

# 131 Information Privacy Policy & Procedures

## **Purpose**

1. Community College Gippsland (CCG) is committed to complying with State and Commonwealth privacy legislation, including the Information Privacy Act 2000 (Vic) and the Information Privacy Principles (IPP), the Higher Education Act 2003 as well as the Commonwealth Privacy Act 1988 and the Privacy Amendment (Enhancing Privacy Protection) Act 2012, and the Australian Privacy Principles (APP) contained therein.
2. The purpose of this policy is to provide guidance on the positive management of personal and/or confidential information; and to protect staff, students, and clients of from unauthorised or accidental disclosure of confidential information.

## **Policy**

3. CCG respects the privacy of all staff, students and clients and is committed to protecting any personal information provided in the course of business. All confidential information related to the business of CCG and of its staff, students and clients must be protected from disclosure to any outside party, unless authorised by the Chief Executive Officer.
4. The unauthorised use or disclosure of personal and or confidential information will be regarded as serious misconduct and may, following investigation, be subject to disciplinary action up to and including dismissal.
5. Any access to personal information and employee records shall be granted to the CEO, Directors, Payroll and Human Resource Staff. Limited access is permitted for Program Leaders and Managers for their direct staff only.
6. Students may access their individual records by following the Student Access to Records Policy.
7. Students enrolled under VET FEEHELP refer to the Higher Education Loan Program Privacy Notice (Appendix 1)
8. A copy of the Australian Privacy Principles is provided on the CCG website. [www.ccg.asn.au](http://www.ccg.asn.au)

## **Scope**

9. This Policy applies to personal information collected by CCG staff, students, prospective students, individual clients and other individuals
10. In general terms, any information is deemed to be confidential if it is not freely available in the public domain. All personal information is confidential.

## **Responsibilities**

11. Individuals are responsible for ensuring that any confidential information they produce or have access to is adequately protected and appropriately classified.
12. CCG staff will not discuss any confidential information.
13. Ensure that confidential documents are carried securely, whether inside or outside the workplace. Ensure that confidential documents are marked accordingly and are only distributed to the intended recipients

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14. Ensure that confidential documents are kept in a secure place with restricted access, (including computer drives)
15. Managers are responsible for ensuring that employees understand their responsibility to maintain confidentiality of information.
16. The CEO holds ultimate responsibility for information privacy at CCG.

### **Procedure**

#### **17. Open and Transparent Management of Personal Information.**

- a) CCG has implemented systems, processes, and practices relating to its functions and activities that ensures CCG's compliance with the APPs and will enable CCG to deal with inquiries and or complaints from individuals in matters relating to the APPs.
  - b) CCG will take all reasonable steps to ensure that student and stakeholder information collected:
    - c) Is necessary for CCG's operations;
    - d) Is relevant to the purpose of collection;
    - e) Is collected in a fair way, without unreasonable intrusion; and
    - f) Is as up to date and complete as possible.
  - g) Students are informed of the collection
18. CCG has a compliant policy that is publicly available through its web site or free of charge in hard copy should it be requested.

#### **19. Protecting identity.**

- a) CCG will provide individuals, where it is reasonable and practicable to deal with particular matters, the option of not identifying themselves or of using an alternative name when dealing with CCG.
- b) Collection of Personal Information
  - I. CCG will not collect personal information unless that information is reasonably necessary for CCG's functions and activities.
  - II. CCG will not collective sensitive personal information without the individuals consent.
  - III. CCG will only collect information by lawful and fair means.

#### **20. Notification of the Collection of Personal Information.**

- a) At the time of collection of the information CCG will advise the individual of:
  - I. The reason for the collection of the information.
  - II. Any law that requires the particular information to be collected.
  - III. To whom the information may be disclosed.
  - IV. The purpose for which it will be used.
- b) Where it is impractical to furnish the advice indicated above to the individual at the time of collection, CCG shall forward this advice to the person as soon as practicable after the fact.

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### 21. Dealing with Personal Information

- a) Personal information, including sensitive information and health information, may be used for the following purposes:
  - b) For Students:
    - I. Application, Pre-Training Review and Foundation Skills Assessments
    - II. Enrolment
    - III. Course administration
    - IV. Academic progress
    - V. Provision of services to students
    - VI. Careers or academic pathways services
  - c) For Staff:
    - I. Human Resources compliance
    - II. General administration
    - III. Financial management
22. Information collected will not be divulged to any third party for any reason other than the primary purpose for its collection. This notwithstanding, CCG may disclose student's personal information in the following instances:
23. Academic progress information to another institution or related body as required in the course of a student's transfer to a new institution;
24. Personal and enrolment information, including academic results, or students undertaking cross-institutional study to the relevant institution as required to confirm the student's enrolment or qualification;
25. Personal information to relevant organisations engaged by CCG to provide debt recovery services
26. Personal and enrolment information, including academic results, of students undertaking an apprenticeship or traineeship to their employer
27. Personal and enrolment information of students undertaking Vocational Education and Training in a VET in the VCE or schools program, to their secondary school and parents, providing confidentiality is assured.
28. Personal and enrolment information, including academic results, of staff undertaking a qualification with CCG for personnel administration
29. Government departments such as the Australian Taxation Office
30. Where your consent is required to disclose your personal information to a third party, or to obtain information from a third party about you, then the following form will be used, as appropriate:
- a) Authority to Disclose information

### 31. Emergency situations and criminal activity

- a) CCG may disclose your information for a secondary purpose if it reasonably believes that the use or disclosure is necessary to lessen or prevent:

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- I. a serious and imminent threat to an individual's life, health, safety or welfare; or
- II. a serious threat to public health, public safety or public welfare;
- III. and the information is used or disclosed in accordance with relevant legislative or regulatory guidelines.

### 32. Direct Marketing.

- a) CCG will not use or disclose personal information for direct marketing unless:
  - I. CCG collected the information from the individual
  - II. The individual would reasonably expect CCG to use or disclose the information for direct marketing
  - III. CCG provides a simple 'opt out' method for the individual to request not to receive CCG direct marketing
  - IV. The individual has not made a request not to receive direct marketing

### 33. Adoption, Use, or Disclosure of Government Related Identifiers.

- a) CCG will not disclose a government related unique student identifier of an individual unless required under law. CCG does assign internal student and staff numbers to individuals to identify individuals as considered necessary for CCG's internal operations.

### 34. Integrity of Personal Information

- a) CCG will take all reasonable steps to ensure that the personal information collected, used and or disclosed is accurate, up to date, complete and relevant having regard to the use or disclosure.

### 35. Security of Personal Information.

- a) CCG will take all reasonable and practicable steps to ensure that personal information collected is protected from misuse, interference, loss, unauthorized access, modification, or disclosure.
- b) CCG will take all reasonable steps to ensure that personal information held is destroyed and or de-identified when it is no longer required for the purpose for which it was originally collected and the information is not required to be kept.

### 36. Access to and Correction of Personal Information

- a) An individual is entitled to access any record which contains personal, sensitive or health related information about the person except where CCG is legally entitled to refuse access under State or Commonwealth legislation.
  - I. The entitlement does not include access to information regarding other individuals in any group record.
  - II. A student may request access to their personal information by writing to their Program Leader.
  - III. A staff member may request access to their personal information by writing to the CEO or Directors.

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- IV. Access to appropriate and relevant information will be provided within 30 days from receipt of the request. Hard copy and/or a computer record may be viewed, but not removed or altered.
- V. Should CCG decline the request for access it will provide the reasons why in writing including avenues of complaint.

### **Relationships**

#### **Internal:**

- Conflict of Interest Policy
- Staff and Student Code of Conduct and Disciplinary Policy & Procedures
- Information and Communications Technology Policy
- Records Management Policy & Procedure
- Legislative Compliance Policy
- Complaints and Appeals Policy & Procedure
- VET FEE-HELP Pre-enrolment & Refund Procedure

#### **External:**

- Privacy Amendment (Enhancing Privacy Protection) Act 2012
- PROS 02/01 General Retention and Disposal Authority for the Records for Higher and Further Education Institutions Version 2012
- Australian Qualifications Training Framework 2010 Essential Conditions and Standards for Continuing Registration
- Higher Education Skills Group Vet Funding Contract Victorian Guarantee Program
- Victorian Registration and Qualifications Authority Vet Provider Guidelines
- The Information Privacy Act 2000 (Vic.)
- The Commonwealth Privacy Act 1988
- The Higher Education Support
- Information Privacy Act 2000 (Vic)
- Freedom of Information Act 1982
- Health Records Act 2001
- Student Identifiers Act 2014
- USI Privacy Notice

### **Forms**

602-1A Student Access to records form