

Privacy Statement

Port Authority of New South Wales ABN 50 825 884 846 (Port Authority, we, us) is committed to protecting the personal information of individuals that it interacts with, in accordance with the applicable privacy laws.

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Privacy Framework

The privacy laws comprise the Information Protection Principles under the *Privacy and Personal Information Protection Act 1998 (NSW)* and in the limited circumstances where we receive health information, the Health Privacy Principles under the *Health Records and Information Privacy Act 2002 (NSW)*.

This Privacy Statement and the Privacy Management Plan set out the framework for how Port Authority collects, handles and uses personal information and health information as part of its operations.

What is personal information?

When we talk about *personal information*, we generally mean information or an opinion about an individual whose identity is apparent or can be reasonably ascertained from the information or opinion.

Health information is information or an opinion about the physical or mental health of an individual.

All references to 'personal information' below shall be taken to include health information.

Collecting personal information

Port Authority collects personal information to fulfill its responsibilities and activities, provide services and information to stakeholders, engage with the community and to comply with the law. We also collect information during staff recruitment, the employee life cycle, business interactions and tendering processes for appointment of contractors and suppliers.

If an individual chooses not to provide certain personal information, we may not be able to action or respond to the request or undertake the required service or work.

Personal information is usually collected directly from you, or someone authorised on your behalf. We may also generate our own records of our interactions, including records relating to port safety functions, engagement with members of the public to obtain their views concerns and complaints.

Personal information may be collected in person, over the phone, by email, post, radio, CCTV, voice recording, through our Website (www.portauthoritynsw.com.au), other affiliated websites, recruitment agencies, social media pages, or through participation at community events and visits to our offices and ports. You might also volunteer personal information which we do not request.

We will inform you at the time of collecting your personal information of the purpose for collecting it or otherwise as soon as practicable after the collection. This can be in writing or verbally.

Types of information we hold and collect

The types of personal information we collect about our stakeholders including suppliers, consultants, contractors, job applicants, employees and members of the public may include:

- Name, address, phone, email, date of birth, gender, citizenship, driver's licence details or other forms of identification
- Account numbers, card details, payment and financial information including superannuation and insurance
- Work health safety records including training certificates, licenses, permits and certificates of competency
- Health information such as medical certificates, disclosures of pre-existing medical conditions, drug and alcohol tests, medical reports, reports of injuries and health declarations
- Working history, academic records, professional associations, opinions from a referee as well as third party checks such as police checks, recruitment tools such as psychometric tests and other background checks
- Compliments, complaints, testimonials and feedback including opinions in a survey, response to an initiative or project
- Photographic likeness, images, audio or voice recording
- Information collected from media sites, social media channels and newsletter subscription
- Any other information provided or volunteered by you from time to time.

Purpose of Collection

We may use your personal information for the following purpose(s):

- Manage and ensure the security and safety of our sites, employees, contractors and visitors
- Effective fulfilment of our statutory obligations and discharging our duties under the Port Safety Operating Licence including the safe navigation of commercial ships, providing pilotage services, port communications, navigation aids and emergency response
- Provide a service or supply information which has been requested e.g., newsletters; marine surveys, notifications about changes to shipping movements and emergency response situations

- Investigate health safety and marine incidents and manage public liability and work health safety incidents, return to work and general health and safety obligations
- Issuing licences and permits such as Certificates of Local Knowledge, Pilot licences and Dive Operations
- Inform, review, assess or consider proposals and delivery of our projects as part of a tender or procurement process
- Provide access to applications and platforms of Port Authority including the Port Management Systems
- Booking of venues and management of the use of our sites
- Answer enquiries or respond to feedback, compliments or concerns including community response to our initiatives
- Review an application to work with us or provide us with services
- Manage a person's employment or business relationship with us
- Comply with legal and regulatory obligations including any public health orders
- Other purposes a person consents to (unless consent is withdrawn)
- Other purposes required or permitted by law.

We will keep personal information about you, to use for the above purposes, in accordance with the *State Records Act 1998 (NSW)*.

There are some exemptions from the *Information Privacy Principles* and the *Health Privacy Principles* which can apply in limited circumstances, for example, personal information may be collected, used and disclosed in emergency situations to help prevent a serious and imminent threat to life or health, or for law enforcement purposes, or where we are authorised or required to do so by law.

Use of information

We do not use your personal information or disclose it to a third party unless:

- You have provided your consent to the use or disclosure.
- It is reasonably necessary for the relevant purpose(s)
- It is directly related to the purpose for which the information was collected, and we have no reason to believe you would object (e.g., auditing)
- You have been made aware that information of that kind is usually disclosed
- It is required or authorised by law, statutory requests by regulators or instruments of a court or tribunal
- We have reason to suspect unlawful activity or misconduct of a serious nature is or may take place
- It is necessary to obtain third party services in the course of business activities, for example data hosting services. Any use of or access to personal information by third parties is strictly controlled
- It is for one of the purposes expressly permitted under the Privacy and Personal Information Act or the Health Records and Information Privacy Act.

We note that some service providers may have offices or other operations outside of Australia (e.g., data centers hosting information in the cloud). As a result, your personal information may be held by overseas recipients however, all service providers that have access to personal information held by us are required to keep the information confidential and not to make use of it for any purpose other than to provide services in accordance with their engagement.

Port Authority's Website

Port Authority's Website is operated and maintained on behalf of Port Authority of New South Wales. This Privacy Statement applies to the Website and any other site or platform Port Authority owns or licenses. However, we do not hold any responsibility for the privacy practices of third party sites which may link to or be accessed from the Website.

By using this Website, applications and services, or otherwise providing us with your personal information, you acknowledge and agree to Port Authority collecting, holding, using and disclosing your personal information as described in this Privacy Statement. If you do not wish to be bound by this Privacy Statement, you should not access or otherwise use this Website.

Cookies & Analytics

We collect limited information about users of our Website for diagnostic, security and analytical purposes. Our Website uses Google Analytics, a service which transmits website traffic data to Google servers in the United States.

The cookies used can be grouped as follows:

- **Necessary Cookies** – essential to navigate the Website and support security and basic functionality.
- **Functionality Cookies** – required to provide a smooth user experience. For example, it allows the Website to remember that a person is a returning visitor.
- **Performance Cookies** – used to understand the behaviour of users of the Website and measure performance (e.g., error messages from web pages).

We use reports provided by Google Analytics to help us understand website traffic and webpage usage. For more information about this, see [Google's Privacy Policy](#).

The information collected during each visit is aggregated with similar logged information and published in reports so we can identify patterns of usage of Port Authority's Website and for security purposes. This assists us in improving the Website and the services offered on it.

Security and Retention

Port Authority has a number of security measures in place to protect personal information from loss, unauthorised access, use, disclosure or other misuse. We ensure personal information is stored securely, not kept longer than necessary, and disposed of appropriately.

Port Authority may collect and use more extensive information than stated above in certain lawful circumstances, particularly where Port Authority suspects:

- unauthorised tampering or interference with the sites and applications, Website and platforms
- activities which give rise to a suspicion that an offence is being committed or part of an investigation into a suspected offence; and
- attempts to otherwise compromise the security of Port Authority infrastructure, or breach the laws of the State of New South Wales or the Commonwealth of Australia.

Access rights

An individual has a right to request access to the personal information that Port Authority holds about them. Unless an exception applies, we must allow you to see the personal information we hold about you within a reasonable time period and without unreasonable expense. In most instances there will be no charge to you to access your personal information.

Employees can access their personal information by making a request in writing to Head of People & Culture.

Correction rights

While Port Authority is required to take reasonable steps to ensure that the personal information it collects is accurate, up to date and complete before it uses the information, an individual may request for their personal

information to be updated or corrected at any time. Unless an exception applies, we must update the information within a reasonable time and without charge.

Complaints

While we endeavour to resolve complaints quickly and informally, you can choose to make a formal complaint about the way Port Authority has handled your personal information. This should be made in writing to the **Privacy Coordinator** within 6 months of you becoming aware of the conduct, using the [Privacy Investigation Form \(Internal Review Application\)](#). The form needs to include contact details such as email address, name, address and telephone number and clearly describe the complaint, conduct or area of concern.

We will treat the complaint as a request for an “internal review” and respond within 60 days from receiving the complete details of the request. The review will be conducted by the Privacy Coordinator or another Port Authority employee suitably qualified.

Privacy Coordinator

If you have an enquiry or you would like to exercise your privacy rights to access and/or correct personal information we hold about you, you can complete the [Application Form: Privacy Request form](#) or contact Port Authority’s Privacy Coordinator as follows:

Attention: Privacy Coordinator
Post: PO Box 25, Millers Point, SYDNEY NSW 2001
Email: access2info@portauthoritynsw.com.au
Phone: (02) 9296 4999

Please note that before Port Authority acts on a request it will require the individual to verify their identity.

If you are not satisfied with the response, you have the right to complain to the **Information & Privacy Commission**, either in writing or verbally:

Freecall: 1800 472 679
Email: ipcinfo@ipc.nsw.gov.au

Alternatively, if you are unhappy with the outcome of an internal review by Port Authority regarding your complaint, you can apply to the NSW Civil and Administrative Tribunal for an administrative review under the *Administrative Decisions Review Act 1997*.

Updates to the Privacy Framework

We will update this Privacy Statement and Privacy Management Plan when our information handling practices change or there has been a change in law. The amended Privacy Statement and Privacy Management Plan will be posted to the Website and will operate from the time it is posted.