



## POLICY AND PROCEDURE

### PRIVACY POLICY

<b>Date Approved:</b>	
<b>Date Effective:</b>	
<b>Scheduled Review Date:</b>	
<b>Policy Category:</b>	Educational
<b>Policy Owner:</b>	National Operations Manager

#### 1. Context

This policy sets out the personal information handling practices of SEDA Group and assists SEDA Group to manage personal information in an open and transparent way. This policy gives students, staff and all those engaging with SEDA Group a better and more complete understanding of the types of personal information SEDA Group holds and the way that SEDA Group handles that information.

SEDA Group is bound by the Australian Privacy Principles contained in the Commonwealth Privacy Act.

#### 2. Application

This policy applies to:

- personal information collected or handled by SEDA Group.
- students and staff.

A reference to staff includes contractors and volunteers.

Under the Commonwealth Privacy Act, the Australian Privacy Principles do not apply to an employee record. Consequently, this policy does not apply to an employee record when directly related to a current or former employee.

#### 3. Policy Content

##### 3.1 What is personal information?

Personal information is information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

##### 3.2 What kinds of personal information?

*"The current official version of this policy is maintained on MySEDA and downloading and printing of this policy will produce an uncontrolled copy which may not be current."*



The kinds of personal information that SEDA Group may collect and hold about an individual includes, but is not limited to: name, address, telephone number, email address, photographs, bank account details, assessment results, sex, marital status and parent/guardian details.

SEDA Group collects information about students according to the requirements of the 2016 VET Funding Contract (Standard) Victorian Training Guarantee Program, VET Guidelines 2015, Higher Education Support Act 2003, Victorian VET Student Statistical Collection Guidelines and Data Provision Requirements. SEDA Group also collects data from stakeholders about the services provided by SEDA Group. These surveys are voluntary and respondents may exercise their right of anonymity.

### **3.3 What is sensitive information?**

Sensitive information is personal information about an individual's racial or ethnic origin, political opinions, membership or political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, sexual preferences, criminal record or health information.

### **3.4 What kinds of sensitive information?**

The kinds of sensitive information that SEDA Group may collect and hold about an individual includes, but is not limited to: health or disability information, racial or ethnic origin or working with children check information.

### **3.5 How SEDA Group collects personal information**

It is usual practice for SEDA Group to collect personal information directly from the individual. In some circumstances the student's parent/carer will be required to have input (most commonly this is for students under the age of 18 years).

Sensitive information will only be collected with the individual's consent and where the collection is reasonably necessary for one or more of SEDA Group's functions or activities (unless a legal exemption applies).

### **3.6 The purposes for which SEDA Group collects and uses personal information**

SEDA Group will collect, hold, use and disclose personal information about an individual that is reasonably necessary for one or more of SEDA Group's functions or activities.

SEDA Group's functions or activities include;

- providing educational services to students in a private non-school environment. SEDA Group's functions or activities are sometimes delivered via enrolment with a host school or external registered training organisation.
- the employment of staff and other related services.
- Reporting to all state or national VET regulators.
- in circumstances related to public interest, such as law enforcement and public or individual safety.



SEDA Group is required to provide the relevant State Government, through the Department of Education and Training or equivalent, with student and training activity data which may include information provided on the enrolment form. Information is required to be provided in accordance with the relevant state/territory VET Student Statistical Collection Guidelines. The Department may use the information provided for planning, administration, policy development, program evaluation, resource allocation, and reporting and/or research activities. For these and other lawful purposes, the Department may also disclose information to its consultants, advisers, other government agencies, professional bodies and/or other organisations and take copies of any records or documents as required.

In Victoria, the Education and Training Reform Act 2006 requires SEDA Group to collect and disclose personal information for a number of purposes including the allocation of a Victorian Student Number and updating personal information on the Victorian Student Register. Survey data on the performance of SEDA Group is used to identify continuous improvement opportunities and improve our practices. SEDA Group is also required to immediately provide access to records in the following circumstances:

- in accordance with requirements in the PR Act and any other applicable legislation;
- to the Victorian Auditor-General or Victorian Ombudsman on request in writing;
- to a government representative on request in writing; and
- to DET or an authorised representative of the Department for any purpose connected with this VET Funding Contract.

Information will only be disclosed to an unrelated third party if permission is sought and received in writing from the individual concerned first.

In relation to students, SEDA Group's primary purpose of collection is to provide educational services and related support services including health and wellbeing support. This means that SEDA Group staff working with a particular student will be provided with necessary personal information, including sensitive information, for the purpose of providing education and related support services. This includes information disclosed to and held by the Student Connect wellbeing staff which might otherwise have been expected to have remained confidential and only be held by Student Connect.

In relation to the personal information of staff, SEDA Group's primary purpose of collection is to facilitate employment and administer the staff member's benefits and other entitlements.

### **3.7 Who might SEDA Group disclose personal information to?**

As part of its functions or activities, SEDA Group may disclose personal information, including sensitive information to other individuals and organisations including:

- a student's parent and/or guardian (unless otherwise requested in writing);
- professional services contractors (including IT consultants, insurers, accountants, lawyers) that assist SEDA Group to conduct its functions or activities;
- medical practitioners and other healthcare or emergency service providers (in part this falls within the category requiring consent or disclosure by law);
- industry organisations related to the functions or activities of SEDA Group such as the sports and art partners;
- and
- any other individual or organisation SEDA Group is required to disclose the information to by law.

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### **3.8 Sending information overseas**

SEDA Group does not usually send personal information about an individual outside Australia. In the unusual event that this occurs, SEDA Group will comply with the Australian Privacy Principles.

### **3.9 Management and security of personal information**

SEDA Group takes reasonable steps to protect the personal information it holds from interference, misuse, loss, unauthorised access, modification and disclosure. These steps include, but are not limited to locked storage of paper records and security-protected access rights to electronic records. Electronic records are backed up via a cloud service from Telstra.

Survey data is collected in either hard copy or via survey monkey (electronic format).

SEDA Group destroys personal information by a secure documents disposal service.

### **3.10 Updating and accessing personal information**

SEDA Group will take reasonable steps to ensure that the personal information it holds is accurate, complete and up to date. Subject to legal exceptions, an individual may seek access to and seek the correction of personal information SEDA Group holds about them. Access and correction requests can be made to SEDA Group on 1300 117 332.

### **3.11 Access by a parent or guardian**

For a student enrolled in a Senior Secondary Program personal information may be collected, used and disclosed to a student's parent or legal guardian. If the student has sufficient maturity and understanding personal information may be collected, used and disclosed directly with the student.

For students not enrolled in a Senior Secondary Program SEDA Group will collect, use and disclose personal information directly to the student. A parent or guardian may access the student's personal information only if SEDA Group has obtained authorisation from the student.

Before providing information, a staff member must be satisfied:

- of the identity of the individual seeking the information; and
- that the individual is entitled to access.

### **3.12 Complaints & Monitoring**

You may complain about a breach of privacy:

- Student concerns, complaints and appeals can be raised under the Concerns, Complaints and Appeals Policy
- Staff concerns, complaints and appeals can be raised under the Staff Formal Complaint Resolution Process

While SEDA Group encourages its staff and students to raise concerns with SEDA Group directly, external privacy complaints can be made to the Office of the Australian Information Commissioner.

## **4. Referenced Documents**

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This policy references the following documents:

- Privacy Act 1988 (Commonwealth).
- Concerns, Complaints & Appeals Policy

This policy has been drafted with reference to the resources of the Office of the Australian Information Commissioner. Further information can be found at <http://www.oaic.gov.au/>

## 5. Policy History

Version	Policy Owner	Approval Date	Effective Date	Summary of Changes
2.0	COO	02/05/14	02/05/14	Modified to adhere to Australian Privacy Principles contained in the Commonwealth Privacy Act
2.1	NOM	12/1/16	12/1/16	Incorporated RTO policy guidelines.