

**Football Federation Victoria**

# **Privacy Policy**

Effective March 2011

Amended March 2014



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**Mitchell Murphy**

**CEO**

## Introduction

Football Federation Victoria (FFV) Inc ABN 97 592 993 965 ('FFV'), of itself and as a licensed user of the Football Fives brand ('Football Fives') granted by Football Federation Australia Ltd ('FFA') (the owner of Football Fives), regards the management of personal information in an open and transparent way as a priority. This Policy is consistent with the Australian Privacy Principles ('APP') set out in Schedule 1 of the *Privacy Act 1988* (Cth) (as amended from time to time).

FFV's procedures in respect of its management of personal information are set out in this Privacy Policy. In this Privacy Policy the term 'personal information' refers to any information or opinion about an identified individual or an individual who is reasonably identifiable, whether the information or opinion is true or not and whether the information or opinion is recorded in a material form or not.

The kinds of personal information that FFV may collect and hold will vary depending on the purpose of collection, but includes name, address, contact details, date of birth, gender, football history, team selection, educational qualifications and employment history. In addition, for registration/identification purposes, FFV collects information including driver's licence, birth certificate or visa information. Sensitive information is collected in certain circumstances, including for research and funding purposes, which may include health and injury information, information regarding racial or ethnic origin, membership of professional associations or trade unions and criminal record. In order to process certain transactions, we may ask for your credit card number and billing information.

## Collection

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### Why does FFV collect personal information?

FFV collects personal information:

- for the organisation, conduct and promotion of football competitions, matches, programs and products and related objects set out in FFV's constitution;
- to process registration of individuals to participate in football competitions, matches, programs and products, as a player, official or otherwise;
- to identify, create and provide services and benefits, some of which may be provided by or in conjunction with FFA, Sport Education Development Australia ('SEDA'), the Australian Sports Commission ('ASC'), Victorian Health Promotion Foundation ('VicHealth'), government agencies or other FFV partners or affiliated or associated entities, or through FFV's Football Fives website;
- to communicate with you and other stake-holders to provide football related information and offers from football administrators or other FFV partners (both commercial and not-for-profit);
- to maintain participation and service/benefit records, data and statistics, including for archive and historical purposes;
- to identify, create and provide services to registered participants, officials, clubs, club members, zones, supporters, students, and members of the public, which may occasionally warrant direct marketing of these services (unless you opt out of any such direct marketing);
- to satisfy its obligations and comply with applicable statutes, regulations and policies as a Member Federation of the national governing body FFA and the international governing body *Federation Internationale de Football Association* ('FIFA');

- in relevant cases, and with your consent where the information is sensitive information, for research and/or review, including for the purposes of assessing performance, health or injury including in FFV and FFA's (Victorian) talented player programs, to research participation in football or target funding; and
- to satisfy its obligations under the *Associations Incorporation Act 1981* (Vic) and otherwise at law.

FFV collects and is authorised to use, disclose and hold personal information from FFA's MyFootballClub Customer Relationship Management System ('MyFootballClub'). Otherwise, where reasonable and practicable for FFV's own purposes, FFV will collect personal information directly from you. FFV may collect information about a minor from the minor's parent or guardian. FFV is entitled to presume an individual aged 15 years or over has capacity to consent to the collection, use, disclosure and retention of personal information. Personal information may also be provided by player agents in accordance with relevant contractual arrangements. FFV may receive unsolicited personal information about individuals and in these circumstances will either:

- destroy it, if FFV is not otherwise entitled to use, disclose and hold this information under this Policy; or
- otherwise, use, disclose and hold it in accordance with this Policy.

### **What if I do not wish to provide personal information?**

Unless required by law, you can choose not to provide personal information. You can also choose not to identify yourself or to use a pseudonym when dealing with FFV.

However, if personal information is not provided or you do not identify yourself or choose to use a pseudonym, FFV might not provide to you certain services, opportunities or benefits. In particular, in the absence of providing personal information, FFV is unable to allow registration or participation in football competitions, matches or programs.

## **Use and Disclosure**

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### **How does FFV use and disclose personal information?**

FFV uses personal information for the purposes for which information is collected and related or secondary purposes which can reasonably be expected.

FFV may disclose personal information to the following persons, organisations or types of organisations for the purposes set out above, as appropriate:

- FFA, FIFA and other recognised football bodies;
- Court of Arbitration for Sport
- SEDA or other training providers;
- ASC, VicHealth or other sports industry bodies;
- affiliated football clubs or bodies;
- venue operators, ticketing entities or event organisers;
- contractors or consultants, if necessary or appropriate, subject to appropriate confidentiality provisions;
- information systems and technology service provider entities, research partners and/or academics, subject to appropriate confidentiality provisions;

- health providers or professionals, particularly in relation to talented players, if necessary or appropriate;
- in limited circumstances, mailing houses;
- FFV's insurer or insurance broker; or
- the agent, representative or professional adviser to the above parties, on instruction.

Also, any individual who is a club official or FFV member, standing committee, sub-committee member or working party member may have his or her name and contact information published on the FFV website (in the Club Directory or other listing) and in other relevant FFV publications. Life members and other awardees may have their names and achievements published.

FFV will not sell the MyFootballClub database of registered participants or any other database developed by FFV except with the express or implied consent of relevant parties.

FFV will provide opt-out mechanisms for certain communications, so you may decline the opportunity to receive further material of that nature from FFV.

FFV will not disclose any personal information to other parties other than for the purpose for which it was collected unless you provide your consent (generally at the time of collection), or you would reasonably expect FFV to disclose the information for a secondary purpose related to the primary purpose (or in the case of sensitive information, for a directly related secondary purpose), unless any of the following situations apply:

- where there are grounds for FFV to believe that collection, use or disclosure is required in order to lessen or prevent a serious threat to the life, health or safety of an individual or to public health or safety;
- where FFV suspects that unlawful activity or misconduct of a serious nature relating to FFV's functions or activities has been, is being or may be engaged in and it is reasonably necessary to take appropriate action in relation to the matter;
- where FFV reasonably believes it is necessary to locate a missing person, subject to compliance with any relevant rules made by the Australian Privacy Commissioner;
- the collection, use or disclosure is reasonably necessary for the establishment, exercise or defence of a legal or equitable claim;
- the collection, use or disclosure is authorised by law or reasonably necessary to enforce the law, including on the reasonable request of an enforcement body such as the Federal or Victoria Police;
- the use or disclosure is required or authorised by or under an Australian law or a court or tribunal order; or
- any other permitted general situation or permitted health situation set out in sub-sections 16A or 16B of the *Privacy Act 1988* (Cth) respectively apply.

FFV does occasionally send personal information overseas, generally as required for FIFA or CAS to carry out relevant functions, including for disciplinary purposes or in relation to international transfer certificates, player passports, training compensation, mediation, arbitration or similar matters. Although there is no single destination for this personal information, FIFA and CAS are located in Switzerland. FIFA has a comprehensive privacy policy available at [FIFA.com](http://FIFA.com).

FFV currently hosts its servers in-house, in Melbourne, Victoria.

## **What if I do not want my personal information to be disclosed?**

If you do not want your personal information to be disclosed, FFV will endeavour to accommodate this request provided that disclosure is not required by law or for FFV's normal operational requirements.

However, if your personal information is not disclosed, FFV might not provide to you certain services, benefits or opportunities.

## **Holding personal information and Data Security**

FFV takes reasonable steps to keep all personal information secure and to protect that personal information from misuse, interference and loss and from unauthorised access, modification or disclosure, including holding personal information in secure, password protected computer systems.

If FFV determines that personal information is no longer needed for any authorised purpose or required to be retained by law or a court or tribunal order, FFV will take reasonable steps to destroy or de-identify that personal information.

When using the FFV or Football Fives websites you should be aware that no data transmission over the internet can be guaranteed as totally secure. Although FFV strives to protect such information, FFV does not warrant the security of any information transmitted to it over the internet. Any information transmitted to FFV over the internet is at the risk of the person or organisation transmitting the information.

Like most major websites, FFV uses 'cookies' - small text files placed on your computer by our web server to allow our server to remember certain information when you visit certain parts of the FFV or Football Fives websites.

In the authenticated section of the sites, cookies are also used to help manage security and authentication information. Most browsers allow you to set your own preferences about whether or not to accept cookies, or which cookies to accept. However, to use FFV's system you must allow cookies.

## **Access, Quality and Corrections**

FFV endeavours to keep personal information accurate, complete and up-to-date, and where used or disclosed, relevant, having regard to the purpose of the use or disclosure. Should your contact details, address or other relevant details change, it is your responsibility to provide us with updated information. If you have obtained access to MyFootballClub, this may be done online. You may also contact FFV for assistance in updating personal information if required, which request will be responded to within a reasonable period. If FFV refuses to correct the personal information as requested, FFV will give a written notice setting out:

- the reasons for the refusal (unless unreasonable to do so);
- the mechanisms available to complain about the refusal; and
- any other matter prescribed by relevant regulations.

If FFV refuses to correct personal information as requested by a person, on further request, FFV will take reasonable steps to associate with the information a statement that the

information is considered by the individual to be inaccurate, out of date, incomplete, irrelevant or misleading, in a manner which is apparent to users of the information.

Where FFV is satisfied that, having regard to a purpose for which the information is held, the information is inaccurate, out of date, incomplete, irrelevant or misleading, FFV may correct the information.

A person may make a request that corrected personal information be notified to any other entity bound by the APP to which the personal information was previously disclosed. FFV will take reasonable steps to act on any such request.

If any person wishes to access, review or make corrections to his or her personal information held by FFV (where assistance is required), the person may do so on reasonable notice by contacting FFV on the details below during normal business hours (9.00am to 5.00pm, Monday to Friday, public holidays excluded). However, FFV may refuse to provide any person with access to information where FFV is permitted by law to withhold that information (including in particular in accordance with APP 12.3) or if satisfactory proof of identity is not provided.

If any person requires information about the way FFV manages his or her personal information or has any queries, problems or complaints the person may contact FFV on the details below.

Ph: (03) 9474 1800

Email: [info@footballfedvic.com.au](mailto:info@footballfedvic.com.au)

FFV will respond to such requests within a reasonable time and give access in the manner requested if it is reasonable and practical to do so or may otherwise give access in a manner which reasonably meets the needs of both FFV and the person making the request. FFV may make reasonable charges for the provision of personal information in accordance with a request. If FFV refuses the request for access, FFV will give a written notice setting out:

- the reasons for the refusal (unless unreasonable to do so);
- the mechanisms available to complain about the refusal; and
- any other matter prescribed by relevant regulations.

### **Further information**

Further information relating to privacy can be found at:

<http://www.oaic.gov.au/privacy/privacy-resources/privacy-fact-sheets/other/privacy-fact-sheet-17-australian-privacy-principles>