

## 1. Purpose

This document sets out the Institute's Policy on its management of personal information. The Institute is committed to privacy protection and compliance with applicable privacy laws and standards.

The Institute is bound by the provisions of the Victorian Information Privacy Act 2000, which sets down privacy standards called Information Privacy Principles (IPPs). The Principles state how public sector organisations covered by the Act should collect, use, store, disclose and give access to personal information.

## 2. Scope

This Policy applies to all organisational areas of the Institute. It applies to the collection, use, storage, disclosure and access to personal information.

The Institute manages a large volume of personal information, mostly about its students and staff. Some of this information is provided to the Institute by the individual (for example, information in an application for enrolment or employment), some is collected by the Institute (for example, student assessment records and staff performance appraisals) and some is provided by an outside individual or organization (for example, staff references and student placement appraisals).

## 3. Definitions

**Personal information** is defined under the Information Privacy Act as information or an opinion, whether true or not, about an individual whose identity is apparent, or can reasonably be found out, from the information or opinion. The personal information can be recorded in any format – for example, in writing, online, digitally or by electronic means.

**Sensitive information** means personal information about an individual's racial or ethnic origin, political opinions, membership of a political, professional or trade association or trade union, religious beliefs or affiliations, philosophical beliefs, sexual preferences or practices or criminal record;

## 4. Responsibility

Director Capability & Communication is responsible for the administration of this policy.

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## 5. Legislative Context

Victorian Health Records Act 2001  
Commonwealth Copyright Act 1968  
Public Records Act 1973  
Information Privacy Act  
Freedom of Information Act 1982

## 6. Process

**6.1** This Policy does not cover the management of health information. The meaning of health information is set out in the Victorian Health Records Act 2001. In summary, health information is personal information:

- about the physical, mental or psychological health or disability of an individual;
- about an individual's expressed wishes regarding the future provision of health services to him or her;
- about a health service provided, or to be provided, to an individual;
- collected to provide a health service,
- about an individual collected in connection with organ or body substance donation; or
- that is genetic information in a form which is or could be predictive of the health of the individual or of his or her descendants.

**6.1.2** The management of health information is covered by a separate policy entitled Policy on the Management of Health Information. Nor does this Policy apply to personal information that is:

- in a publication that is available to members of the public;
- kept in a library, art gallery or museum for reference, study or exhibition purposes;
- a public record under the control of the Keeper of Public Records that is available for public inspection; or
- an archive within the meaning of the Commonwealth Copyright Act 1968.

**6.1.3** The Institute will manage personal information in accordance with the Information Privacy Principles (IPP's) in the Information Privacy Act. This Policy should be read in conjunction with those Principles, which are attached. The Institute will:

- a) only collect personal information that is necessary for its functions or activities;
- b) only collect sensitive information about an individual if the individual has consented, the collection is required under law (eg. collection of statistics for a government agency) or the collection is otherwise in accordance with IPP 10.
- c) if it collects personal information about an individual, take reasonable steps to ensure that the individual is made aware of:

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- the identity of the Institute's privacy manager and how to contact that officer,
- that he or she is able to gain access to the information (subject to the provisions of the Freedom of Information Act),
- the purposes for which the information about him/her is collected,
- to whom the organisation usually discloses information of that kind,
- any law that requires the particular information to be collected, and
- the main consequences (if any) for the individual if the information is not provided.

**6.1.4** (**Note:** This paragraph c) will not apply to the extent that compliance with it would pose a serious threat to the life or health of any individual);

- not use or disclose personal information about an individual for a purpose other than the original purpose of collection except in accordance with IPP 2;
- as required by Section 6(1) of the Information Privacy Act, interpret IPP 4.2 regarding destruction or permanent de-identification of personal information subject to the Institute's obligations under the Public Records Act 1973;
- as required by section 12 of the Information Privacy Act, interpret IPP 6 regarding an individual's rights to access to, and correction of, personal information subject to the procedures contained in the Freedom of Information Act 1982; and
- take reasonable steps to ensure that personal information is stored securely.

**6.1.5** Organisations and individuals contracted to provide services to the Institute will also be required to comply with the Information Privacy Principles in relation to acts done by the service provider for the purposes of the contract with the Institute.

## 6.2 PRIVACY MANAGER AND PRIVACY COMMITTEE

- 6.2.1** The Institute appoints the Director Capability & Communication as Privacy Manager and the Chief Executive Officer will appoint a representative group of staff to a Privacy Committee. The Privacy Manager's responsibilities will include:
- coordinating the ongoing review of the Institute's practices and procedures in consultation with the Privacy Committee, to ensure that they comply with this Policy, current legislation and best practice;

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- coordinating the scheduled review of this Policy and advising and educating Institute management and staff of their responsibilities under this Policy, the Information Privacy Act and the Health Records Act; and
- the receipt, investigation and reporting of complaints.

## 6.3 ACCESS TO PERSONAL INFORMATION

**6.3.1** If an individual wishes to gain access to his or her personal information, a request should be directed in the first instance to the Institute's Freedom of Information Manager (Manager of Corporate Services).

## 6.4 COMPLAINTS

**6.4.1** Any individual in respect of whom personal information is or has been held by the Institute, may complain to the Institute's Privacy Manager about an act or practice of the Institute that the individual believes is an interference with the privacy of that individual.

**6.4.2** The Privacy Manager will investigate the complaint as speedily as possible. The Privacy Manager will then advise the Chief Executive Officer of his/her findings and make recommendations to the Chief Executive Officer or nominee about the complaint.

**6.4.3** The Chief Executive Officer will make a decision on the complaint and advise the complainant in writing of the result of the investigation.

## 7. Associated Documents

List related SIOT Work Instructions, references, guidelines or other documents that have a bearing on this policy and that may be useful reference material for users of the policy.

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