



Privacy

Organisational Area

ORGANISATION

Authorisation

This Policy was reviewed and adopted by the Park Orchards Community House & Learning Centre Incorporated (POCH&LCI) on 11th of July 2022.

Review Date

This policy will be reviewed every three years or sooner if required.

Scope

This policy is for all Staff, Trainers/Assessors, Volunteers, Board of Management members and others involved in the management of the organisation at Park Orchards Community House & Learning Centre Incorporated (POCH&LCI).

This policy also applies to all students at POCH&LCI, and parents/guardians of students under the age of 18.

This policy also applies to all children attending childcare and parents/guardians of children attending childcare at POCH&LCI.

Objective

Park Orchards Community House & Learning Centre Incorporated (POCH&LCI) is committed to providing quality services to the community and this includes protecting privacy.

This document sets out the policy of POCH&LCI in relation to the collection/handling of personal information to ensure that POCH&LCI meets its statutory obligations

The objectives of this policy are to:

- Establish procedures for the responsible collection and handling of personal information by POCH&LCI.
- Give individuals a right to access information about them which is held by POCH&LCI and to correct any errors in that information.
- Establish a complaints procedure for investigation and rectification of breaches of this Policy.

Policy

Neighbourhood Houses and Learning Centres which receive funding from the Department of Health and Human Services (DHHS) or Department of Education and Training (DET), are required to meet the requirements of the Victorian Information Privacy Act 2000, and this requirement appears in future service agreements.

All restricted license or occasional care children's services will need to comply with the Victorian Health Records Act 2001 because a large percentage of the information they collect on children could be considered as 'health information'.



The Commonwealth Privacy Act, sets out a number of principles concerning the protection of individual's personal information and POCH&LCI has adopted these principles in its Privacy Policy.

The aim of these principles is to ensure that organisations handle personal information responsibly and provide a consistent approach to its collection, use and disclosure. These principles also give the individual the right to access their own personal information and correct it if needed.

Policy Statement

We believe your privacy is important. Your personal information will not be disclosed or discussed with any other person without your prior permission, other than authorised under our policy.

Statement of Commitment

POCH&LCI respects the privacy of all individuals and is committed to ensuring that all staff, Board of Management members and others involved in the management of the organisation comply at all times with their obligations under Information Privacy Act 2000. This is based on Privacy principle that is briefly summarised as:

Personal information should be used only for the purpose for which it is collected and safeguarded from misuse.

Personal Information

- POCH&LCI collects personal information in relation to its employees, Board of Management and volunteers in order to meet workplace occupational health and safety and insurance obligations.
- POCH&LCI currently also collects personal information in relation to people participating in POCH&LCI's activities. E.g. Courses and Childcare.
- POCH&LCI's contractual obligation to its various funding bodies requires us to collect some information in relation to students and participants. This information includes, but is not limited to:

Name, address, phone number/s, sex, date of birth, employment status, Country of birth, language spoken, school level achieved, any tertiary Education taken, reason for doing course, any disability, Aboriginal or Torres Strait Islander status and if holder of a concession card.

Disclosure of Information Collected

Student enrolment information collected is used by funding organisations, government bodies and the organisation for statistical purposes. These organisations (excluding POCH&LCI) collect this data to gauge the broad range of students accessing funded programs and other services and activities and to plan priorities for funding in the future.

Students may at some time receive correspondence from one of these organisations requesting further information which would also be used for the same purpose.

POCH&LCI is a registered childcare provider and under the Childcare Regulations is obligated to collect certain information regarding:

Child's name, address, date of birth, sex, language spoken at home, parents/guardian/s name, address, phone numbers, custody details, doctor's name, address, phone number, child's medical details, emergency contact name, address, phone numbers, relationship to child.

POCH&LC's responsibilities with collection of personal information

- Collect information only for an identified lawful purpose.
- Ensure that the person involved knows what the purpose for collecting their information is.
- Use and disclose information only for the purpose for which it is collected.



- POCH&LCI will not disclose any information to other parties without formal consent of the person involved unless required to do so by law.
- POCH&LCI will only use the most recent information given by its participant/s.
- Safeguards and disposal policies are in place to reduce the risks of unauthorised access, use, modifications and disclosure are in place.
- Personal information will be removed from our VETtrak and Xplor computer systems when it is no longer required or relevant (except where computerised archiving is required).
- Hard copy records relating to POCH&LCI participants will be stored in locked facilities and shredded after the required storage time.
- A complaint procedure if the individual believes that the organisation is not handling their personal information in accordance with the relevant privacy principles.

Anonymity

Wherever it is lawful and practicable, individuals will have the option of not identifying themselves when providing information; this may be in the form of surveys or feedback.

Data Quality

We will endeavour to ensure that the personal information we hold is accurate, complete, up to date and relevant to our functions or activities.

Security of Personal Information

POCH&LCI must take steps that are reasonable in the circumstances to protect the information from misuse, interference and loss as well as unauthorised access, modification or disclosure. POCH&LCI achieves this by:

- Ensuring any hard copy files containing physical, hard copy personal information is stored in a locked filing cabinet in a secure office with lockable doors and windows and security alarms.
- All electronic information is protected by password access to computers.
- All archived documentation and back-ups to be stored securely.
- Where the user is physically absent from the personal information or sensitive personal information for any period of time (for example when away from their desk or computer momentarily), that individual must return the personal information or the sensitive personal information to its secure storage area in accordance with these instructions.

Treatment of Sensitive Information

Sensitive information will be used and disclosed only for the purpose for which it was collected or a directly related secondary purpose, unless the individual agrees otherwise, or the use or disclosure of the sensitive information is allowed by law.

Management and security of information

In order to protect the personal information from misuse, loss, unauthorised access, modification or disclosure, the Board of Management and staff will ensure that in relation to personal information:

- Access will be limited to staff, volunteers and Board of Management who require this information in order to do their jobs.
- It will not be left in areas that allow for unauthorised access.
- The physical storage of all material will be in a secure cabinet or area.



- Computerised records containing personal or health information will require password access. Passwords must be changed periodically, and must not be divulged without adequate reason and security measures taken.
- There is security in transmission:
- Emails will only be sent to a person authorised to receive this material
- Telephone. Only limited personal information will be provided over the telephone to persons authorised to receive that information.

Disposal of Personal Information

We will not store personal information longer than necessary. In disposing of personal information we will ensure that it is either shredded or destroyed in such a way that no one can access the information. Refer Disposal of Personal Information Policy.

Photographs & Video Footage

If a person consents to participating in marketing or promotion material in which their image or work appears for POCH&LCI they must be given a Photo Release Form to sign. Refer to the Marketing Policy.

Police Record Check & Working with Children Check

Outcomes of Police Record Checks and Working with Children Checks will remain subject to the provisions of this Privacy Policy.

Access to Information and Updating Personal Information

Individuals have the right to ask for access to personal information we hold about them without providing a reason for requesting access.

Under the privacy legislation, an individual has the right to:

- Ask for access to personal information that the service holds about them;
- To access this information; and
- To make corrections if they consider the data is not accurate, complete or up to date.

Confidentiality

POCH&LCI will not, without prior written approval of the Victorian Department of Education and Training (the Department), disclose (or permit the disclosure of) information regarding Department contracts (including details of funds paid for any individual) or any Confidential Information of the Department.



Privacy Breach

If POCH&LCI becomes aware of any:

1. breach of any of Clauses 12.5 to 12.7; (Standard VET funding contract)
2. unauthorised disclosure, use, modification or access, attempted unauthorised disclosure, use, modification or access, or misuse or loss of any Personal Information collected or held for the purposes of this Contract; or
3. act or practice of the Training Provider which causes a failure by the Department to comply with its obligations under the PDP Act or the Health Records Act,

POCH&LCI will notify the Department via the SVTS and cooperate with the Department in any investigation or other steps taken by the Department in response to that matter

Complaint Procedure about Privacy Breach

Contact the Manager on 9876 4381 or
Put your complaint in writing and address it to -

The Manager
P.O. Box 68
PARK ORCHARDS 3114

If you do not wish to communicate with the Manager address the complaint to -

Chairperson, Board of Management.
P.O. Box 68
PARK ORCHARDS 3114

If you are not completely satisfied with POCH&LCI's response, refer your complaint to –

The Privacy Commissioner
Privacy Victoria
GPO Box 5057
Melbourne 3001

OR Email to –

Enquiries@privacy.vic.gov.au

Summary

Park Orchards Community House & Learning Centre Inc. respects their participant's rights to information privacy. Information, which is collected and held on participants, is kept in accordance with information privacy laws. Please contact us if you would like any further information on privacy.

Summary of Information Privacy Principles

- Collection – An organisation (including a person) must not collect personal information about an individual unless the information is necessary for one of more of its functions or activities. At or near the time of collection, the organisation must notify the individual of a range of prescribed matters including the purpose, proposed use and disclosure, right to access, etc.



- Use & Disclosure – An organisation must not use or disclose personal information about an individual for a purpose (or secondary purpose) other than the primary purpose of collection unless prescribed exception applies.
- Data Quality – An organisation must take reasonable steps to make sure that the personal information it collects uses or discloses is accurate, complete and up-to-date.
- Data Security – An organisation must take reasonable steps to protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure.
- Openness – An organisation must set out in a document clearly expressed policies on its management of personal information. The organisation must make the document available to anyone who asks for it. On request by a person, an organisation must take reasonable steps to let the person know, generally, what sort of personal information it holds, for what purposes, and how it collects, holds, uses and discloses that information.
- Access & Correction – If an organisation holds personal information about an individual, it must provide the individual with access to the information on request by the individual, except to the extent that prescribed exceptions apply. If an organisation holds personal information about an individual and the individual is able to establish that the information is not accurate, complete and up-to-date, the organisation must take reasonable steps to correct the information so that it is accurate, complete and up-to-date.
- Unique Identifiers - An organisation must not assign unique identifiers to individuals unless the assignment of unique identifiers is necessary to enable the organisation to carry out its functions efficiently. An organisation must not adopt as its own unique identifier of an individual a unique identifier of the individual that has been assigned by another organisation unless prescribed exceptions apply.
- Anonymity – Wherever it is lawful and practicable, individuals must have the option of not identifying themselves when entering transactions with an organisation.
- Transporter Data Flows – An organisation may transfer personal information about an individual to someone (other than the organisation or the individual) who is outside Victoria only if prescribed conditions apply.
- Sensitive Information – An organisation must not collect sensitive information about an individual unless prescribed exceptions apply.

Definitions

Personal Information - Information recorded in any form, which identifies a person or describes them in a way that their identity can be determined. This includes paper and electronic records, photographs, video recordings etc. and includes both facts and opinion, if it is about an identifiable person.

Health Information - The Health Records Act 2001 defines 'Health Information' as including information or opinion about a person's physical, mental or psychological health that is also classified as personal information. This includes information or opinion about a person's health status, medical history, fitness levels and vital statistics, such as weight and height.

Sensitive Information - Under the Privacy Act 1988 and is defined as information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, sexual preferences or criminal record, that is also classified as personal information about an individual. In this policy we refer to personal information as including health information and sensitive information, unless we specify otherwise.

VETtrak – Vocational Education and Training Tracking Student Management System Software

Xplor – Child Care Management Systems Software

Related Documents

Student Enrolment Policy & Procedure

Copyright Policy

<https://pa566.sharepoint.com/sites/Common2/Shared Documents/Policies and Procedures/Organisation/Privacy Policy V7.docx>



Student Complaints and Appeals Policy & Procedure
Student / Childcare Enrolment Policy & Procedure
Marketing Policy & Procedure
Photo Release Form
Confidentiality Agreement
Disposal of Personal Information Policy
Access to Student Records Policy

Workplace Health & Safety Policy
Workplace Harassment Policy & Procedure
Access, Equity & Diversity Policy
Legislative Compliance Policy

Document Locations

Policies and Procedures Manual
Website

Related Legislation

The Health Records Act 2001
[Privacy Act 1988](#)
Standard for Registered Training organisations (RTOs) 2015

Area of Compliance

ASQA Standards Clause 5.2