

Policy Rationale

CCAEE must assure the integrity, accuracy and currency of its records. In particular CCAEE systems and practices must protect confidential information obtained. It is a requirement that all staff comply with state and federal legislation so that CCAEE does:

- Collect, handle, use, store and disclose personal and health information of staff and students in a manner compliant with the *Health Records Act 2001* and the *Information Privacy Act 2001*.
- Protect individuals from harm by avoiding the misuse of their information.
- Promote effective service delivery by encouraging full and frank information provision.

Policy Aims

CCAEE is committed to ensuring compliance in relation to privacy and confidentiality and will:

- Ensure that personal information held is accurate, complete, up to date and relevant to our functions or activities.
- Respect the confidentiality of information obtained in the course of any meetings.
- Respect the confidentiality of information obtained in the course of advice or referral service and will not share confidences revealed by clients without their consent except when compelling moral, ethical or legal requirements exist.
- Inform users about the limits of confidentiality and the purposes for which information is obtained or how it may be used.

Definitions

Personal information is defined as information which identifies a person or describes them in a way that their identity can be determined: paper/electronic records, photographs, videos etc., including facts and opinion, if it is about an identifiable person.

Health information – the Health Records Act 2001 defines “health Information” as including information about a person’s physical, mental or psychological health or disability 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 applies under the Information privacy Act 2000 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 the individual.

Procedure - Staff Confidentiality

Staff must during and after employment with CCAEE take all reasonable steps to keep confidential all information which was disclosed to or obtained by them as a result of or in the course of their employment with CCAEE.

During and after the termination of employment with CCAEE, it is a requirement that employees **do not**:

- Disclose confidential information relating to the business or affairs of CCAEE, its customers or associated entities unless authorised by CCAEE in writing other than that which is necessary to enable the performance of duties.
- Make extracts from, copy or duplicate, or make adaptations of confidential information.
- Use confidential information for private purposes, or in a manner to cause injury/loss to CCAEE, or its customers.

Confidential information includes any information relating to CCAEE, its business/activity including intellectual property, financial information and any other commercially valuable information in whatever form but excluding any matter that has become public knowledge or part of the public domain and all information provided to them which is either labelled or expressed to be confidential, or given to them in circumstances where one would expect the information to be confidential to CCAEE.

Upon cessation of employment, staff must deliver to CCAEE all property - keys, equipment, mobile telephones (if issued), books, documents, papers, materials/copies thereof which belong to the College which may be in their possession or under their control.

Procedure - Student Confidentiality

Student information is kept secure and confidential.

- It is disclosed with their consent only for reporting purposes.
- If the law requires the College to disclose information about students, they will be notified.
- Staff who handle information are required by law to respect their privacy.
- If a student needs access to their information, they must contact the Manager concerning this matter.
- Information concerning student personal information will be passed to ACFE and/or Skills Victoria (AVETMISS) for reporting purposes only.

Procedure - Privacy

CCAIE staff will be provided with up to date professional development in relation to Privacy and reminded of their individual and collective duty of care regarding Privacy. The '*Privacy: Protecting Information*' posters will be displayed about CCAIE.

Upon enrolment, adult enrolees, and parents/guardians of child enrolees aged 15-17 years of age, will be provided with a copy of the CCAIE's Privacy policy and documents concerning disclosure of student information in Newsletters and Press Releases.

While Privacy legislation is detailed, practising privacy involves:

- ✚ **COLLECTING:** only information CCAIE needs.
- ✚ **INFORMING:** people why CCAIE needs the information and how CCAIE will use it.
- ✚ **DISCLOSING:** only the information that is necessary for the purpose of the service.
- ✚ **ACCESSING:** providing people with access to their own records.
- ✚ **SECURING:** information against unauthorised use or disclosure.

- All information collected at CCAIE (including enrolment, excursion and medical permission forms etc) will be subjected to the above principles.
- Collected information will be retained in secure storage in the office storeroom, or disposed of or transferred to the Public Record Office of Victoria after use consistent with the Public Record Office Standard (PROS) 01/01.
- Student records (enrolment forms, consent forms, assessments, psychological reports, academic reports) will all be retained within a secure storage area of CCAIE.
- All electronic data will be maintained, stored and transmitted in accordance with ACE requirements.
- All records will be maintained and kept up to date by office administration staff.
- All requests for information (other than brief, easy to retrieve information solely about the person making the request, or standard information requests from parents about their children, or information requested by staff in the course of their work about students) will be referred to the Manager and, in the absence of the Manager, to his/her delegate, the Office Manager.
- Under no circumstances, will personal private information be disclosed to unauthorised people.

Procedures - Types of Data Collected

Personal information will, in the first instance, be entered on a data form. Where required, this information will then be transferred to the appropriate database and/or rolls.

Type of personal information to be collected

CCAIE will only collect information for which we have a purpose that is legitimate and related to our functions or obligations. The type of information collected and held includes personal information, including health information regarding:

- Student enrolment/attendance. (collected to provide/administer services and fulfil legal/statistical obligations).
- Job applicants and resume details of employees, members, volunteers, contractors (this information is collected in order to manage the relationship and fulfil our legal obligations).
- Contact details of other parties with which CCAIE has a business relationship.
- Information that is legitimate and related to one of our functions or obligations.
- Children and parents/guardian before and during the child's attendance at CCAIE. This information is collected in order fulfil our services to children and parents/guardians.

We will collect information on the following identifiers

- How we assign student.
- Health Care Card or Pension Card in order for students to receive Government Subsidy. Failure to provide this would result in the student not obtaining the Fee Subsidy.
- Tax File Number for all employees related to the deduction and forwarding of tax to the Australian Tax Office. Failure to provide this would result in maximum tax being deducted.
- Superannuation Fund selected by employees
- Personal information provided by individuals whether in relation to themselves or their children using the service.
- Centre-link and Centre-Pay Referral

Procedure - Disclosure if Personal Information is Indirectly Collected

Notification of Individuals of the Parents/Guardians of Personal or Health Information Collected:

If we receive personal information from a source other than the individual of the parent/guardian, the person receiving the information will notify the individual or the parent/guardian of the child to whom the information relates, of the receipt of the information and as part of the notification, will advise that they have the right to request access to the information.

Access will be granted in accordance with the relevant legislation. **Note:** the legislation allows us to deny access, in accordance with the limited reasons for denial that are contained in the legislation.

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Procedure - Data Access Security Procedures

Sensitive information will be used and disclosed only for the purpose for which it was collected unless the individual agrees otherwise, or the use of the disclosure of the information is required by law. In order to protect the personal information from misuse, loss, unauthorised access, modification or disclosure, the Management and staff will ensure that:

- Access is limited to staff who require this information in order to do their job
- The physical storage of all materials will be in a secure cabinet or area
- Computerised records containing personal or health information will require password access
- There is security on transmission
 - + Emails will only be sent to a person authorised to receive this material
 - + Faxes will only be sent to a secure fax, which does not allow for unauthorised access
 - + Telephone – only limited personal information will be provided over phone to persons authorised to receive such
 - + Transfer of information interstate and overseas occur with permission of person concerned.

Access to Information and Updating Personal Information

CCAIE reserves the right to charge for information to cover costs in providing information where a person seeks access, to view or update their personal information. The following must be addressed in any request:

- Requests for access, or to update personal information, should nominate the type of access required, and specify where possible, what information they seek. No reason is required in relation to why the request is made.
- The person seeking the information must provide a visible form of identification.
- The employee or Board of Management member receiving the request will record the request and date received. Each request will be acknowledged within fourteen (14) days, but preferably within two (2) working days. Requests will be complied with within thirty (30) days; however delay in responding will occur over a period when CCAIE is closed.
- Access will be provided in line with the Privacy Acts. If the requested information is not given, the reasons for denied access will be given in writing to the person requesting the information.
- In accordance with the legislation, we reserve the right to charge for the information provided, in order to cover the costs involved in providing the information.
- The Board of Management and employees will provide access in line with the Privacy Acts. If the requested information is not given, the reasons for denied access will be given in writing to the person requesting the information.

Under the Privacy legislation, an individual has the right to access their personal information held by the CCAIE and this may be accessed with the approval of the Manager or Office Administrator to:

- View and inspect the information for its accuracy and currency
- View, inspect and take action on behalf of the child or in the role of guardian of an adult
- Take notes and/or obtain a copy
- Make corrections if they consider the data is not: accurate; complete or up to date.

There are some exceptions in the Acts where access may be denied in part, or in total. Examples are:

- The request is frivolous or vexatious
- Providing access would have an unreasonable impact on the privacy of other individuals
- Providing access would pose a serious threat to the life or health of any person;
- Service involved in detection, investigation or remedying of improper conduct and providing access would prejudice that.

Procedure - Disclosure of Information by CCAIE

The CCAIE may disclose some personal information, including health information held about a particular individual to:

- Government departments or agencies as part of our legal and funding obligations and accountability
- Local government in relation to enrolment details for planning purposes
- Authorised bodies/agencies providing services related to staff entitlements and employment
- Insurance providers in relation to specific claims and Law enforcement agencies
- Health organisations and/or family in circumstances where person requires urgent medical attention.
- Anyone to whom the individual authorises CCAIE to disclose information.

Procedure - Disposal of Information

CCAIE will not store personal information beyond its legal requirements and obligations. In disposing of personal information the CCAIE will ensure that it is either shredded or destroyed in such a way that no one can access the information.

Procedure - Trans-border Data Travel

CCAIE will only transfer personal and health information outside Victoria if it is legally obliged to do so.

Evaluation

This policy will be reviewed bi-annually

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