

WEST GIPPSLAND COMMUNITY RADIO INC. (A0028524C)
PRIVACY AND CONFIDENTIALITY POLICY

RATIONALE: West Gippsland Community Radio Inc. collects information about its members, and members have a right to have this information used responsibly, and only for the purpose for which it has been collected, by those authorized to use it. Members also have the right to have their grievances and disputes resolved with confidentiality, and the obligation to respect the process and accept its outcomes.

A. PRIVACY

The following clauses are based on the National Privacy Principles (Extracted from the privacy Amendment [Private Sector] Act 2000), as appropriate.

1. Collection: West Gippsland Community Radio Inc. must only collect that information which is necessary for the operation of the station, or required by official bodies, and through official documents approved by the Board for the purpose.

2. Use and Disclosure: The contact details of members will only be revealed to other members for purposes approved by the Board.

2.1 The contact details of presenters will be available to other presenters, for the purposes of exchanging materials, and arranging replacements.

2.2 The contact details of members will be available to Executive Members and Convenors for the purposes of carrying out their duties, and to members authorized to contact other members in the process of organizing fund raising activities.

2.3 The contact details of Convenors, technical staff and Board members will be available to members for contact for the purposes of station business.

2.4 Contact details of members must not be disclosed to members of the general public.

2.5 Notwithstanding the above clauses, if the information is required by a member of the Police Force in the investigation of a possible unlawful activity, or in the case of personal emergency, or in the avoidance of harm to the member of West Gippsland Community Radio, the required information may be disclosed.

3. Data Quality:

3.1 Members have a right to inspect the information held about them, and to amend incorrect information.

3.2 Members have the obligation to update information in a timely manner.

4. Data Security:

4.1 Lists of members' contact details, apart from for the purposes of 2.3 above, will not be displayed in areas open to the public.

4.2 Members using lists of members' contact details must ensure that they are put away out of sight of the general public.

B. CONFIDENTIALITY

The following clauses are based on the ethical principles recommended by National Council Of Social Services.

1. Confidentiality must be maintained when members are involved in disputes, disciplinary process or grievance procedure.

1.1 Where a member is involved in a dispute, disciplinary process, or grievance procedure, any discussion of the issues involved will be held in closed session of the Board, or meeting of Executive, except where required otherwise by the Rules.

1.2 Members of the Board are ethically bound not to discuss these matters with members not involved in the process.

1.3 Where a member is involved in a dispute, disciplinary process, or grievance procedure,

the member may not disclose details of these matters to other members or persons not involved in the process.

1.4 In the case of correspondence generated in a dispute, disciplinary process or grievance, that correspondence must not be disseminated to any other member or person not involved in the process.

1.5 If the dispute, disciplinary process or grievance becomes the subject of an Appeal at a Special General Meeting, details of the matters under discussion may be revealed at that meeting only, and in such a manner as determined by the President.

2. Information gained during an information gathering process about the personal circumstances or health of a member may not be revealed without the consent of the member, except within the context of a closed meeting of the Board, or a meeting of Executive, where that information is relevant to a discussion of business.

3. Personal information revealed about a member in the Board or meeting of Executive during the course of discussion of business must be regarded as privileged.

4. Personal information about a member must not be broadcast without the knowledge and permission of the member.

C. INTERVIEWS AND COMMENT:

Attention is drawn to the relevant section of the Community Broadcasting Code of Practice:

“2.5 Community broadcasting licensees in observance of privacy laws will respect each person's legitimate right to protection from unjustified use of material, which is obtained without an individual's consent, or other unwarranted and intrusive invasions of privacy;

not broadcast the words of an identifiable person unless:

that person has been informed in advance that the words may be transmitted; or

in the case of words which have been recorded without the knowledge of the person, the person has subsequently, but prior to the transmission, indicated consent to the transmission of the words; or

the manner of the recording has made it manifestly clear that the material may be broadcast.”

History:

Adopted May 2005.

Reviewed and affirmed without change September 2009.

Documents Related to this Policy:

Community Broadcasting Codes of Practice

West Gippsland Community Radio Inc. Rules

West Gippsland Community Radio Inc. Standing Orders

West Gippsland Community Radio Inc. Complaints Policy

West Gippsland Community Radio Inc. Discipline Policy

West Gippsland Community Radio Inc. Duty Statements – Executive

West Gippsland Community Radio Inc. Duty Statements – Convenors.

West Gippsland Community Radio Inc. Expectations of Committee of Management Members.

West Gippsland Community Radio Training Manual.

Compliance:

West Gippsland Community Radio Inc. affirms the right of presenters to participate in discussions of policy, and the responsibility of presenters to accept and implement policy decisions.

Presenters who believe that their rights as defined by this policy have been infringed, have recourse by Complaint to the Board, and access to the Grievance Policy as specified in the Rules (Clause 7B; 1-6)

Presenters who do not comply with the responsibilities defined by this policy are subject to disciplinary action as defined in the Rules (Clause 7A; 1-10).