forms required to be completed, where such forms request personal or health related information. A collection notice is a statement that is provided to an individual at or before the time an organisation collects personal information from them


Personal information collected may be either solicited or unsolicited.

Solicited information

HRV holds personal information about its customers and persons licensed by it under the Rules and other relevant rules applicable to harness racing industry. Typically, this information may include a person's name, email address, phone number, addresses, date of birth, gender, occupation, income, tax file numbers, credit card details and any other required information. This information is needed to maintain HRV's records in a format that identifies the person. These records are held by HRV for the purposes of enabling HRV to provide services to its customers and, in relation to persons licensed by it under the Rules and other relevant rules, to supervise the Victorian harness racing industry. For example, HRV's Integrity department collects the personal information of licensed and registered persons, officials and other participants and/or persons who may be involved in harness racing or betting on harness racing.

HRV collects personal information only by lawful and fair means. Information is collected from the individual unless it is unreasonable or impracticable to do so. Examples of when information is collected directly from the individuals include (but are not limited to):

- Information from employees, official holders and/or officials;
- Submission of licenses, registration or permit applications;

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- Submission of transfer of ownership or syndicate registration forms;
- In the course of investigation or inquiries into possible breaches of the Rules;
- When a person enters a competition on the Trots website;
- When a person registers their details via Harness Web; and
- Photography, videos, and other content from employees for the purposes of publications.

Unsolicited Information

If HRV receives personal information about an individual in circumstances where it did not solicit the information, HRV will (within a reasonable period after receiving the information), determine whether or not it would have been entitled to collect such information having regard to its functions and activities. If HRV determines that it is not entitled to such information HRV will destroy the information or ensure that the information is de-identified.

How information is collected

Information is usually collected by means of a standard form for the purposes of employment, licensing, registration and subscriptions. Occasionally, information will be collected from overseas or interstate controlling bodies, or from other investigative bodies. In the normal course, the information is collected directly from the person, from a third party with written consent or from Victoria Police Services or an interstate law enforcement agency.


In the case of an investigation, personal information is sometimes collected through surveillance. In that regard, HRV will comply with all requirements in surveillance related legislation in force including:

- *Surveillance Devices Act 1999;*
- *Public Records Act 1973;*
- *Freedom of Information Act 1982; and*
- *Charter of Human Rights and Responsibilities Act 2006.*

Third Parties

HRV may disclose personal information to third parties, where:

- Individuals have consented;
- To promote the industry and distribute industry related information;
- To ensure compliance with the Rules;
- To customise and promote services and events related to the harness racing industry which may be of interest to individuals;
- As permitted by law;
- To enable HRV to fulfil its primary role and regulatory responsibilities;

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- As otherwise required for integrity and licensing purposes; and
- To other harness racing bodies, so participant details are consistent. All harness racing bodies utilise the Harvey system to log participants details, which is a national database which is accessed by other harness racing jurisdictions (i.e. – not limited to Victoria).

Where personal information is disclosed to third parties, appropriate care is taken to ensure the information is protected from misuse.

Direct Marketing

HRV may use personal information to send marketing and promotional information by post, mail, social media or telephone including SMS. Individuals can opt-out of receiving direct marketing communications from HRV at any time. Where individuals do not opt-out, HRV assumes it has ongoing consent to send information and communications.

IPP 2: Use & disclosure of personal information

HRV will not disclose the personal information it collects to any other organisation and will not use the personal information for any other purpose other than described above, except with the consent of the individual concerned, or unless the use and disclosure is required or authorised by law. HRV may use personal information for the following purposes:


- Where the individual has consented; or
- The individual would reasonably expect HRV to use or disclose the information for that other purpose, in circumstances where:
 - The sensitive or personal information is directly related to the purposes for which it was collected;
 - Use or disclosure is authorised by law or a court/tribunal order; or
 - HRV reasonably believes that use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

IPP 3: Data Quality

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

IPP 4: Data Security

HRV exercises great care to protect any personal information it collects from the misuse, loss, unauthorised access, modification or disclosure and will take reasonable steps to ensure that the destruction or de-identification of personal information complies with Privacy Law.

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IPP 5: Openness

HRV will ensure that this Privacy Policy is clear and accessible to all employees and is also made publicly available via the website.

IPP 6: Access to and correction of personal information

HRV provide individuals with a right to access and correct their personal information. Where HRV holds personal information about an individual, they will have the right to access and correct this information on request, unless an exception applies. A person can access his or her own personal information by contacting HRV's Privacy Officer. In some circumstances, a fee may apply.. A person can access his or her own personal information by contacting HRV's Privacy Officer. In some circumstances, a fee may apply.

If the information, which HRV holds, about a person is inaccurate, incomplete or out of date, a person may request HRV to correct the information.

In some circumstances, HRV is entitled to deny a person access to information. This may include circumstances where such information relates to a commercially sensitive decision making process, where the privacy of others may be unreasonably impacted or where the law requires or authorises such access to be denied. If a request for access to information is denied, HRV will provide reasons for the denial.

IPP 7: Unique Identifiers


HRV will assign its own identifier and will not adopt an identifier that has been assigned by another government agency. HRV will not use or disclose the identifier assigned to an individual by another government agency unless the consent of the individual has been obtained or it is required by law to do so. Where lawful and practical, HRV will give individuals the option of not identifying themselves when supplying information.

IPP 8: Anonymity

HRV will only collect personal information where such information is necessary. If a task can be performed by gathering information anonymously, HRV will endeavour to do so.

IPP 9: Transfer of personal information interstate or overseas (Transborder data flows)

If it is necessary for HRV to transfer the personal information it collects interstate or overseas, HRV will take all reasonable steps to ensure that the recipient body complies with the IPPs and HPPs.

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IPP 10: Sensitive Information

HRV will only collect sensitive information where the provider of the information has consented to its collection or it is required under legislation. Sensitive information includes an individual's racial or ethnic origin, political views, religious beliefs, sexual preferences, memberships, or criminal record.

6. COMPLAINTS AND QUERIES

Individuals can obtain further information in relation to this Privacy Policy or provide comments or complaints by either contacting the Privacy Officer by telephone, email or post via the contact details provided below.

<p>Telephone (03) 83780200</p>
<p>Email privacyofficer@hrv.org.au</p>
<p>Post Privacy Officer (Legal Risk & Compliance) 400 Epsom Road Flemington, VIC 3031</p>