

PRIVACY Procedures

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 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 Procedures* is to describe how ACC collects, uses, discloses and handles information responsibly and lawfully to underpin the requirements of the Privacy Policy. 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

This Procedures document 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.

PROCEDURES

The ACC encourages 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.

Individuals may request access to their information. Complaints regarding access to information or breaches of privacy are managed under ACC's *Grievance Management* policies.

1. Collection

- 1.1. The ACC only collects information that is required to fulfil its business functions and educational activities. Sensitive information is collected when legally required or permitted, and according to the following processes.
- 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 issues privacy statements so that individuals receive further guidance in writing.
- 1.4. Once collected, information is maintained to ensure that it remains accurate, complete and current.

2. Use and Disclosure

- 2.1. ACC staff will 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 Student Counsellor and Welfare Advisor oversees health records that are created by ACC's counsellors and disability support officers.

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. 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

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

The General Manager is responsible for the implementation and review of these Procedures.

REVIEW

The ACC's *Privacy Procedures* 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
- Student Grievance and Appeals Policy and Procedures
- Staff Grievance Management Policy and Procedures

VERSION CONTROL

Document: C004P Privacy Procedures		
Responsible Officer: General Manager		
Initially Approved by: Board of Directors		Date: 11 June 2019
Reviewed and endorsed by: Academic Board		Date: 2 September 2020
Reviewed and approved by: Board of Directors		Date: 1 October 2020
Reviewed and approved by: General Manager		Date: 25 July 2023
HESF	7.3 Information Management	7.3.3
Version: V2.0	Replaces Version(s): V1.1	Next Review: July 2026
Nature of Change	<p>August 2020</p> <ul style="list-style-type: none"> • Minor spelling, other text and formatting edits • Updated references to statutory acts • Addition of definitions <p>July 2023</p> <ul style="list-style-type: none"> • Separate Policy and Procedures • Update responsibilities to reflect current roles. 	