

Privacy Policy

Compliance Policy



Purpose

The purpose of this policy is to outline the principles that must be followed when collecting, using, disclosing or storing personal information collected from individuals who interact with Arts Centre Melbourne.

Scope

This policy applies to Arts Centre Melbourne staff, contractors and any other agents carrying out an outsourced function on behalf of Arts Centre Melbourne, when handling personal information collected from Arts Centre Melbourne activities.

Principles

All Victorian Public Sector organisations must comply with the *Privacy and Data Protection Act 2014* (Vic) (“**Act**”) when handling personal information about individuals who interact with them. Privacy is a basic human right preserved by the Universal Declaration of Human Rights and the Victorian Charter of Human Rights and Responsibilities.

The Act sets out ten Information Privacy Principles (“**IPP**”), which are the basis for the content of this policy and are referred to where appropriate:

- IPP 1 Collection
- IPP 2 Use and Disclosure
- IPP 3 Data Quality
- IPP 4 Data Security
- IPP 5 Openness
- IPP 6 Access and Correction
- IPP 7 Unique Identifiers
- IPP 8 Anonymity
- IPP 9 Transborder Data Flows
- IPP 10 Sensitive Information

Policy

1 Personal Information

- 1.1 Personal information is information or an opinion that is recorded in any form, about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion.

E.g. Name, address, telephone or mobile number, email address, photographs, CCTV footage, date of birth, usernames & passwords, bank details, employment history, Tax File number or any other type of information that could enable an individual to be identified.

- 1.2 Even if the information or opinion is not true, it could still be classified as personal information if an individual can be readily identified from it.

2 Collection (IPP 1)

- 2.1 Arts Centre Melbourne must not collect personal information unless the information is necessary for one or more of its functions or activities.

- 2.2 When collecting personal information the following must be considered before information is collected:
- a) whether the collection is necessary for one or more of Arts Centre Melbourne's functions or activities;
 - b) whether that function or activity could be performed without requiring the collection of that personal information; and
 - c) what the consequences would be of an individual's failure to provide specific personal information that would be requested of them.
- 2.3 If it is determined that it is necessary to collect personal information from an individual, the amount of information collected should be limited to what is absolutely necessary to carry out the function or activity.

E.g. It is necessary to collect the name, address and contact details in an individual's Membership application, in order for them to receive the benefits of Arts Centre Melbourne's Membership program.

However, it is unlikely that it is necessary to collect information about that person's marital status in order for them to receive those benefits.

- 2.4 If information is being collected that is not necessary to carry out the function or activity, the individual must be made aware that it is not mandatory to supply that information.
- 2.5 Arts Centre Melbourne must collect personal information only by lawful and fair means and not in an unreasonably intrusive way.
- 2.6 At or before the time Arts Centre Melbourne collects personal information from an individual (or, if that is not practicable, as soon as practicable after), Arts Centre Melbourne must take reasonable steps to ensure that the individual is aware of:
- a) the identity of the organisation collecting the information (that is, Arts Centre Melbourne) and how to contact it; and
 - b) the fact that the individual is able to gain access to the information; and
 - c) the purposes for which the information is collected; and
 - d) the organisations or kinds of organisations to whom Arts Centre Melbourne usually discloses information of that kind;
 - e) any law that requires the particular information to be collected; and
 - f) the main consequences (if any) for the individual if all or part of the information is not provided; and
- 2.7 Arts Centre Melbourne's Privacy Statement (**Attachment C**) sets out:
- a) the identity of the organisation collecting the information (that is, Arts Centre Melbourne) and how to contact it; and
 - b) the fact that individuals are able to gain access to personal information held about them by Arts Centre Melbourne;
 - c) the purposes for which Arts Centre Melbourne usually collects personal information; and
 - d) the organisations or kinds of organisations to whom Arts Centre Melbourne usually discloses personal information.

- 2.8 In most instances when collecting personal information, it will be sufficient to draw the individual's attention to the Privacy Statement. However, where you are collecting information not specifically listed in the Privacy Statement, or where it is being used or disclosed in a manner not addressed in the Privacy Statement, this should be separately notified to the individual at the time the information is being collected using a Collection Statement. An Image Consent Form should be used where it is proposed to use an individual's image for marketing purposes. Refer Attachment B for further information.
- 2.9 Individuals must be made aware of the consequences to them if they don't provide their personal information to Arts Centre Melbourne.

E.g. If a ticket buyer doesn't provide Arts Centre Melbourne with their phone number (or email address) when they buy tickets, we will be unable to notify them if there are any changes or cancellations to the event they have purchased tickets to. This should be explained to them at time of purchase.

- 2.10 If it is reasonable and practicable to do so, Arts Centre Melbourne must collect personal information about an individual only from that individual.
- 2.11 If Arts Centre Melbourne collects personal information about any individual(s) from someone else (e.g. a marketing "list"), it must take reasonable steps to ensure that the individual(s) is or has been made aware of the matters listed above, and has provided a form of consent to the fact that their information may be passed on to third parties for marketing purposes. Any planned purchase of marketing lists must be reviewed by the Governance and Strategy team before being completed.
- 2.12 If Arts Centre Melbourne wishes to monitor telephone calls for business improvement purposes (e.g. in the Ticketing call centre) the customer must be made aware prior to the telephone call taking place that the call will be monitored. Any staff that will be involved in these telephone calls must be made aware that some of their calls may be monitored.

3 Use and Disclosure (IPP 2)

General use and disclosure

- 3.1 Arts Centre Melbourne may use or disclose personal information for the purposes for which it was collected (referred to as "**primary purposes**"). These will be the purposes as set out in Arts Centre Melbourne's Privacy Statement, or they could be other purposes as notified to the individual at the time that the information is collected.
- 3.2 Arts Centre Melbourne must not use or disclose personal information about an individual for a purpose other than the primary purpose (that is, for a secondary purpose) unless:
- a) the secondary purpose is related to a primary purpose; OR
 - b) the individual has consented to the use or disclosure; OR
 - c) Arts Centre Melbourne has reason to suspect that unlawful activity has been, is being or may be engaged in, and uses or discloses the personal information as a necessary part of its investigation of the matter or in reporting its concerns to relevant persons or authorities; OR
 - d) the use or disclosure is required or authorised by or under law.

- 3.3 It can be very difficult to determine what secondary uses or disclosures are permitted, therefore the Privacy Officer must be consulted prior to using or disclosing personal information outside of a primary purpose, or where the individual has not otherwise consented to the use and disclosure of the information.

Disclosure to third parties

- 3.4 An individual should be provided with the opportunity to “opt out” of having their details disclosed to a third party, except in the cases where that disclosure is to a third party who carries out an activity on behalf of Arts Centre Melbourne which is related to the primary purpose of collection, e.g. mail distributors, ticketing agents, information technology services, and where the disclosure is required for that purpose.
- 3.5 Only the personal information necessary for the third party to perform their stated activity should be disclosed.
- 3.6 It is important that Arts Centre Melbourne ensures any third parties it discloses personal information to are contractually obliged to handle that personal information in an appropriate manner. Therefore please contact the Privacy Officer before entering into arrangements with third parties when personal information will be disclosed.

Disclosure to Presenters

- 3.7 Customer personal information can only be disclosed to Presenters for them to use for marketing purposes, where that customer has specifically consented to this use when purchasing a ticket.
- 3.8 Customer personal information can only be disclosed to Presenters for them to use for research purposes (as per the Privacy Statement), where the Presenter has signed a letter of agreement to comply with Arts Centre Melbourne’s terms of use, the *Privacy and Data Protection Act 2014 (Vic)*, and to indemnify Arts Centre Melbourne for any liability arising from the misuse of information.
- 3.9 Any personal information disclosed as per clauses 3.7 and 3.8 must be restricted to the minimum amount required for the Presenter to perform their marketing or research purpose.

Disclosure to law enforcement agencies

- 3.10 If a law enforcement agency requests personal information, the request must be passed to the Privacy Officer for processing.

Disclosure in emergency situations

- 3.11 In an emergency situation, personal information may be disclosed to a third party if it is reasonably believed that disclosure is necessary to lessen or prevent either of the following:
- a) A serious and imminent threat to an individual’s life, health, safety or welfare;
or
 - b) A serious threat to public health, safety or welfare.

Direct marketing

- 3.12 Personal information collected from an individual must not be used for direct marketing purposes, unless the individual has consented to this use.
- 3.13 Personal information about individuals held by Arts Centre Melbourne, must never be sold to another party, or disclosed to a third party who is known to be in the business of on-selling customer lists.

- 3.14 Additionally, personal information must not be disclosed to third parties for them to use for direct marketing purposes unless the individual has consented to this use and disclosure.
- 3.15 Obtaining consent for direct marketing from Arts Centre Melbourne must not be bundled with obtaining consent for another use or disclosure, or with consent to disclosure to another party for them to use for direct marketing purposes. Individuals should have the freedom to provide their personal information for a primary purpose, without having to agree to their information being used for direct marketing purposes, or without having the choice of who they consent to receiving direct marketing from.
- 3.16 See section 2.11 of this policy for guidance on the purchase of marketing “lists”.

E.g. When processing a ticket sale, it would not be acceptable to only give a customer the option of consenting to both receiving marketing material from Arts Centre Melbourne and to the disclosure of their information to Presenters to use for marketing purposes, in the same question.

Instead two separate questions should be asked of the customer:

- i) Do they give consent to Arts Centre Melbourne using their personal information to send marketing material?**
- ii) Do they consent to Arts Centre Melbourne disclosing their personal information to Presenters to use for marketing purposes?**

4 Data Quality (IPP 3)

- 4.1 Arts Centre Melbourne must take reasonable steps to ensure that the personal information it collects, uses and discloses is accurate and up to date.
- 4.2 When collecting personal information, where possible confirm with the individual that that information has been recorded correctly.

E.g. If collecting information from an individual over the phone or in person, always read their details back to them and confirm the spelling, particularly with unusual words or names, names that can have varied spellings, and unclear letters.

- 4.3 If an individual notifies Arts Centre Melbourne of any changes to their personal information, or preferences in terms of how that information is used, those changes must be processed and entered into all databases where their information is held as soon as possible after the notification is received.
- 4.4 If information is to be used after the time it was collected, consideration should be given to the accuracy of the information and the impact on the individual if it is inaccurate. If inaccurate information could have an adverse impact on the individual, then steps should be taken to verify the accuracy and completeness of the information before it is used.

E.g. If the address details in an existing customer record are to be used to send tickets to a customer, the address details held should always be verified with the customer during the current transaction to ensure the tickets are sent to the correct address.

- 4.5 If personal information is being transferred from one location to another, e.g. from hard copy to soft copy, or from one database to another, checks must be made to ensure the data is transferred completely and accurately.

5 Data Security (IPP 4)

- 5.1 Arts Centre Melbourne must take reasonable steps to protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure, in line with Arts Centre Melbourne's information Security Policy.
- 5.2 Arts Centre Melbourne must take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for any purpose.

Access to Personal Information

- 5.3 Only staff members who require access to personal information to carry out their specified job role should have access to that information, whether that be access to, or within an Information System, or physical access to hard copy information.

E.g. Only payroll staff should have access to payroll data, only Ticketing and Marketing staff who need access to customer details to carry out their job roles should have access to that customer data in the ticketing system.

Storage of Personal Information

- 5.4 Personal information held in a hard copy format must be filed and held securely within locked offices or filing cabinets.
- 5.5 Personal information must never be taken from the system or location it is stored within, other than to use that information in accordance with this policy.
- 5.6 The security of all systems that hold personal information must be assessed when the system is installed and reassessed on a regular basis thereafter. Access security settings must ensure that only staff who need access are able to access personal information stored within the system.
- 5.7 Personal Information must never be stored on USB storage devices, CDs or other portable data storage devices, e.g. external hard drives, iPods or MP3 players.

Transmission of Personal Information

- 5.8 Appropriate precautions should be taken when emailing personal information and information should only be emailed when absolutely necessary.
- 5.9 If personal information needs to be emailed care should be taken to ensure email addresses are correct, that an indication is given in the email that it contains personal information, and that copies are not sent or forwarded to people who do not need that information.
- 5.10 Email addresses themselves can be personal information, and therefore care should be taken when disclosing them within an email. When sending group emails, the "BCC" (blind carbon copy) function should be used when including multiple recipients who are not Arts Centre Melbourne employees, and when the other recipients on the email do not need to know they were included in the communication.
- 5.11 Faxes containing personal information should only be sent when that information cannot be transmitted by any other method. If a fax must be sent then the confirmation page must be removed from the fax machine and receipt of the fax should be confirmed with the recipient.

Destruction or de-identification of Personal Information

- 5.12 Where personal information is no longer required for a purpose for which it can be used under the Act, and it does not constitute a Public Record (Refer *Public Records Act 1973*), or is required to be retained under any other piece of legislation, it should be de-identified or destroyed. Hard copy information must always be shredded.

- 5.13 A significant amount of information held by Arts Centre Melbourne will constitute a Public Record. Therefore please contact the Governance and Strategy team for advice before destroying or de-identifying any personal information.

Payment card data

- 5.14 Any storage, processing, transfer or purging of payment card data at Arts Centre Melbourne must be in compliance with the Payment Card Industry Data Security Standard (PCIDSS). All procurements of new systems that process, store or transfer payment card data must be reviewed by the Governance and Strategy team prior to implementation.

6 Openness (IPP 5)

- 6.1 Arts Centre Melbourne must:
- a) set out in a document clearly expressed policies on its management of personal information, and must make the document available to anyone who asks for it; and
 - b) on request by a person, take reasonable steps to let the person know, generally, what sort of personal information it holds about them, for what purposes, and how it collects, holds, uses and discloses that information.
- 6.2 These requirements are met in general by Arts Centre Melbourne's **Privacy Statement** (see **Attachment C**).
- 6.3 When collecting personal information, you should always notify individuals where they can find the Privacy Statement. The Privacy Statement can be found on Arts Centre Melbourne's website www.artscentremelbourne.com.au.

7 Access and Correction (IPP 6)

Access

- 7.1 If Arts Centre Melbourne holds personal information about an individual, it must provide the individual with access to the information on request by the individual, except to the extent that:
- a) providing access would pose a serious and imminent threat to the life or health of any individual;
 - b) providing access would have an unreasonable impact on the privacy of other individuals;
 - c) the request for access is frivolous or vexatious; or
 - d) the information relates to existing legal proceedings between Arts Centre Melbourne and the individual.
- 7.2 If an individual requests access to personal information held by Arts Centre Melbourne, Arts Centre Melbourne must:
- a) provide access, or reasons for the denial of access; or
 - b) provide reasons for the delay in responding to the request for access to the personal information as soon as practicable, but no later than 45 days after receiving the request.
- 7.3 If Arts Centre Melbourne is not required to provide the individual with access to the information Arts Centre Melbourne must, if reasonable, consider whether the use of mutually agreed intermediaries would allow sufficient access to meet the needs of both parties.

- 7.4 Where providing access would reveal evaluative information generated within Arts Centre Melbourne in connection with a commercially sensitive decision-making process, Arts Centre Melbourne may give the individual an explanation for the commercially sensitive decision rather than direct access to the information.
- 7.5 All requests for access to personal information must be forwarded to the Privacy Officer before access can be granted.
- 7.6 Ticket-buying customers may access and amend their account information by logging on to their online account, or requesting their details at the Box Office or Contact Centre.
- 7.7 Arts Centre Melbourne may charge for providing access to personal information. If Arts Centre Melbourne charges for providing access to personal information, Arts Centre Melbourne:
- a) must advise an individual who requests access to personal information that Arts Centre Melbourne will provide access on the payment of the prescribed fee; and
 - b) may refuse access to the personal information until the fee is paid.

Correction

- 7.8 If Arts Centre Melbourne holds personal information about an individual and the individual is able to establish that the information is not accurate, complete and up to date, Arts Centre Melbourne must take reasonable steps to correct the information so that it is accurate, complete and up to date.
- 7.9 If an individual requests the correction of personal information held by Arts Centre Melbourne, Arts Centre Melbourne must:
- a) correct the personal information, or provide reasons for the refusal to correct the personal information; or
 - b) provide reasons for the delay in responding to the request for the correction of personal information,
 - c) as soon as practicable, but no later than 45 days after receiving the request.
- 7.10 If the individual and Arts Centre Melbourne disagree about whether the information is accurate, complete and up to date, and the individual asks Arts Centre Melbourne to associate with the information a statement claiming that the information is not accurate, complete or up to date, Arts Centre Melbourne must take reasonable steps to do so.
- 7.11 Requests to update an individual's name and contact details can be acted upon by anyone with authorised access to that information.
- 7.12 Requests to update any other form of personal information must be forwarded to the Privacy Officer.

8 Unique Identifiers

- 8.1 Unique identifiers, usually a number, are sometimes used to facilitate data matching for personal information. The use of unique identifiers is only permitted when Arts Centre Melbourne can demonstrate that the assignment of the unique identifier is necessary to carry out our functions efficiently. For information on how to manage unique identifiers assigned to personal information by third parties, consult the Governance and Strategy team.

9 Anonymity (IPP 8)

- 8.2 Where it is lawful and reasonably practicable, an individual should have the option of not identifying themselves when transacting with Arts Centre Melbourne.
- 8.3 When requesting personal information from an individual, you must therefore consider why that information is required, and whether it is necessary to conduct that transaction.
- 8.4 In instances where the provision of the information is optional, this should be made clear to the individual concerned.

E.g. If an individual wants to purchase a ticket to an event at Arts Centre Melbourne they should not be obliged to give their personal information to make the ticket purchase.

If making an online purchase or a purchase at the Contact Centre, personal information is required in order to send the customer their tickets.

If a customer does not want to give their personal information, they should be able to purchase tickets for cash at the Box Office without having to identify themselves.

10 Transborder data flows (IPP 9)

- 9.1 Arts Centre Melbourne may transfer personal information about an individual to someone who is outside Victoria only if:
- it reasonably believes that the recipient of the information is subject to a law, binding scheme or contract which effectively upholds principles for fair handling of the information that are substantially similar to the IPPs; OR
 - the individual consents to the transfer; OR
 - the transfer is necessary for the performance of a contract between the individual and Arts Centre Melbourne; OR
 - the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the individual between Arts Centre Melbourne and a third party.
- 9.2 If personal information is to be transferred outside of Victoria, please contact the Privacy Officer before doing so as legal advice may need to be obtained prior to transferring that information.

11 Sensitive Information (IPP 10)

- 10.1 Sensitive information about an individual must not be collected unless:
- it is necessary to perform an Arts Centre Melbourne function or activity;
 - the information is collected directly from the individual themselves; and
 - the individual has consented.
- 10.2 If it cannot be proved that the sensitive information is necessary for an Arts Centre Melbourne function or activity, sensitive information must not be collected.
- 10.3 Information should only be collected for a specific purpose, which must be clearly identified, and stated to the individual at the time of collection, and the amount of information collected should be limited to what is absolutely necessary to achieve that purpose.

10.4 The sensitive information collected must never be used for any other purpose outside the primary purpose of collection, without that individual's consent.

12 Roles and Responsibilities

| Role | Responsibility |
|-------------------------|---|
| Privacy Officer | <p>The Privacy Officer is the Director, Governance and Strategy. The Privacy officer has responsibility for this policy and for ensuring Arts Centre Melbourne is in compliance with necessary privacy legislation and best practice. The Privacy Officer must be consulted in the following situations:</p> <ul style="list-style-type: none"> • prior to using or disclosing personal information outside of a primary purpose, or where the individual has not otherwise consented to the use and disclosure of the information • before entering into arrangements with third parties when personal information will be disclosed • if a law enforcement agency requests personal information • for all requests for access to personal information • requests to update any form of personal information other than name and contact details • if personal information is to be transferred outside of Victoria. <p>The Privacy Officer can be contacted by emailing privacy@artscentremelbourne.com.au.</p> |
| Governance and Strategy | <p>The wider Governance and Strategy team, in addition to the Privacy Officer, can also be consulted in regards to privacy related matters, and also monitor the privacy@artscentremelbourne.com.au email address. The Governance and Strategy team must be consulted prior in the following situations:</p> <ul style="list-style-type: none"> • before destroying or de-identifying personal any personal information in our records • before any planned purchase of marketing lists is completed • before all procurements of new systems that process, store or transfer payment card data. |
| Marketing | <p>Responsible for applying privacy principles to any marketing activities that are conducted to generate business for Arts Centre Melbourne (particularly direct marketing).</p> |
| IT | <p>Responsible for securing all personal information that exists in electronic form at Arts Centre Melbourne. Refer to the Access Control and Information Security policies.</p> |
| Ticketing | <p>Responsible for applying privacy principles to any ticketing activities that involve the collection or disclosure of customer information.</p> |

Supporting Documentation

a) Forms and Records Management

Forms or records that are generated by the policy are as follows:

| Form | Retention Period | Location |
|-------------------------------|------------------|----------|
| <i>Image Use Consent Form</i> | | |

b) Related Policies, Operating Procedures and Legislation

| Policy or Operating Procedure |
|--|
| <i>Privacy and Data Protection Act 2014</i> <i>Spam Act 2003</i> <i>Freedom of Information Act 1982</i> <i>Surveillance Devices Act 1999</i> <i>Do Not Call Register Act 2003</i> <i>Universal Declaration of Human Rights</i> <i>Victorian Charter of Human Rights and Responsibilities</i> Arts Centre Melbourne's Privacy Statement (see Attachment C) Information Security Policy Guidelines to Information Privacy Principles (www.privacy.vic.gov.au) |

Governance

a) Responsibility

| | |
|----------------------------|-------------------------------------|
| Policy Owner | Director, Governance and Strategy |
| Approving Executive | Risk Management and Audit Committee |

b) Version Control and Change History

| Version Number | Approval Date | Approved by | Amendment |
|----------------------------|---------------|---------------------------------|--|
| 1.0 | 22/04/09 | RMAC | First version of policy |
| 2.0 | 30/06/2011 | Executive | Amendment to allow disclosure of personal information to Presenters for research purposes. (Minor policy amendment). |
| 2.1 | 03/01/2012 | Manager, Assurance & Compliance | Minor amendments – rebranding |
| 2.2 | 14/10/2015 | RMAC | New template, updated for compliance with new Act. |
| Post Implementation Review | | | |
| Due Date | | | October 2016 |

Attachment A – Definitions

| Key Term | Definition |
|------------------------------|---|
| Act | <i>Privacy and Data Protection Act 2014 (Vic).</i> |
| Consent | For the purposes of this policy, explicit permission for something to happen, or an agreement to do something. |
| IPP | Information Privacy Principle, as set out in Schedule 1 of the Act. |
| Personal Information | <p>Personal information is information or an opinion that is recorded in any form, about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion.</p> <p>E.g. Name, address, telephone or mobile number, email address, photographs, CCTV footage, date of birth, usernames & passwords, correspondence, voicemails, bank details, employment history, Tax File number or any other type of information that could enable an individual to be identified.</p> <p>Even if the information or opinion is not true, it could still be classified as personal information if an individual can be readily identified from it.</p> |
| Primary Purpose | The purpose for which the collection of personal information is required to carry out, and that was stated to the individual at the time of collection. |
| Privacy Officer | The Privacy Officer is the Director, Governance and Strategy. Email: privacy@artscentremelbourne.com.au |
| Secondary Use | A use of personal information that is other than the primary purpose of collecting it. |
| Sensitive Information | Information or an opinion about an individual's: <ul style="list-style-type: none"> • Racial or ethnic origin; • political opinions; • membership of a political association; • religious beliefs or affiliations; • philosophical beliefs; • memberships of a professional or trade association; • membership of a trade union; • sexual preferences or practices; and • criminal record. |

Attachment B – Collection Statement

A Collection Statement must be made when personal information is collected in a manner not already covered by Arts Centre Melbourne's Privacy Statement.

- The purpose the information is being collected for;
- The consequences to the individual if the information is not provided;
- To whom (or which organisations) the information may be disclosed to;
- A link to Arts Centre Melbourne's Privacy Statement on the internet.

A Collection Statement may be made through a Privacy Notice on forms, the website, posters or signs, notices at the box-office or other service counters, or telephone scripts, but must be available to individuals prior to, or at the time their information is collected.

Example collection statement:

Preserving your privacy is important to us. Your personal information is being collected by Arts Centre Melbourne for the purpose of (state the exact purpose the information is being collected for. E.g. sending you tickets for purchased events or notifying you of any changes to these events).

(if it is necessary that the information be passed to a third party, we must also state who it will be passed to and for what purpose).

You may access, or request that your personal information held by us is updated or modified at any time.

If you would like further information on how to do this, or more information on Arts Centre Melbourne's Privacy Statement and how we handle your personal information, please refer to our website <http://www.artscentremelbourne.com.au> or call us on 9281 8000.

An Image Use Consent Form must be used for occasions where it is intended to use an individual's image in future promotional material, including print and online. . There is a separate form for [adults](#) and [children](#).

Attachment C – Arts Centre Melbourne’s Privacy Statement

Introduction

- 1 The Victorian Arts Centre Trust is committed to protecting your privacy. We are bound by the *Privacy and Data Protection Act 2014 (Vic)*, which sets out a number of principles concerning the protection of your personal information.
- 2 This Privacy Statement explains how we use and disclose personal information which we hold about you and the privacy rights you have in relation to that information.
- 3 We encourage you to check this Privacy Statement on our website regularly, as this Privacy Statement may change from time to time.

Your personal information

- 4 Personal information we may collect, or which may be held by us about you, may include:
 - a) your name;
 - b) your date of birth;
 - c) your postal address;
 - d) your telephone and mobile phone number;
 - e) your email address;
 - f) your image and voice, if captured by CCTV cameras at the Centre, or if you are filmed, recorded or photographed, when you visit any of our venues (such as the State Theatre, Hamer Hall and the Sidney Myer Music Bowl), or when you attend events at our venues; and
 - g) your username and password.
- 5 We may also collect and hold information about you that is relevant to your performing arts and arts-related interests, and that is relevant to your attendance at the events we hold (including details of your attendance at events).

How we collect your personal information

- 6 We collect personal information in a number of ways, including:
 - a) when you request information from us;
 - b) when you are the recipient of a gift voucher;
 - c) when you subscribe to our newsletters and mailing lists;
 - d) when you visit any of our venues, or when you attend events at our venues;
 - e) when you make a donation to us;
 - f) when you apply for a membership;
 - g) from third parties selling tickets on our behalf, or on behalf of people staging events at our venues;
 - h) from the organisations identified below under “When we disclose your personal information”;
 - i) from publicly available sources of information; and
 - j) when you otherwise provide information to us, including:
 - k) in writing;
 - l) in person;
 - m) by phone; or
 - n) from your use of our website.

How we use your personal information

1. We may use your personal information to:

- a) enable you to purchase tickets and merchandise, including, where applicable, to process your credit card payment transactions;
- b) enable you to make donations or apply for membership with us, and to contact you regarding donations and memberships;
- c) send you your tickets to events held at our venues or to send you gift vouchers that have been purchased for you by others;
- d) inform you if events change, or regarding refunds, exchanges where those are permitted;
- e) gain an understanding of your performing arts and arts-related interests and to enable us to research and develop our business to better accommodate those interests; and
- f) as set out below under the headings “Marketing by Arts Centre Melbourne” and “Disclosure to our presenters”.

When we disclose your personal information

- 7 From time to time, we may need to disclose your personal information to other organisations. Those organisations carry out our:
 - a) customer enquiries;
 - b) ticket sales and distribution;
 - c) newsletters and marketing;
 - d) information technology services; or
 - e) other services relating to events at our venues or which we organise.

- 9 In addition, we may disclose your personal information:
 - a) as permitted or required by law; and
 - b) to presenters of events at our venues to which you have purchased tickets as set out below under the heading “Disclosure to our presenters”

Marketing by Arts Centre Melbourne

- 10 When you create an account with us, including through our website, or when you otherwise provide us with your contact details, we will ask you whether you wish to receive information relating to us and to events that we think may be of interest to you. Where you agree to us doing so, we may use your personal information to provide you with information relating to us and to events that we think may be of interest to you.

- 11 If you later decide that you do not wish to receive marketing information from us, please let us know by updating your details online through our website, at our Box Office or Information Desk, or by contacting us at the address set out below under the heading “How to contact us”.

- 12 We may also reproduce your image and voice in any audio, video, or photographic display or other transmission, exhibition, broadcast, communication, publication or reproduction in any medium or context for any purpose without further authorisation by, or compensation or attribution to, you.

Disclosure to our presenters

- 13 Where you purchase a ticket from us for an event:
 - a) we may provide your contact details to the presenter of that event for use for research purposes; and
 - b) we will also seek your consent to our providing your contact details, and the details of that transaction, to the presenter of that event for their use in marketing purposes. Where you have consented to this, the presenter will then use that information in accordance with its own privacy policy. In these circumstances,

Arts Centre Melbourne will not be responsible for managing the presenter's use of that information. If you later decide that you do not wish to receive marketing information from a presenter, you will need to contact the relevant presenter, who will deal with your request in accordance with the terms of its own privacy policy.

Sale of tickets through third parties

- 13 Where a third party (such as Ticketmaster) sell tickets for events held at our venues, the terms of terms of that third party's privacy policy will apply. Those policies can usually be found on the third parties' websites. For instance, Ticketmaster's privacy policy can be found on its website at www.ticketmaster.com.au.

How we deal with your personal information if you apply for a job with us

- 14 If you apply for a job with us, you may be required to provide us with certain personal information, including your name, employment and educational background, as well as other personal information which we may require you to provide, or which you choose to provide us, in relation to your job application.
- 15 We will hold, use and disclose that information solely for the purpose of considering your application. In particular, in considering your application, it may be necessary for us to disclose some of that information to third parties to verify the accuracy of that information. In such circumstances, we will disclose only such information as is necessary in the circumstances.
- 16 In considering your application, we may also collect personal information about you from any third parties that you nominate as your referees in your application.

How you can help us to ensure the accuracy of the personal information we hold

- 17 We take all reasonable precautions to ensure that the personal information we collect, use and disclose is up-to-date.
- 18 However, the accuracy of that personal information depends to a large extent on the information you provide to us. To help ensure the accuracy of the personal information we hold about you, we ask that you:
- a) let us know if you become aware of any errors in the personal information we hold about you; and
 - b) inform us of changes to your personal information, such as changes to your name or address or other contact details.

How you can access your personal information

- 19 You have a right to access personal information that we hold about you, subject to some exceptions allowed by law. We reserve the right to charge a fee for providing you with access to your personal information.

How to contact us regarding privacy matters

If you have any questions in relation to privacy matters, please contact our Privacy Officer on privacy@artscentremelbourne.com.au or (03) 9281 8000

Alternatively, you can write to our privacy officer at:

Privacy Officer
Arts Centre Melbourne
PO Box 7585
ST KILDA ROAD VIC 8004