

PRIVACY POLICY

SECTION 1 - PURPOSE AND SCOPE

- (1) UWSCollege is committed to ensuring privacy principles are in place in accordance with the *Privacy Act 1988*.
- (2) UWSCollege respects the privacy of students, staff, and all parties it engages with on a day to day basis.
- (3) UWSCollege expects all staff members to respect the privacy of individuals, and to ensure that the principles espoused in this policy are adhered to.
- (4) In its operations, UWSCollege is required to collect and retain information on its students, staff, suppliers, clients and other relevant parties.
- (5) This policy covers how the College will collect, retain, use, disclose and give access to information it collects.

SECTION 2 - DEFINITIONS

NIL

SECTION 3 - POLICY STATEMENTS

Responsibility

- (6) All College staff have an obligation, in their day to day practices, to adhere to and implement the privacy principles and practices established by legislation.

Collection of Information

- (7) UWSCollege collects information that is required for the purpose of delivering its programs in Academic Pathways, English, Adult Migrant English, Vocational and Education Training, and Professional & Community Program .
- (8) The College collects information lawfully and fairly.
- (9) In particular when the College collects personal information about a staff member or a student, it will reasonably and if practicable, collect this information directly from that individual, and will advise at the point of collection:

Version No:	2	Policy Owner:	Corporate
Approved By Board:	8 th June 2010	Pages:	1 of 4 pages

- a. That access to the individual's personal information is accessible by that individual;
- b. The purpose for which that information is collected;
- c. The organizations (such as DEEWR or ATO) to which the College is required to disclose this information to;
- d. Any legislation that requires that particular information to be collected: and
- e. The main consequence (if any) for the individual if all or part of the information is not provided.

Use and Disclosure of Information

- (10) The College will not use personal information other than for the purpose for which that information was provided for.
- (11) In all cases where personal information is to be disclosed to a third party, other than for directly related purposes, legal or compliance requirements, the individual's consent will be sought.
- (12) The College will not use or disclose personal information about an individual for a purpose (the secondary purpose) other than the primary purpose of collection unless:
 - a. The secondary purpose is related to the primary purpose of collection, and if the personal information is sensitive information, directly related to the primary purpose of collection; and
 - b. The individual would reasonably expect the College to use or disclose the information for the secondary purpose.
- (13) Where information is not sensitive information, and the use of the information is for the secondary purpose of direct marketing, personal information may be used where:
 - a. It is impractical to seek the individual's consent before that particular use;
 - b. The individual has not made a request not to receive direct marketing communication;
 - c. That the College will provide a notice that further direct marketing communications can be declined by the individual; and
 - d. That each written direct marketing communication with the individual will set out the College's contact details.
- (14) There are occasions where the College may consider it necessary to disclose personal information about individuals to relevant health or law enforcement agencies. These occasions may include:
 - a. Where there may be a serious and imminent threat to an individual's life, health or safety;
 - b. A serious threat to public health or public safety; or
 - c. Where there is reason to suspect unlawful activity, and that information is required as a necessary part of investigation
- (15) In the occasions listed in (13), the College will document disclosures made.

Version No:	2	Policy Owner:	Corporate
Approved By Board:	8 th June 2010	Pages:	2 of 4 pages

Storage and Quality of Information

- (16) The College will take reasonable steps to ensure that the personal information collected, used, or disclosed is accurate, up to date, complete and fit for purpose.
- (17) Data will be stored securely, and only relevant staff will have access to personal information for the purpose of performing their duties.
- (18) If the College is advised by the individual who establishes that their personal information is not accurate, complete and up-to-date, then the College will make reasonable efforts to correct the information.

Access of Information

- (19) UWSCollege will ensure that personal information is accessible to the individual when requested, in a timely and reasonable manner.
- (20) The College reserves the right to charge a reasonable fee for accessing information should there be administrative costs involved in recovering personal information.
- (21) In certain circumstances, the College may consider that access to personal information should not be given. These circumstances may include:
 - a. Providing access would have an unreasonable impact upon the privacy of other individuals;
 - b. The request for access is frivolous or vexatious;
 - c. That the provision of information could pose a serious threat to the life or health of any individual;
 - d. That information relates to existing or anticipated legal proceedings between the College and the individual;
 - e. Providing access would reveal the intentions of the College in relation to negotiations with the individual in such a way as to prejudice those negotiations; and/or
 - f. Where provision of information could be unlawful;

Destruction of Records

- (22) The College will destroy records relating to personal information when such information is no longer necessary to be retained within the College's records. Personal information will be destroyed by shredding or other secure process.

SECTION 4 - PROCEDURES

Complaint Process

- (23) The college is committed to providing those persons whose personal information it holds, with a fair and responsible system for the handling of complaints concerning the collection, accuracy or disclosure of personal information.
- (24) The Privacy Act states that complainant should take their complaint to the College before making a complaint to the Privacy Commissioner.
- (25) The College has Privacy Officers whose role includes dealing with complaints, concerns or queries that individuals may have with respect to personal information

Version No:	2	Policy Owner:	Corporate
Approved By Board:	8 th June 2010	Pages:	3 of 4 pages

held by the college. The Privacy Compliance Officers are empowered to deal with all such complaints as expeditiously as possible through the college's complaints handling process.

- (26) The Privacy Officers for the College are:
 - a. Chief Executive Officer
 - b. Manager, Corporate & Business Services
- (27) The College has staff and student complaints processes covered by the relevant Complaint Handling and Resolution Policies as outlined in Section 5.
- (28) Alternately, the individual may apply directly to the Privacy Commissioner to investigate a complaint. These procedures can be found in <http://www.privacy.gov.au>.

SECTION 5 - GUIDELINES AND REFERENCES

- a. The Privacy Act 1988 (Cth)
- b. National Privacy Principles, Office of the Privacy Commissioner, Australian Government www.privacy.gov.au
- c. Staff Complaint Handling & Resolution Policy
- d. Student Complaints Handling & Resolution Policy

Version No:	2	Policy Owner:	Corporate
Approved By Board:	8 th June 2010	Pages:	4 of 4 pages