

Privacy Policy and Procedure

1. Purpose

- 1.1 This policy outlines EIA's privacy obligations and the responsibilities of all staff when collecting, using and disclosing personal information.
- 1.2 The procedure sets the guidelines for EIA to handle the information in a lawful and responsible manner.
- 1.3 This policy complies with the *Higher Education Standards Framework (Threshold Standards) 2015* in the Tertiary Education Quality and Standards Agency Act 2011 by the Commonwealth of Australia, specifically Sections 7.1 and 7.3.

2. Scope

This policy applies to all EIA staff and students.

3. Responsibility

- 3.1 The General Manager/Executive Manager of Operations is responsible for implementing this procedure and ensuring that staff and students are aware of and comply with its requirements.

4. Definitions

- 4.1 **APPs (Australian Privacy Principles)**: A set of principles outlined in the Commonwealth Privacy Act 1988 governing the collection, management, use, disclosure and transfer of information by organisations, such as EIA.
- 4.2 **Information**: consists of personal information and sensitive information as defined in the Privacy and Data Protection Act 2014 (Vic); and health information, which consists of information or medical opinions based on physical, mental and psychological health as defined in the Health Records Act 2001 (Vic).

5. Requirements

- 5.1 EIA complies with the privacy requirements of the Privacy and Data Protection Act 2014 (Vic) and Health Records Act 2001 (Vic), and the Australian Privacy Principles (APPs) in the Commonwealth Privacy Act 1988.
- 5.2 EIA designates the IT Manager as the Principal Privacy Officer (PPO), responsible for EIA's overall compliance with its privacy obligations.
- 5.3 The responsibilities of the PPO include:
 - Providing privacy advice and training opportunities to staff;
 - Responding to inquiries or complaints on privacy matters;
 - Maintaining and updating this Privacy Policy and Procedure.

- 5.4 It is the Human Resources Department's obligation to manage central management of all staff information while the Registrar is responsible for the central management of student information.
- 5.5 All staff and others authorised by EIA are responsible for complying with EIA's privacy policy when handling information, which includes attending privacy workshops or completing privacy training as required.

6. Procedure

Collection of Information

- 6.1 EIA will collect a range of information to carry out its functions and activities properly.
- 6.2 EIA collects information for various purposes, including but not limited to:
- Service delivery, (e.g. admissions and enrolments)
 - Recruitment and employment of staff;
 - Legal requirements by law, (e.g. immigration)
- 6.3 EIA may collect sensitive information in exceptional circumstances, including research, medical counselling or government-funded data collection program.
- 6.4 EIA is required to take reasonable steps to ensure that the person who is providing the information is aware of the following:
- the purpose of obtaining all the information;
 - how the information will generally be used
 - to whom the information is usually disclosed
 - the validity of collecting relevant information;
 - the result of providing inadequate information
 - their rights under EIA's privacy policy
 - the PPO's role and contact details
- 6.5 When EIA collects information about a person from a third party, EIA is required to take steps to ensure that the person is aware of the matters as outlined above in section 5.4.

Access and amendment of information

- 6.6 Where a person requests access to his/her information, EIA needs to respond to ten business days. Before any information is provided, the identity of the person will be verified.
- 6.7 A person may make appropriate amendments, corrections or updates to his/her information.
- 6.8 Where a request for access or amendment is denied by EIA, reasons must be provided.

Use and disclosure of information

- 6.9 EIA will use or disclose information only for the purpose for which it was collected; this is the primary purpose.
- 6.10 EIA normally does not use or disclose information for a different purpose without obtaining the person's consent, except in some special circumstances where the person would reasonably expect EIA to use or disclose it.
- 6.11 EIA may use or disclose information for marketing purposes. EIA will ensure that there is either consent from the person or a simple means available by which the person can request not to be identified in marketing materials.

6.12 Third parties who request information about a person, must either have the person's permission or a legal right to obtain it. Requirements from law enforcement on any information will be forwarded to PPO for review.

6.13 Certain emergencies and incidents may require the disclosure of information, such as admission to hospital. If there is uncertainty as to the legality of disclosure, advice will be obtained from the PPO.

Storage, disposal and security of information

6.14 EIA generally stores information via electronic or hardcopy record storage systems. EIA must:

- Regularly assess the risk of misuse, loss, unauthorised access, improper modification or disclosure
- Regularly check the information has not been changed or damaged
- Ensure all information containing personal and sensitive data is kept in a secure and locked location and cannot be accessed without authorisation;
- Ensure that the storage of information complies with the Record Management Policy and Procedure, ICT Policy and Procedure and other related policies.

6.15 EIA ensures that any disposal of information is undertaken securely. Only staff who are permitted by EIA can dispose of or destroy information. If staff are unsure about disposal or damage to any information, they should consult with the PPO.

Complaints

6.16 Students may lodge complaints about how EIA handles information according to the Student Grievance and Appeals Policy and Procedure for non-academic matters. Staff follows information set out in the Staff Grievance Policy and Procedure.

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1.1	Change company name to Edvantage Institute Australia (EIA); update responsibility