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# ClubED

## Bite-Sized Learning

CEI Monthly Newsletter



Club Education Institute

**Welcome to the May edition of our Bite-Sized Learning newsletter.**

### **Case Study: Privacy Challenges at 'Willow Creek Social Club'**

Although Willow Creek Social Club is fictional, the privacy concerns highlighted in this case study are based on real challenges frequently encountered by smaller, often regional-based clubs not covered by the *Privacy Act 1998* (Cth) ("Privacy Act"). This concise study effectively identifies the key issues surrounding privacy obligations, presents the resolution provided by the Code Authority, and offers clear recommendations for adopting best practices in safeguarding the personal information of a member.

#### **Key Facts**

A member of the Willow Creek Social Club (the "Club") raised a formal complaint under the Club Governance Code of Practice (the "Code"), citing a breach of Section 53 concerning the improper handling of their personal information. The complaint arose after a Club staff member disclosed the member's details, without consent, to a visitor from out of town. The member had relocated to Willow Creek, a small rural area, to escape personal distress and sought anonymity.

In the digital age, privacy must be a priority.

Following the disclosure, the member alleged they received threats and feared for their safety due to the visitor's malicious intent.

The Club operates as a modest rural club with revenue below the threshold required to comply with the *Privacy Act*, meaning it isn't legally bound by its provisions.

#### **Main Issues Identified**

- Club staff lacked awareness of the significance of safeguarding personal information and the risks of disclosing such personal information.
- Although the staff member may have acted without malicious intent, they underestimated the visitor's potential threat to the member.

#### **Resolution**

The Code Authority determined that the Club did not breach Section 53 of the Code, as it is exempt under the *Privacy Act*. Section 53 of the Code states as follows:

*'We acknowledge that, as a membership-based organisation, our club is entrusted with personal information. We will comply with our duties under the Privacy Act 1998 (as amended in 2013).'*

Nonetheless, to improve privacy practices, the Code Authority recommended the following measures be implemented:

- That the Club develop a Privacy Policy outlining its procedures for the handling of the personal information of its workers and members, and be reminded generally of the particular importance of privacy in regional communities where clubs often act as key custodians of personal information.
- That the Privacy Policy include an 'Enhanced Privacy' opt-in option for members, to safeguard against the disclosure of personal information in sensitive situations.
- That members be encouraged to review their social media presence and privacy settings to reduce the exposure of personal information through online platforms.

## Lessons Learned

The best measures to protect the privacy and personal information of members are:

- **Avoid Casual Disclosures:**  
Club staff must never share members' information, even in friendly or informal conversations, or without consent, as this may lead to unintended privacy breaches.
- **Understand Legal and Ethical Responsibilities:**  
Clubs should be aware of both legal and ethical duties and follow best practices to protect personal information including sensitive information, particularly for vulnerable individuals.
- **Ongoing Training:**  
Regular privacy training should be mandatory to ensure all staff know what can and cannot be disclosed with or without consent.
- **Consent-Based Practices:**  
Clubs should always obtain explicit consent before using or sharing members' personal details (e.g. names or images) including in public-facing materials.

- **Enhanced Privacy Options:**

Offer members the ability to opt into higher levels of privacy during membership sign-up, or at any time, and restrict access to sensitive information to authorised personnel only.

## Conclusion

The case of the Willow Creek Social Club — a small rural club with an annual turnover below \$3 million and not subject to the *Privacy Act* — highlights the critical role such clubs play as custodians of personal information. While not legally required to comply with the *Privacy Act* or APPs, the Club, and others like it, must still adopt proactive privacy measures.

Embedding privacy protections into governance practices helps uphold trust, strengthen ethical standards and safeguard community relationships. By implementing clear policies, providing staff training and embracing privacy-enhancing measures, clubs can foster a safe and welcoming environment while maintaining the confidence of their members.

## Upcoming CEI Seminars Round 2 are commencing:

Topics:

- **Evolve or Fade: Strategies to Secure Your Club's Future**
- **Refinance Wisely: Timing, Techniques, and Tactics to Save**

## Upcoming Training

CEI has scheduled F2F Mandatory Director Training in all regions as well as Virtual sessions, plus the following new courses:

- Board Chair Masterclass
- Finance for Non-Accountants
- Financial Decision Making for Directors and Managers.

Find out more [here](#) or call ClubASSIST on 1300 730 001.

## Customised Training

*Interested in bespoke or mandatory training for your board or region? We're ready to deliver face-to-face sessions for groups of 10 or more! To discuss your learning needs, email me at [RMendes@clubsnsw.com.au](mailto:RMendes@clubsnsw.com.au).*