

University of New South Wales Press Limited

Privacy Policy

1. Purpose

- 1.1 The purpose of this policy is to provide a framework for University of New South Wales Press Limited (**UNSW Press**) to protect personal information that it holds in compliance with applicable laws.

2. Scope

- 2.1 This Policy applies to all business operations of UNSW Press (**UNSW Press businesses**), including:
- (a) NewSouth Publishing
 - (b) NewSouth Books
 - (c) UNSW Bookshop

3. UNSW Press Functions and Activities

- 3.1 UNSW Press is a not-for-profit company whose board of directors is appointed by the Council of the University of New South Wales (the **University**). The main activities of UNSW Press are book publishing, representation and distribution services, and retail bookselling on the University campus in Sydney, Australia.

4. Regulatory Framework

- 4.1 As a company limited by guarantee, and with turnover in excess of the prescribed threshold, UNSW Press is an “organisation” as defined in the *Privacy Act 1988* (Cth) (the **Privacy Act**). It is required to comply with that Act as an “APP entity” and to manage personal information in accordance with the Australian Privacy Principles (**APPs**).
- 4.2 UNSW Press is also:
- (a) a “related body corporate” of the University as that term is defined by sections 46 and 50 of the *Corporations Act 2001* (Cth), and
 - (b) a “controlled entity” of the University, as that term is defined by section 15A of the *University of New South Wales Act 1989* (NSW), and
 - (c) a “public sector agency” as that term is defined by section 3(d) of the *Privacy and Personal Information Protection Act 1998* (NSW) (the **PIPP Act**).

As such, UNSW Press is also required to comply with the PIPP Act.

- 4.3 UNSW Press may also collect Personal Information from individuals resident in countries outside Australia and may also be required to comply with privacy laws in those countries, to the extent that such laws are applicable to UNSW Press. For example, UNSW Press may collect Personal Information from residents of European Union (EU) countries and as such may need to comply with the EU General Data Protection Regulation (GDPR).

5. Policy Principles

- 5.1 UNSW Press is committed to protecting personal information in compliance with all applicable laws, and incorporates applicable legal requirements into its processes, procedures and information systems.
- 5.2 UNSW Press will:
- (a) only collect Personal Information for a lawful purpose, which is directly related to the functions and activities of UNSW Press
 - (b) limit the Personal Information collected to what is necessary for the purposes for which it has been collected and will take reasonable steps to ensure that the information which it holds is up to date, accurate and relevant to the purpose for which it has been collected
 - (c) inform the person concerned that UNSW Press collects their Personal Information, of the reason for collecting the information, how it is going to be used and disclosed (if applicable) and how the person can access and correct the information
 - (d) store Personal Information securely and protect it from unauthorised access, use modification or disclosure and destroy or de-activate the information if it is no longer needed
 - (e) only use or disclose Personal Information for the purpose it was collected unless the person has given their consent or if exemptions apply.

6. Collection of Personal Information

- 6.1 UNSW Press collects Personal Information in a number of ways, including:
- (a) directly from individuals when they make an online purchase through the websites of UNSW Press businesses, such information including the individual's name, postal address, email address and telephone numbers
 - (b) directly from individuals when they subscribe or sign up for newsletters or events conducted by UNSW Press businesses, such information may include name, email address, organisation and job title, and subject matter interests
 - (c) automatically through digital communication information from search engines or UNSW Press websites (including through the use of cookies and similar technology), such information including the individual's Internet Protocol (IP) address and the web pages visited immediately before and after accessing UNSW website.
- 6.2 UNSW Press informs individuals that it collects their Personal Information, either at or before the time of collection, or as soon as practicable thereafter, either through a form used to collect the information or by giving a notice to individuals or by otherwise ensuring that the individuals are aware of the collection of their Personal Information. The notification will be in writing wherever possible.

7. Use of Personal Information

- 7.1 Personal information provided to UNSW Press businesses will only be used by UNSW Press for the purpose for which it was provided.
- 7.2 UNSW Press may use Personal Information collected directly from an individual for the purpose of direct marketing, provided that individual has opted in to receive such communications. An individual can request not to receive direct marketing communications from UNSW Press by opting out of receiving future communications. UNSW Press provides information about how to opt out in each direct marketing communication.
- 7.3 UNSW Press will seek an individual's consent prior to the use of their personal information for any other purpose, except where that other use is authorised or required by law. If an individual gives consent that individual may subsequently withdraw that consent in writing at any time.

8. Disclosing Personal Information

- 8.1 UNSW Press is a related body corporate and a controlled entity of the University. The Privacy Act permits UNSW Press to disclose Personal Information to the University as is necessary to carry out its activities and functions, including those set out in 3.1 above.
- 8.2 UNSW Press may disclose Personal Information to other third parties including consultants, contractors and service providers to UNSW Press who assist UNSW Press in running its business or provide related services, and who are subject to security and confidentiality obligations. Where such third parties are located overseas, UNSW Press will take reasonable steps to ensure that the Overseas Recipient does not breach the APPs or is subject to a law or binding scheme that is at least substantially similar to the APPs.
- 8.3 UNSW Press will seek an individual's consent prior to the disclosure of their personal information for any other purpose, except where that other use is authorised or required by law. If an individual gives consent that individual may subsequently withdraw that consent in writing at any time prior to the disclosure.

9. Anonymity and Pseudonymity

- 9.1 For most of its functions and activities, UNSW Press needs Personal Information from identifiable individuals to perform its operations, e.g., to process orders for the purchase of books.
- 9.2 Where practicable, an individual can choose not to identify themselves or to use a pseudonym. For example, if an individual contacts UNSW Press to make a simple enquiry, they will not be asked about their name and contact details unless this information is needed to provide a response.

10. Storage, Security and Disposal

- 10.1 Where practicable, UNSW Press will seek to ensure that Personal Information is stored securely within Australia.
- 10.2 Where UNSW Press engages Service Providers to store Personal Information, UNSW Press will seek assurance in its contracts with the Service Providers that they will comply with applicable privacy and data protection laws.
- 10.3 UNSW Press has processes in place to limit access to Personal Information and to prevent unauthorised access. This includes measures such as user identification, the encryption of data or different levels of user access.
- 10.4 UNSW Press will securely destroy or de-identify Personal Information it holds once the Personal Information is no longer needed for any purpose for which the information was collected, except where UNSW Press is otherwise required by law to retain the information.

11. Privacy Impact Assessment

- 11.1 When developing or reviewing a project, such as new business opportunities, activities or databases, UNSW Press may consider the need for a Privacy Impact Assessment (PIA). A PIA identifies how a project can have an impact on individuals' privacy, and makes recommendations for managing, minimising or eliminating privacy impacts.

12. Notifiable Data Breach

- 12.1 In the case of an Eligible Data Breach, UNSW Press will inform the Office of the Australian Information Commissioner (**OAIC**) and affected individuals in the manner required by the Privacy Act.

13. Accessing and correcting Personal Information

- 13.1 If an individual believes that the Personal Information which UNSW Press holds about them is inaccurate, out-of-date, incomplete, irrelevant or misleading they have the right to request the information to be corrected.
- 13.2 To request amendment of their Personal Information, the individual should:
 - (a) provide their personal and contact details, and describe the Personal Information about them that they would like to amend, providing the reasons that they consider the information to be incomplete, incorrect, out-of-date, or misleading
 - (b) send the request to the attention of:
 - (i) for NewSouth Publishing contact Kathy Bail
kathy.bail@unswpress.com.au
 - (ii) for NewSouth Books contact Kathy Bail kathy.bail@unswpress.com.au
 - (iii) for UNSW Bookshop contact David Bridge d.bridge@unsw.edu.au

13.3 To prevent adverse consequences of unauthorised disclosure of Personal Information, UNSW Press will verify the individual's identity and authority to request the change prior to processing the request. There is no fee to request correction of Personal Information. UNSW Press will aim to respond to the request within 30 days.

14. Complaints about handling Personal Information

14.1 If an individual believes that UNSW Press has misused their Personal Information, they can contact the UNSW Press Privacy Officer to discuss and try to resolve the issue informally, or lodge an application for a formal review with UNSW Press, or complain to the OAIC.

14.2 To lodge an application for a formal review with UNSW Press, an individual should contact the UNSW Press Privacy Officer:

Kathy Bail
kathy.bail@unswpress.com.au

or

David Bridge
d.bridge@unsw.edu.au

UNSW Press Ltd
University of New South Wales
Sydney NSW 2052
Australia

Tel: + 61 2 8936 1400

14.3 The complaint can be made about:

- (a) collection of Personal Information
- (b) security or storage of Personal Information
- (c) refusal to access or find out about Personal Information
- (d) accuracy of Personal Information
- (e) use of Personal Information, and
- (f) disclosure of Personal Information.

14.3 The individual will be informed in writing of the result of the review. UNSW Press aims to respond to the complaint within 10 working days. If the complaint is complex and requires more extensive investigation, UNSW Press will use all reasonable endeavours to complete the review within 30 days.

14.4 If the individual is unhappy with the result of the review, they can lodge a complaint with the OAIC. Information on how to lodge a complaint can be found on the OAIC website.

15. Review

15.1 This policy is due for review three (3) years from its date of implementation or in case of legislative or regulatory changes.

16. Definitions

16.1 Definitions in this policy are taken from the Privacy Act unless stated otherwise.

APP entity means an agency or an organisation, including all private sector and not-for-profit organisations with an annual turnover of more than \$3 million, all private health service providers and some small businesses.

Australian Privacy Principles (APPs) means the 13 Privacy Principles set out in Schedule 1 of the Privacy Act which outline how APP entities must handle, use and manage personal information

Direct marketing means the use and/or disclosure of personal information to communicate directly with an individual to promote goods and services. A direct marketer may communicate with an individual through a variety of channels, including telephone, SMS, mail, email and online advertising.

Eligible Data Breach means data breach where:

(a) both of the following conditions are satisfied:

- (i) there is unauthorised access to, or unauthorised disclosure of, the information
- (ii) a reasonable person would conclude that the access or disclosure would be likely to result in serious harm to any of the individuals to whom the information relates, or

(b) the information is lost in circumstances where:

- (i) unauthorised access to, or unauthorised disclosure of, the information is likely to occur, and
- (ii) assuming that unauthorised access to, or unauthorised disclosure of, the information were to occur, a reasonable person would conclude that the access or disclosure would be likely to result in serious harm to any of the individuals to whom the information relates.

Notifiable Data Breach means a scheme that requires agencies and organisations to notify individuals whose personal information is involved in a data breach that is likely to result in serious harm and to notify Australian Information Commissioner of Eligible Data Breaches.

OAIC means the Office of the Australian Information Commissioner.

Overseas Recipient means a person or entity who is not in Australia or an external Territory.

Personal Information as defined by the Privacy Act means information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- (a) whether the information or opinion is true or not; and
- (b) whether the information or opinion is recorded in a material form or not.

PIPP Act means the *Privacy and Personal Information Protection Act 1998* (NSW).

Privacy Act means the *Privacy Act 1988* (Cth).

Privacy Laws means the Privacy Act and PIPP Act.

Service Provider means a third party that provides services on behalf of UNSW Press under a written agreement.

University means the *University of New South Wales* (ABN 57 195 873 179).