



Policy & Procedure Document

Policy number	3.9	Version	1.0
Drafted by	J. Claringbold	Approved by Board on	11/05/2021
Responsible person	Principal	Scheduled review date	11/05/2024
Policy Area	Education		

Title: Privacy

Introduction

Mountain District Community College (MDCC) is committed to protecting the privacy of personal information which it collects, holds and administers as required by regulatory and funding bodies. Personal information is information which directly or indirectly identifies a person.

Purpose: To ensure that MDCC meets all contractual and legislative requirements relating to the collection and retention of information.

Policy:

MDCC is bound by the following legislation:

- The Privacy and Data Protection Act 2014 (Victoria)
- The Commonwealth Privacy Act 1998
- Victorian Health Records Act 2001.
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- The Public Records Act 1973

MDCC collects information from individuals for the purpose of carrying out its primary function of providing education, supporting students to remain engaged with education and assisting students to achieve positive educational outcomes.

Personal information is collected as a requirement of regulatory and funding bodies, including the Victorian and Commonwealth Governments, for collection of statistical information and for funding purposes.

Information collected includes, name, birthdate, contact details, educational history, disability status, concession status and information to support the student's wellbeing etc.

This information is collected predominantly through enrolment and intake processes. Information about an individual's health may be requested in order to assist that person or to facilitate emergency or first aid procedures whilst the person is in the care of MDCC.

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Information is transferred from hard copy records to secure student or client management systems in accordance with contractual obligations. Only authorised staff members have access to personal information gathered at enrolment or intake.

Members of the Board are required to provide information for the purposes of operating as the governing body of a School.

In adhering to the requirements of Privacy Laws MDCC will:

- Collect only information which is required for MDCC's primary functions;
- Ensure people are informed as to why the information is collected;
- Ensure the Privacy Policy is publicly available;
- Store personal information securely, protecting it from unauthorised access;
- Provide people with access to their own information, and the right to have information corrected;
- Ensure that individuals who wish to complain about our compliance with the Australian Privacy Principles are directed to the MDCC Complaints Policy.

Privacy Statements:

Privacy information is included in the Enrolment Agreement and an Information Collections Statement is included with referral forms. A privacy statement is included on the Enrolment Application Form.

Quality of Information:

MDCC will endeavour to ensure the personal information collected is accurate, complete and up-to-date. Information that is identified as being incorrect will be rectified at the earliest opportunity.

Consent:

If personal information is to be accessed by a third party, as may apply when making referrals to alternative programs, the consent of the individual must be gained. If unsolicited personal information is discovered it must be destroyed as soon as practicable. The Information Disclosure Consent Form should be completed.

Security of Information:

MDCC will safeguard the information we collect and store against misuse, loss, unauthorised access and modification. Information will be secured in locked file cabinets or locked offices. Electronic records are protected by applying password protection on the central electronic filing system. Back-up data is encrypted so it is inaccessible by third parties. Security audits will be carried out annually.

Information will not be passed onto a third party either within Australia or overseas without the express permission of the individuals concerned. MDCC does not envisage a need for disclosing personal information to overseas recipients, however, if permission was granted, the countries where the information would be disclosed would be specified.

Information that is deemed to be no longer required will be destroyed or permanently de-identified in accordance with the Records Management Policy and the Public Records Act.

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Access to Information:

An individual may request access to the personal information held about them. They will be directed to apply through the submission of a *Request for Access to Personal Information* form. In this circumstance the individual will be required to supply proof of identification.

In accordance with legislation, MDCC reserves the right to charge for information provided, in order to cover the costs involved in providing the information. Information will be provided within 30 days of the request form being received.

Anonymity:

MDCC will give participants the option of not identifying themselves when completing evaluation forms or opinion surveys.

Complaints about Privacy Procedures:

Any individual who raises a concern about a possible breach of the Privacy Principles by MDCC will be advised of the MDCC Complaints and Grievances Policy which requires a response to formal complaints within 15 working days.

Marketing and promotional information:

Prior to sending direct marketing material or promotional information, an individual will be asked for their consent to receive this material. This may be done upon enrolment or upon application for membership in the form of a permission statement and check box.

Electronic marketing material will include an option to “unsubscribe”. If individuals choose to unsubscribe or decide to “opt-out” when they are sent direct marketing material, they will not be contacted again for this purpose. Contact information will be available through the website or on newsletters or other written material.

Associated documents:

- Information Disclosure Consent Form
- Privacy Information Collection Statement
- Referral Form
- Student Wellbeing Referral Form
- Enrolment Agreement

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