

# Privacy Policy

## Contents

1. Scope.....	3
2. Personal Information collected by the National Gallery .....	3
3. Purposes of collection, use and disclosure .....	4
4. Sensitive personal information .....	5
5. Anonymity and pseudonymity.....	6
6. Personal information and children .....	6
7. Historical collection, exhibition and research information .....	6
8. National Gallery visitor and client information .....	7
9. The National Gallery’s website .....	7
10. Social Networking Services .....	8
11. When you visit the National Gallery .....	8
12. Security records (including CCTV).....	8
13. The National Gallery shop (the Art Store) .....	9
14. Access to and correction of personal information .....	9
15. Disclosure of personal information .....	9
16. Disclosure of personal information to overseas recipients.....	10
17. Data quality storage and security .....	10
18. Complaints .....	11
19. How to contact us .....	11
20. Policy Review .....	11

## 1. Scope

The National Gallery of Australia (National Gallery, we or us) is bound by the provisions of the Privacy Act 1988 (Privacy Act), including the Australian Privacy Principles (APPs).

This policy applies to personal information collected by the National Gallery and sets out how we handle and maintain your personal information in compliance with the Privacy Act and the APPs. This includes how we collect, store, use, disclose, quality assure and secure personal information, as well as your rights to access or correct your personal information.

This policy does not apply to personal information contained in the national collection material that is held, managed and made accessible by the National Gallery. The Privacy Act includes a general exemption for all such material held by libraries, art galleries and museums.

## 2. Personal Information collected by the National Gallery

### 2.1 Types of Personal Information we collect

The kind of personal information the National Gallery collects and holds about you will depend on the nature of your dealing with us. The National Gallery may collect and hold the following types of personal information:

- name, contact information and date of birth
- personnel and employment records
- financial information and accounting systems records (including creditors' and debtors' names, addresses, contact information and bank account details)
- records about council members, Members and volunteers
- financial donations and sponsorship information including the name of the person making the donation and the date and amount received
- provenance information associated with art in the national collection
- information about donors of works of art to the national collection or people who loan works of art to us for an exhibition and
- photography and filming release information (including parental or guardian consent where the footage includes children).

### 2.2 How we collect Personal Information

The National Gallery may collect personal information directly from you, or from a third party including when you:

- submit a job application
- make a donation
- book an event or a ticket to the National Gallery or an exhibition
- subscribe to our e-newsletter

- become a member or make a membership payment
- engage with us in person, over the telephone, on social media or using other electronic or paper correspondence
- submit an online form, send feedback, participate in a survey or make a complaint
- make a request under the *Freedom of Information Act 1982*
- enter into a supplier contract or funding agreement with us
- enter a competition
- submit an image reproduction or copyright request related to work in the national collection.

### **3. Purposes of collection, use and disclosure**

The National Gallery collects personal information to meet the objectives of, and fulfil its functions under, the *National Gallery Act 1975 (Cth)* (the Act). These functions include:

- developing and maintaining a national collection of works of art
- exhibiting, or to making available for exhibition by others, works of art from the national collection or works of art that are otherwise in the possession of the National Gallery
- using every endeavour to make the most advantageous use of the national collection in the national interest.

The National Gallery will not collect personal information unless the information is deemed reasonably necessary for, or directly related to, one or more of the National Gallery's functions or activities under the Act.

These purposes include to:

- provide public access to items in the collection
- process bookings and ensure events or visits are properly coordinated
- respond to queries, complaints or feedback
- provide visitor support
- engage with the public via social media and online services
- provide or facilitate public events and activities
- improve services offered by the National Gallery
- assess applications for employment
- manage personnel
- conduct stakeholder liaison including members and donors, image sales and rights and permission management
- maintain the physical and Information Technology security of the National Gallery and protect the national collection

- identify and inform you about programs, exhibitions and events that may be of interest to you (where you have not opted out to receiving these communications) and
- perform internal and administrative activities such as planning, auditing, data analysis, internal benchmarking, reporting, procedural assessments, risk management, business continuity and disaster recovery, quality control, staff training, research, accounting and billing

Where the National Gallery has collected your information for a specific purpose, we will not use or disclose your personal information for another purpose, unless you have given your consent, we have told you about this secondary purpose at the time we collected your information, or the use is permitted under the Privacy Act or otherwise authorised or required by law.

#### **4. Sensitive personal information**

There is a distinction in the Privacy Act between personal information and ‘sensitive information’. The National Gallery will not collect personal or sensitive information which it does not need. The National Gallery may collect sensitive information about you such as your racial or ethnic origin (for example whether you are a first nations artist) or health information (for example, if you tell us you need mobility support when you visit the National Gallery or let us know you have allergies before attending a catered function).

The National Gallery may collect sensitive information about its employees. For example, employees may formally identify as a person from a culturally or linguistically diverse background, belong to a union or have a disability. Health information (for example medical reports or certificates) may also be collected by the National Gallery where there is a workers’ compensation or other health-related matter affecting an employee.

National criminal history checks are conducted on prospective staff members, volunteers, interns, visiting researchers and contractors. The National Gallery may also conduct a Working with Vulnerable People check where relevant to an employee or volunteer’s role. The National Gallery will seek your consent before a check is submitted and processed, and access to relevant personal information is strictly limited to authorised National Gallery staff. The National Gallery will not retain your consent form or the results of a national criminal history check for longer than 12 months following the release of the result.

We will only collect, use and disclose sensitive information for the purpose for which it was collected unless we have obtained your consent, or we are authorised or required to do so by law.

## **5. Anonymity and pseudonymity**

Wherever possible the National Gallery will provide the opportunity for you to deal with us anonymously or pseudonymously.

In some instances, if you do not wish to provide personal information, or the information you provide is incorrect, we may not be able to consider your application for employment, respond to your request, suggestion or complaint or send you invitations to events and exhibitions you may be interested in.

## **6. Personal information and children**

The National Gallery may collect personal information about children such as their name, age, contact details and other relevant information when they enter a competition, attend the National Gallery as part of a school group or feature in video or photographic footage of the National Gallery.

In the interests of ensuring the maximum level of privacy protection for children, we will not knowingly collect, use or disclose personal information about children without obtaining the prior consent of a parent or guardian. The National Gallery will not use personal information about children for any secondary purposes unless required or authorized by law.

## **7. Historical collection, exhibition and research information**

The National Gallery collects personal information relating to artwork in the national collections and on loan to the National Gallery. This information includes details about the history of the art, including its current and previous owners and other people connected with that artwork. The purpose of collecting this information is to assess an artwork's ownership and provenance prior to acquisition or loan.

Personal information about an artwork is obtained from a range of sources including from the donor or vendor and from historical records. The nature of this research is such that personal information is not always collected directly from the person to whom the information relates but from other sources such as third party oral or written histories or newspaper or magazine articles.

Personal information may also be collected in the course of historical research conducted by the National Gallery and for the purposes of exhibition. This information may not necessarily relate to an object in the national collection. This information may be maintained in a range of forms such as writing, video or sound recordings or photographs.

The National Gallery may collect limited personal information for the following purposes:

- to facilitate the management (for example transportation and insurance) of the artwork
- to arrange physical access to the collection by researchers, special interest groups or the media
- to respond to enquiries for information about the collection or the National Gallery's

activities received from members of the public.

## **8. National Gallery visitor and client information**

The National Gallery maintains a data base with contact details of individuals who regularly engage with us or who wish to receive information about particular events, exhibitions or activities at the National Gallery. This includes members of the general public, donors, Members or people with a business-related interest in the National Gallery. We would usually collect this information directly from you if you are interested in receiving the information or if you are a representative of an interested organisation.

Personal information in the customer relationship database is used to:

- distribute information about events, exhibitions and activities at the National Gallery, including by email
- maintain membership lists
- maintain donor information and (with their consent) to publicly acknowledge these donors
- administer a booking for an event, exhibition or function
- request and receive feedback about visitor experiences and
- generate invitation lists for National Gallery events.

## **9. The National Gallery's website**

The National Gallery's website uses cookies for the purpose of collecting statistical data. A cookie is a small data file that is placed on your computer by a webpage server for record keeping purposes and to enhance functionality on the website. Cookies can not be used to run programs, deliver viruses, extract or collect any personal information from your computer or provide any way for us to contact you.

Most browsers allow you to choose whether to accept cookies or not. If you do not wish to have cookies placed on your computer, please set your browser preferences to reject all cookies before using our website.

Our website also uses Google Analytics, a service which transmits website traffic data to Google servers in the United States. We use Google Analytics to understand how users engage with our website. Data transmitted includes, for example, the web address of the page that you are visiting and your IP address. Google may also set cookies on your browser or read cookies that are already there. Google may transfer this information to third parties where required to do so by law, or where such third parties process the information on Google's behalf.

More information about how Google Analytics collects, and processes data is described in Google's Privacy Policy. If you don't want Google Analytics to be used in your browser, you can use the opt-out service provided by Google or the 'incognito' mode in your browser.

## **10. Social Networking Services**

The National Gallery uses social networking services such as Instagram, Twitter, Facebook, LinkedIn, and YouTube to communicate to the public and potential employees. When you communicate with the National Gallery using these services, we may collect your personal information, but will only use it to help us to respond or communicate with you and the public. The social networking service will also handle your personal information in accordance with its own privacy policies.

Please keep in mind that if you directly disclose personal information on social media, this information becomes public and may be collected and used by others.

## **11. When you visit the National Gallery**

The National Gallery uses Wi-fi-based technologies that may collect information (such as which parts of the National Gallery are visited) from Wi-fi enabled devices. We use this technology to better understand visitor behaviour and traffic patterns throughout the National Gallery so we can improve the safety, security, and overall experience of visitors to the National Gallery. This information is collected automatically, however the information will be anonymous and will not include, or be linked to, any personal information about you unless you give permission for this to occur. To opt out, simply turn off Wi-Fi on your device.

## **12. Security records (including CCTV)**

We maintain security records in order to manage access to National Gallery premises, assets and information. These records relate to staff, volunteers, interns, visiting researchers and contractors, and may include national criminal history checks and national security clearances. Identification photos are used for security and access control purposes. The National Gallery's Head of Security is responsible for the management of these records.

The National Gallery uses closed circuit television (CCTV) systems to monitor and record activity in a range of publicly accessible locations at the National Gallery. The purpose of this monitoring is to provide a safe and secure environment for National Gallery staff and visitors and to protect the National Gallery's collections and exhibits from damage, theft or loss.

The images recorded by the cameras may include identifiable images of people visiting the National Gallery. These images are stored in a secure environment, and access to these recordings is limited to authorised staff only. Where an incident has occurred warranting further investigation, the National Gallery may allow the recording to be viewed by people responsible for investigating the incident, both within the National Gallery and/or external investigative bodies or law enforcement agencies (such as the Australian Federal Police).



### **13. The National Gallery shop (the Art Store)**

The National Gallery's shop uses a secure electronic facility to process credit card transactions. Customers may also leave their details in order to purchase items by mail order or to have items placed on hold.

Personal information is collected for the purposes of fulfilling the order and, if the purchaser has asked to receive newsletters or other information about the National Gallery, to provide them with that information. Personal information may be disclosed to Australia Post for the purposes of delivering an order. The National Gallery also retains order details (excluding credit card details) in a secure system to help manage any returns, refunds or exchanges.

### **14. Access to and correction of personal information**

The National Gallery will take reasonable steps to correct personal information it collects and holds to ensure that it is accurate, up-to-date, complete and relevant and not misleading.

You may request access to, or seek correction of, any personal information held about you under the Privacy Act and the APPs. If you would like to access or correct any personal information we hold about you, you can contact the Privacy Contact Officer. The National Gallery will respond to any request within 30 days and will take reasonable steps to provide access in a way that meets your needs.

If the National Gallery makes a decision not to grant your request for access, or we disagree about the accuracy of the information and are unlikely to change it, we will a written response listing the reason for refusal and how you can complain about our decision.

### **15. Disclosure of personal information**

The National Gallery may disclose your information to third parties or other government departments where required to fulfill our functions under the Act, where you provide your consent or where required or authorised by law. We take reasonable steps to ensure that, before disclosing personal information to any third party, they comply with the requirements of the Privacy Act and the APPs.

We sometimes engage other entities to perform services for us such as engaging a mail house to send correspondence on our behalf. We may share your personal information with them or receive personal information about you from them. These third parties are engaged in accordance with our obligations under the Privacy Act and they have agreed to hold this information in confidence, not use it for any other purpose except to carry out the requested services, and honour our privacy and security policies in the way personal information is handled.

## 16. Disclosure of personal information to overseas recipients

From time to time, the National Gallery may disclose personal information to overseas recipients for:

- interlibrary loan and document delivery
- the exchange of library collection metadata records
- loaning works of art internationally and
- loan return activities to private lenders overseas.

The National Gallery also uses Google Analytics which uses servers in the United States of America.

We will not transfer your information overseas for any other reasons without your consent unless it is required or authorised by law. If personal information is disclosed overseas, the National Gallery will take reasonable steps to ensure that the overseas recipient does not breach the APPs.

## 17. Data quality storage and security

The National Gallery takes reasonable steps to protect personal information from misuse, interference, loss and unauthorised access, modification or disclosure.

Depending on the circumstances, we may hold personal information in either hardcopy or electronic form or both.

We have established security measures including protecting digital information in systems that comply with the Australian Government Protective Security Policy Framework, and implementing managerial and physical access controls to those with a 'need to know'.

Digital information is maintained on secure servers managed by National Gallery staff or stored in secure cloud-based solutions. We may, from time to time, expand our operations or change the cloud-based or other secure solutions we use. We can do this without notifying you but we will take reasonable steps to maintain the same level of security and protection.

Storage and disposal of information is managed in accordance with the *Archives Act 1983* (Cth).

We are committed to dealing promptly with any accidental or unauthorised disclosure of personal information in accordance with our reporting obligations under the Notifiable Data Breach Reporting Scheme.

If we need to investigate or resolve a problem, we may need to (and you authorise us to) disclose your personal information to our service providers, law enforcement or other government officials if necessary or appropriate to deal with the problem or if required by law.

## 18. Complaints

If you are not happy with the way the National Gallery has handled your personal information, you can lodge a complaint, in writing to the Privacy Contact Officer on the details below.

We may ask you to provide further details about your complaint and we may need to discuss your complaint with our staff, services providers and others as appropriate. The National Gallery is committed to quick and fair resolution of complaints and will ensure that all complaints are taken seriously. We will take reasonable steps to deal with, and respond to your privacy complaint within 30 days.

If you are not satisfied with our response, you can also lodge a complaint with the Office of the Australian Information Commissioner.

## 19. How to contact us

If you would like to request further information about how the National Gallery handles your information, obtain access to your personal information, request a correction to the information we hold about you or, make a complaint about the way we handle your information, you can contact the Privacy Contact Officer at:

National Gallery of Australia  
GPO Box 1150  
CANBERRA ACT 2601  
Call: 02 6240 6411  
Email: [privacy@nga.gov.au](mailto:privacy@nga.gov.au)

## 20. Policy Review

This Privacy Policy will be reviewed annually. The National Gallery will also update the Privacy Policy if our information handling practices change. We encourage you to periodically review this Privacy Policy to be informed of how we are protecting your information.