



1. Purpose & Scope

This policy details General Surgeons Australia's (GSA) privacy policy and related information handling practices and gives guidelines for access to any information retained by GSA. This includes information collected in relation to the GSA website.

2. Definitions

Listed here are all key terms and acronyms used in the policy, and their definitions.

Acronym – Key Word	Definition
GSA	General Surgeons Australia
RACS	Royal Australasian College of Surgeons
SET	Surgical Education & Training

3. Privacy Disclaimer

GSA receives substantial personal data from members, Trainees, and other participants in GSA activities. This is necessary to conduct GSA's business and relies on the trust and confidence of those supplying information to GSA. It is therefore important that sensitive personal information only be supplied with appropriate permission, and only to other organisations or people authorised for this purpose, undertaking specific activities with GSA.

Organisations or people receiving information from GSA may need to acknowledge the confidential nature of the information they receive, and commit that they will not provide the information to others, except as authorised.

GSA has legal obligations under Privacy Legislation in Australia. The GSA Privacy Policy details circumstances under which personal information is obtained, used, and shared. Whilst GSA is able to confirm that a particular individual is a member or Trainee, and may provide practice details, GSA may be required to restrict the disclosure of other personal information. In some instances, costs may need to be recovered in supplying or utilising personal information.

It is important that all staff and those working with GSA understand and abide by this privacy disclaimer.

4. Policy

4.1 Privacy Statement

GSA is committed to ensuring the privacy of individuals, in accordance with applicable privacy principles, such as the National Privacy Principles set out in the Australian Privacy Act 1998. When information is collected directly from individuals, GSA may provide further relevant privacy information to the individual at the point of collection, in which case, such information should be read in conjunction with this policy.

In order for GSA to effectively fulfil its principal roles as an employer, as a member-based organisation, and as a provider of surgical training and continuing medical education, it is necessary for GSA to collect information from people participating in these activities.

Members and Trainees rightfully expect that any use of GSA collected information will be undertaken respecting the reputation of GSA, the privacy of individuals, and within the privacy laws of Australia. This policy encompasses requests for information that are explicitly considered in GSA privacy statements and consent to release forms, as well as those that are not covered by an existing consent to release information.

All personal information collected by GSA is dealt with in a uniform manner and every reasonable effort is made to maintain its security. GSA may collect personal information about members, Trainees, International Medical Graduates, applicants for Selection, suppliers, course and meeting delegates, staff and other individuals who interact with GSA. This information includes name, address, phone number, and email address, and may also include other personal information and financial information.

The collection of this information facilitates the provision of GSA services such as training and continuing medical education, enables GSA to procure goods and services from suppliers and generally interact with third parties, allows GSA to contact individuals and others, and ensures access to member-only services on the GSA website, including the online database (TMS). Functions of GSA may necessitate the disclosure of personal information to related or joint service providers.

Wherever possible, every effort will be made to inform the individual of the type of personal information held, the purpose for which information is collected, and the type of individuals and organisations to whom it is usually disclosed. Personal information will be collected for primary and secondary purposes (as referred to in this policy), and disclosed in connection with those purposes and where required or authorised by law.

The Executive General Manager will act as GSA Privacy Officer. The Privacy Officer may refer matters to external legal advice for complex privacy enquiries. An individual may contact the Privacy Officer on telephone +61 3 9249 1246 or at gsa@surgeons.org.

4.2 Collection

GSA will only collect personal information from individuals when it is necessary for the activities of GSA, and all such collection will be subject to this policy and any other notifications. The information collected will depend on the individual's relationship with GSA. Sensitive information will only be collected if the individual gives consent, or if it is required or authorised by law.

"Sensitive information" means information about an individual's attributes, such as racial or ethnic origin, membership of a professional association, or criminal record. GSA has certain obligations when collecting personal, health and sensitive information about individuals. Generally, GSA is required to inform individuals of:

- i. the identity and contact details of GSA;
- ii. the purpose for which GSA is collecting their personal information;
- iii. the names and types of organisations to which GSA usually discloses information of that kind;
- iv. the consequences to the individual of not providing the information; and
- v. how the individual can access and correct the information held by GSA.

GSA must also make sure that it collects personal information in a fair and lawful way, and that the personal information held is accurate, up-to-date and secure. When collecting personal information, GSA may require individuals to give additional acknowledgements concerning the collection of such information, although the absence of additional statements does not preclude or limit the operation of this policy.

4.2.1 Web information collection

Without limiting the means by which information is collected by GSA, the usage analysis conducted in connection with the GSA website may record (amongst other things):

- i. unique visitors and sessions;
- ii. requested pages, downloads, search terms used, posted forms, status and errors, hits and bytes downloaded per directory, file, and file type;
- iii. entrance pages, exit pages, click paths, click to and click from, and length of session;
- iv. domains, countries, and IP addresses; and
- v. browsers, platforms, and robots.

The statistics are de-identified at the time of recording. This information is used for administrative purposes, including to improve and assess website services, to monitor usage patterns in order to improve navigation and design features, and to help users to gain information more easily. The GSA website will also use cookies to manage login and logout.

4.3 Use

GSA collects personal information for a number of purposes (being the primary purposes of collection), including:

- i. to provide membership services and benefits and maintain membership and service/benefits records;
- ii. to assist, support, provide, and improve continuing medical education, and surgical education and training;
- iii. to enable planning, policy, and service development and to market, advertise, or otherwise promote GSA, including to inform individuals of special offers or additional services provided by GSA;
- iv. to monitor and investigate conduct;
- v. to implement, monitor, and maintain quality assurance processes and systems, as well as processes and systems concerning regulatory matters, registrations, accreditation, audits, risk, and claims management (including dealings with insurers);
- vi. to procure sponsorship funding, donations, or other support for the activities of GSA;
- vii. to enable internal administration, training, assessments, and reviews;
- viii. to provide or undertake any of the other activities referred to in this policy; and
- ix. to conduct or facilitate research or surveys for purposes related to GSA, surgery and/or one or more of the above.

Information may also be used for secondary purposes which directly relate to the primary purpose of collection or any other purpose that is authorised by the individual or that are required or authorised by law. For example, if an individual completed a form to register for the Annual Scientific Meeting, GSA may use the individual's contact details for the purposes of issuing a Meeting Program.

If an individual does not supply information to GSA, GSA may not be able to deal with them or adequately provide services, in which case, additional requirements and conditions may be notified by GSA.

4.4 Disclosure

GSA will only disclose personal information for the primary purpose for which it was collected, for a secondary purpose if it directly relates to the primary purpose, or for any other lawful purpose. GSA does engage third parties to perform certain business functions. Therefore, it is sometimes necessary to disclose personal information to those parties. Disclosures may also be made to other third parties, including:

- i. GSA's consultants, auditors, lawyers, contractors, and contracted staff or service providers that provide goods or administrative or other services in connection with the activities of GSA;
- ii. entities and institutions who provide services or undertake activities in conjunction with or in association with GSA;
- iii. regulatory authorities and bodies, professional or specialist societies and associations, hospitals and health centres, and relevant complaints tribunals and government departments and agencies;
- iv. where GSA collects an individual's information from someone else, or another entity, then that person or entity;
- v. where the law requires or permits GSA to do so (such as to law enforcement agencies); and
- vi. an individual's agent (with an individual's authority).

Where disclosure takes place, GSA seeks to ensure that personal information is handled appropriately. All specific requests for information from a third party (including a sub-specialty society) must be documented.

When GSA receives requests from commercial organisations seeking to advertise products and conferences to members and Trainees, GSA will assess the merit of the request. In particular, GSA will consider:

- i. Who is requesting the information?
- ii. What type of information is being sought? In what form? Individual names, numbers?
- iii. Why is the information being requested?
- iv. When is the information required?
- v. Where will the information ultimately reside?
- vi. What is the value to Fellows/Trainees of granting the request?
- vii. Is the disclosure permitted?

In general, GSA will not accept requests to market products or to advertise courses and will therefore not disclose information to organisations requesting its use for these purposes.

If staff are unsure about the request in relation to this policy they should seek direction from the Executive General Manager. If it is a repeat request, whereby it has been established that release of the information is in alignment with this policy, then it is not necessary to confirm with the Executive General Manager.

4.4.1 Refusal

When access to information held by GSA has been denied to a person or organisation, then if practical and reasonable some suggestions or assistance may be offered to find an alternative source of information.

4.5 Security

GSA takes reasonable steps to protect personal information from unauthorised use, access, disclosure and alteration. The RACS IT protection systems and internal procedures are also utilised to protect the personal information held by GSA on the RACS server.

GSA endeavours to ensure the website and TMS is secure through the use of firewalls. Personal data is maintained under strict security and is only to be accessed internally by those GSA employees who have permission to do so. Information will be held until there is no longer a need or obligation to retain it, after which time it will be deleted, destroyed, or de-identified.

4.6 Correction

GSA seeks to maintain the accuracy of personal information. Individuals are encouraged to contact GSA if the information held is incorrect, or to notify GSA if personal information has changed (reference should also be made to any additional Collection Statements). Changes to personal details can also be made on TMS via the GSA website via www.generalsurgeons.com.au by the individual member or Trainee.

4.7 Access

An individual may contact the Executive General Manager or Director - Education & Training at any time to access personal information about themselves. They will be required to provide their request to access this information in writing. Access will be provided unless the request is unreasonable or the applicable privacy laws permit or require GSA to decline that access. As permitted by law, a fee may be requested to cover the cost of access.

Regarding the website, GSA will not knowingly make an attempt to identify users or their browsing activities. However, in the unlikely event of an investigation, a law enforcement agency or other government agency may exercise its legal authority to inspect GSA's Internet Service Provider's logs, and thus gain information about users and their activities. All of the identified information that GSA has used to grant member access can be viewed and changed by members when they view their personal details on TMS.

4.8 Fellows and Trainees

Without limiting the generality of section 4.3, personal information about members and Trainees is used to conduct GSA business, including for the purpose of training and assessment, and for continuing medical education. Information may, without limitation, be disclosed to GSA staff, GSA Boards and Committees, and external suppliers. General information may be provided to members of the public if enquired as to the membership status of a Fellow. Personal information may be disclosed where required by law. Further information regarding the use and disclosure of personal information may be provided at the point of collection.

4.8.1 Public enquiries regarding a Fellow or Trainee

The GSA website makes available a 'Find a Surgeon' facility. The Find a Surgeon directory is a listing of members of GSA who meet the requirements of the RACS Continuing Professional Development program and have opted to be on the list. Information retrieved by the Find a Surgeon directory on the GSA website will, unless notified otherwise, be limited to the practice address, phone, specialty, areas of practice and website URL of members who are listed.

Further, GSA regularly receives queries from the public requesting confirmation of the status of a member. GSA is able to advise that a surgeon has been awarded Fellowship of

RACS and the specialty practiced. The address of the practice and CPD compliance status may also be provided.

It is important that the recipient of this information is aware that it is a confirmation of the status of a Fellow and not an endorsement. If applicable, defined scope of practice will be noted. No other information on a member may be divulged. Some enquires (such as status of membership subscriptions) may be difficult to categorise into a clear "yes or no" and must be assessed on a case-by-case basis. Discretion and common sense must be used.

GSA is able to confirm that a Trainee is registered as a surgical Trainee in the SET Program in General Surgery. Unless otherwise agreed, GSA will not publicly publish names of Trainees who have successfully completed an examination or components of their training. Trainees will be identified by a number or some other anonymous medium.

4.9 External suppliers

GSA discloses information to external suppliers when entering into transactions for the purpose of GSA business. Failure to provide this information may impede the process of transacting business. Information supplied in such circumstances is disclosed to suppliers for the contracted purpose. Failure to act in accordance with this policy and other contractual obligations may result in termination of the relationship with GSA.

4.10 Requests from the media

These are usually referred to the President or to a Director of GSA. It is important that information provided to the media is carefully constructed and not be detrimental to GSA, or individual members or Trainees. No member of staff, unless specifically authorised to do so, can make public statements on behalf of GSA to the media.

4.11 Requests for information regarding staff

Personal information related to staff members may not be divulged unless consent is received from the staff member (or disclosure is authorised or required by law). Without limitation, a staff member can authorise the Executive General Manager to release information pertaining to their employment in relation to enquiries from credit agencies, real estate agents and banks.

All staff may have access to their own personnel files. The Executive General Manager may release information on staff to the appropriate statutory authority, e.g. Australian Taxation Office.

4.12 GSA website and publications

Information on the GSA website is public and if names, photos, or any identifier of a member or Trainee are published then consent for this must be obtained (express or implied). This also applies to GSA publications.

4.13 Complaints and concerns

Any concerns about GSA's handling of personal information should be directed to the Executive General Manager on +61 3 9249 1246 or at gsa@surgeons.org

Requests may be required in writing and resolution of concerns will be sought as promptly as possible. The Australian Government's Privacy Commissioner is an additional source of information – www.privacy.gov.au

5. Procedures

Not applicable

6. Legislative Context

- National Privacy Principles set out in the Australian Privacy Act 1998
- Office of the Privacy Commissioner - <http://www.privacy.gov.au/individuals/business>

7. Documents and Forms

Not applicable

8. Implementation

The Board of Directors and employees will be informed of changes to this policy officially via email communication. The policy will then be available on the GSA intranet and via the GSA website www.generalsurgeons.com.au or by contacting GSA on +61 3 9249 1246.

8.1 Changes to GSA Privacy Policy

GSA may modify or amend this policy at any time provided the policy still complies with applicable laws. Information will be held and used in accordance with the Privacy Policy, as amended from time to time.