

## PRIVACY Policy

### DEFINITIONS

Terms in this document, for which definitions are not provided in the text or may not be self-evident or for which usage at ACC may differ to that in other higher education institutions are as follows:

**Individuals:** ACC staff and students (prospective, current and former), and other individuals associated with the College such as external providers, practicum hosts and contractors.

**Personal information:** Means 'personal information' as defined in the Privacy Act (Commonwealth 1988). This information may include details such as an individual's name, address, billing information, contact telephone number, email address or photograph.

**Privacy:** When something is private to a *person*, it usually means that something is inherently special or sensitive to them. The domain of privacy partially overlaps with security, which can include the concepts of appropriate use, as well as protection of information. Privacy may also take the form of bodily integrity. It may also mean that individuals are not subject to unsanctioned invasions of privacy by a government, an institution or other bodies or authorities.

In this document privacy is taken to mean privacy of information regarding ACC's staff, students and other individuals associated with the College.

**Sensitive information:** Means 'sensitive information as defined in the Privacy Act (Commonwealth 1988) and includes, but is not limited to, information about an individual's health status, or other information about an individual's behaviour or their status (including academic progress) as a student or staff member or other person associated with the College.

### PURPOSE

The purpose of the *Privacy Policy* is to describe how ACC collects, uses, discloses and handles information responsibly and lawfully. It demonstrates how the College's information management processes comply with the My Health Records Act (2012) (Cwlth), the *National Code for Providers of Education and Training to Overseas Students 2018*; and the *Privacy Act 1988 (Cth)*.

### SCOPE

The policy applies to ACC staff and students (prospective, current and former), and other individuals associated with the College such as external providers, practicum hosts and contractors who handle personal, sensitive, health and confidential information related to ACC's students, staff and/or operations.

## POLICY STATEMENT

The ACC requires all College staff to take a proactive approach to privacy by upholding the Information Privacy Principles (IPPs), the Health Privacy Principles (HPPs), and the Australian Privacy Principles (APPs) *articulated in the above-mentioned Acts*.

ACC staff are required to be open and transparent about the type of personal or sensitive information they collect from individuals and how that information is used.

Reasonable measures are implemented to ensure that information is protected from misuse, unauthorised access, loss and unlawful disclosure.

Staff and Students (prospective, current and former) may request access to their information via a written request to the General Manager.

Complaints regarding access to information or breaches of privacy are managed under ACC's *Student Grievance and Appeals Policy and Staff Grievance and Appeals Policy*.

Private and sensitive information in relation to Clients of the ACC Chiropractic Centre or spoke facilities is managed in accordance with the ACC *Health Privacy Policy*. Clients may request access to their individual information in accordance with the policy.

## POLICY PRINCIPLES

### 1. Collection

1.1. The ACC only collects information that is required to fulfil its business functions, educational activities and as required by law. Sensitive information is collected when legally required or permitted, and in accordance with the policy and procedures under which the information is collected.

1.2. When collecting information from individuals, ACC staff will advise them of the following:

- Why ACC is collecting the information;
- How the individual can access their information;
- To whom the information will be disclosed;
- Whether the collection is required by law; and
- The consequences of not providing the information.

1.3. The ACC makes this Privacy Policy and the ACC *Health Privacy Policy* available via the public websites, [www.acc.sa.edu.au](http://www.acc.sa.edu.au) and [www.acccentre.au](http://www.acccentre.au).

1.4. Once collected, information is maintained to ensure that it remains accurate, complete and current.

### 2. Use and Disclosure

2.1. ACC staff use and disclose an individual's information for the primary purpose for which it was collected.

2.2. Staff are only permitted to use and disclose information for a secondary purpose if one or more of the following applies:

- The individual consents;
- The law requires and permits it;
- The secondary purpose is directly related to the primary purpose;

- The individual would reasonably expect the ACC to use or disclose the information for that secondary purpose.

### 3. Access

3.1. Different staff oversee the management of different records:

- The General Manager oversees student records, including records of all grievances.
- The Finance Manager is responsible for employee records.
- The consultant Counsellor and Student Welfare Advisor oversees health and other private information that is created via the provision of support to students. ACC does not have access to these records unless the student requests and authorizes the Counsellor and Student Welfare Advisor to disclose the information to the ACC.
- The Clinical Coordinator is responsible for client records within the ACC Chiropractic Centre and spoke facilities.

3.2. Staff and students may request access to their confidential records. Requests for copies are made via email to the relevant staff member(s). ACC will issue a copy of the information in confidence within 20 working days of receiving the request.

3.3. Clients may request access to their individual information in accordance with the *ACC Health Privacy Policy*.

3.4. Parties to a complaint will have appropriate access to grievance records for five (5) years.

### 4. Storage

4.1. The ACC stores personal and sensitive information securely and in line with the *ACC Secure Information Management Policy*.

4.2. ACC staff are only permitted to store personal and sensitive information on approved ACC applications and software. They are not permitted to retain personal credit card details in any format.

4.3. Personal or sensitive information that is stored on a portable storage device (PSD) is password protected. Device owners must take all reasonable steps to keep secure the PSD and the information it stores.

### 5. Disposal

5.1. The ACC will destroy or permanently de-identify in accordance with governing legislation any personal, sensitive and health information that it is no longer legally required to hold.

5.2. ACC staff are not permitted to destroy information needed to process a current Freedom of Information request or information that is likely to be required in grievance processes or legal proceedings.

## IMPLEMENTATION and MONITORING

All ACC Staff are responsible for implementing the requirements of this Policy in relation to all private and/or sensitive information that they record, access, use and distribute.

The General Manager is responsible for monitoring compliance with this Policy.

## REVIEW

The ACC's *Privacy Policy* is normally reviewed every three years.

It is a policy of the ACC that any Policy or Procedure may be reviewed earlier as indicated by internal or external factors (including but not limited to such factors as changes in the guidelines of regulatory authorities, accreditation/registration requirements of the profession, or relevant legislation at state or federal level) as determined the Board of Directors and/or Academic Board.

## RELATED DOCUMENTS

- Secure Information Management Policy and Procedures
- Health Privacy Policy
- Student Grievance and Appeals Policy and Procedures
- Staff Grievance and Appeals Policy and Procedures.

## VERSION CONTROL

<b>Document:</b> C004 Privacy Policy		
<b>Responsible Officer:</b> General Manager		
<b>Initially Approved by:</b> Board of Directors		<b>Date:</b> 11 June 2019
<b>Reviewed and endorsed by:</b> Academic Board		<b>Date:</b> 2 September 2020
<b>Reviewed and approved by:</b> Board of Directors		<b>Date:</b> 1 October 2020
<b>Reviewed and endorsed by:</b> Finance, Audit and Risk Committee		<b>Date:</b> 19 July 2023
<b>Reviewed and approved by:</b> Board of Directors		<b>Date:</b> 25 July 2023
<b>HESF</b>	7.3 Information Management	7.3.3
<b>Version:</b> V2.0	<b>Replaces Version(s):</b> V1.1	<b>Next Review:</b> July 2026
<b>Nature of Change</b>	<p>August 2020</p> <ul style="list-style-type: none"> <li>• Minor spelling, other text and formatting edits</li> <li>• Updated references to statutory acts</li> <li>• Addition of definitions</li> </ul> <p>July 2023</p> <ul style="list-style-type: none"> <li>• Change the procedures section to the policy principles and note that the requirements in relation to procedural arrangements for information is specified in the relevant policy and procedure within which the information is collected, accessed, used and/or distributed</li> <li>• Updated to include Client private and sensitive information from the ACC Chiropractic Centre and spoke facilities</li> <li>• Update to role titles and responsibilities</li> <li>• Inclusion of the Implementation and Monitoring section</li> <li>• Update the related documents references</li> <li>• Include the HESF reference in the Version Control Table.</li> </ul>	