

POLICY AND PROCEDURES

Privacy Policy

Date Approved:	19/11/2019
Date Effective:	19/11/2019
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Policy Category:	Governance and Risk Management
Policy Owner:	Principal

1. Context

This policy sets out the personal information handling practices of SEDA College (Victoria) (“SEDA College”/“the College”) and assists the College to manage personal information in an open and transparent way. This policy gives students, staff and all those engaging with SEDA College a better and more complete understanding of the types of personal information that the College holds and the way that the College handles that information.

SEDA College is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act.

2. Application

This policy applies to:

- personal information collected or handled by SEDA College.
- students and staff.

A reference to staff includes contractors and volunteers.

Under the Commonwealth Privacy Act, the Australian Privacy Principles do not apply to an employee record. Consequently, this policy does not apply to an employee record when directly related to a current or former employee.

3. Policy Content

3.1 What is personal information?

Personal information is information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

3.2 What kinds of personal information?

The kinds of personal information that SEDA College may collect and hold about an individual includes, but is not limited to: name, address, telephone number, email

address, photographs, bank account details, assessment results, sex, marital status and parent/guardian details.

SEDA College collects information about students on behalf of its VET providers according to the requirements of the VET Funding Contract (Standard) Skills First Program, Standards for Registered Training Organisations, Higher Education Support Act 2003, Victorian VET Student Statistical Collection Guidelines and Data Provision Requirements. SEDA College also collects data from stakeholders about the services provided by SEDA College. These surveys are voluntary and respondents may exercise their right of anonymity.

3.3 What is sensitive information?

Sensitive information is personal information about an individual's racial or ethnic origin, political opinions, membership or political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, sexual preferences, criminal record or health information.

3.4 What kinds of sensitive information?

The kinds of sensitive information that SEDA College may collect and hold about an individual includes, but is not limited to: health or disability information, racial or ethnic origin or working with children check information.

3.5 How SEDA College collects personal information

It is usual practice for SEDA College to collect personal information directly from the individual. In many circumstances the student's parent/carer will be required to have input (most commonly this is for students under the age of 18 years).

Sensitive information will only be collected with the individual's consent and where the collection is reasonably necessary for one or more of SEDA College's functions or activities (unless a legal exemption applies).

3.6 The purposes for which SEDA College collects and uses personal information

SEDA College will collect, hold, use and disclose personal information about an individual that is reasonably necessary for one or more of its functions or activities.

SEDA College's functions or activities include;

- providing educational services to students in an independent school environment. SEDA College's functions or activities are sometimes delivered via enrolment with an external registered training organisation.
- the employment of staff and other related services.
- reporting to state or national regulators.
- reporting in circumstances related to public interest, such as law enforcement and public or individual safety.

SEDA College is required to provide the relevant (Victorian) State Government, through the Department of Education and Training ("DET") or equivalent, with student and training activity data which may include information provided on the enrolment form. Information is required to be provided in accordance with the relevant state/territory VET Student Statistical Collection Guidelines. The Department may use the information provided for planning, administration, policy development, program evaluation, resource allocation, and reporting and/or research activities. For these and other lawful purposes, the Department may also disclose information to its consultants,

advisers, other government agencies, professional bodies and/or other organisations and take copies of any records or documents as required.

In Victoria, the *Education and Training Reform Act 2006* requires SEDA College to collect and disclose personal information for a number of purposes including the allocation of a Victorian Student Number and updating personal information on the Victorian Student Register. Survey data on the performance of SEDA College is used to identify continuous improvement opportunities and improve our practices. SEDA College is also required to immediately provide access to records in the following circumstances:

- in accordance with requirements in the PR Act and any other applicable legislation;
- to the Victorian Auditor-General or Victorian Ombudsman on request in writing;
- to a government representative on request in writing; and
- to DET or an authorised representative of the Department for any purpose connected with delivering education programs.

Information will only be disclosed to an unrelated third party if permission is sought and received in writing from the individual concerned first.

In relation to students, SEDA College's primary purpose of collection is to provide educational services and related support services including health and wellbeing support. This means that SEDA College staff working with a particular student will be provided with necessary personal information, including sensitive information, for the purpose of providing education and related support services. This includes information disclosed to and held by the Student Connect wellbeing staff which might otherwise have been expected to have remained confidential and only be held by Student Connect.

In relation to the personal information of staff, SEDA College's primary purpose of collection is to facilitate employment and administer the staff member's benefits and other entitlements.

3.7 Who might SEDA College disclose personal information to?

As part of its functions or activities, SEDA College may disclose personal information, including sensitive information to other individuals and organisations including:

- a student's parent and/or guardian (unless otherwise requested in writing);
- professional services contractors (including IT consultants, insurers, accountants, lawyers) that assist SEDA College to conduct its functions or activities;
- medical practitioners and other healthcare or emergency service providers (in part this falls within the category requiring consent or disclosure by law);
- industry organisations related to the functions or activities of SEDA College such as the sports and Building and Trade partners; and
- any other individual or organisation SEDA College is required to disclose the information to by law.

3.8 Sending information overseas

SEDA College does not usually send personal information about an individual outside Australia. In the unusual event that this occurs, SEDA College will comply with the Australian Privacy Principles.

3.9 Management and security of personal information

SEDA College takes reasonable steps to protect the personal information it holds from interference, misuse, loss, unauthorised access, modification and disclosure. These steps include,

but are not limited to locked storage of paper records and security-protected access rights to electronic records. Electronic records are backed up via a cloud service from Telstra.

Survey data is collected in either hard copy or via survey monkey or similar (electronic format).

SEDA College destroys personal information by a secure documents disposal service.

3.10 Updating and accessing personal information

SEDA College will take reasonable steps to ensure that the personal information it holds is accurate, complete and up to date. Subject to legal exceptions, an individual may seek access to and seek the correction of personal information SEDA College holds about them. Access and correction requests can be made to SEDA College directly.

3.11 Access by a parent or guardian

For a student enrolled in a Senior Secondary Program personal information may be collected, used and disclosed to a student's parent or legal guardian. If the student has sufficient maturity and understanding personal information may be collected, used and disclosed directly with the student.

Before providing information, a staff member must be satisfied:

- of the identity of the individual seeking the information; and
- that the individual is entitled to access.

3.12 Data Breaches

SEDA College takes all data breaches such as unauthorised access to or disclosure or loss of personal information extremely seriously.

All data breaches will be investigated thoroughly by the College's Data Breach Response Team, in accordance with the College's Data Breach Response Plan.

Data breaches likely to result in "serious harm" to an individual such as physical, psychological, emotional, financial or reputational harm will be reported to the Office of the Australian Information Commissioner (and in accordance with the Notifiable Data Breaches scheme effective 22nd February 2018).

3.13 Complaints & Monitoring

You may complain about a breach of privacy:

- Student concerns, complaints, grievances and appeals can be raised under the Concerns, Complaints & Grievances Policy - Students
- Staff concerns, complaints, grievances and appeals can be raised under the Grievance Policy - Staff

While SEDA College encourages its staff and students to raise concerns with SEDA College directly, external privacy complaints can be made to the Office of the Australian Information Commissioner.

4. Referenced Documents

This policy references the following documents:

- *Privacy Act 1988 (Commonwealth)*.
- Concerns, Complaints & Grievances Policy – Students
- Grievance Policy - Staff

This policy has been drafted with reference to the resources of the Office of the Australian Information Commissioner. Further information can be found at <http://www.oaic.gov.au/>

5. Policy History

Version	Policy Owner	Approval Date	Effective Date	Summary of Changes
V1	Principal	20/12/16	20/12/16	
	Principal	20/12/17	20/12/17	Removal of arts reference, replace with Building and Trade reference
V2	Principal	19/11/19	19/11/19	Inserted section relating to Data Breaches. Inserted updated policy name for Concerns, Complaints & Grievances Policy – Students, and included the Grievance Policy – Staff. Minor text changes.



ACKNOWLEDGEMENT

I _____ have read, understood and agree to comply with the terms of this Privacy Policy.

Signed

Dated

