

# Privacy Policy

## Introduction

Djerriwarrh Community & Education Services (Djerriwarrh) observes the Australian Privacy Principles, the Privacy and Data Protection Act and other related legislation when collecting, using, storing, securing or disclosing personal or sensitive information about an employee, participant or other individual.

## Scope

This policy applies to personal and health information collected by Djerriwarrh concerning staff, students, prospective students, participants and other individuals.

This policy must be observed by all employees, volunteers, and contractors.

## Definitions

**The Notifiable Data Breaches (NDB) scheme** under Part IIIC of the Privacy Act 1988 (Privacy Act) established requirements for entities in responding to data breaches.

## Policy

Djerriwarrh will only collect personal information that is necessary and incidental to its functions and services and it will only collect this information by fair and lawful means:

- individuals are entitled to have access to their own records, unless prevented by law
- the organisation will amend records shown to be incorrect
- the organisation will observe and comply with the 10 Information Privacy Principles specified in the Privacy and Data Protection Act 2014 (Vic), Schedule 1:
  - Principle 1 - Collection
  - Principle 2 - Use and disclosure
  - Principle 3 - Data quality
  - Principle 4 - Data security
  - Principle 5 - Openness
  - Principle 6 - Access and correction
  - Principle 7 - Unique Identifiers
  - Principle 8 - Anonymity
  - Principle 9 - Transborder data flows
  - Principle 10 - Sensitive information

- the organisation will observe and comply with the thirteen Australian Privacy Principles as specified in the Privacy Amendment (Enhancing Privacy Protection) Act 2012

Principle 1 – Open and transparent management of personal information

Principle 2 – Anonymity and pseudonymity

Principle 3 – Collection of solicited personal information

Principle 4 – Dealing with unsolicited personal information

Principle 5 – Notification of the collection of personal information

Principle 6 – Use or disclosure of personal information

Principle 7 – Direct marketing

Principle 8 – Cross-border disclosure of personal information

Principle 9 – Adoption, use or disclosure of government related identifiers

Principle 10 – Quality of personal information

Principle 11 – Security of personal information

Principle 12 – Access to personal information

Principle 13 – Correction of personal information

Djerriwarrh collects personal information directly from:

- Djerriwarrh employees and volunteers
- host employees or volunteers
- participants or students at appointment, enrolment or registration for a particular service
- parents/guardians.

Djerriwarrh takes reasonable steps to ensure that:

- the collection and use of personal and health information relates directly to the legitimate purposes of the organisation
- individuals are aware of, or informed of, the purposes for which personal and health information is obtained
- personal and health information the organisation receives and holds is up to date and accurate
- personal and health information is stored securely to ensure it is safe from misuse or loss
- personal information no longer required will be destroyed or permanently de-identified
- any complaints received about potential breaches of the Australian and Victorian Privacy Principles will be taken seriously and dealt with according to the Participants Complaints and Appeals Policy.

Djerriwarrh will not reveal, disclose, sell, distribute, rent, license, share or pass personal information on to a third party, other than those that we are obliged to, ensuring that the third party gives the personal information similar levels of protection as we do.

All staff, including employees, voluntary and work placement personnel are issued with a copy of the Privacy Policy and are required to sign an Information Privacy Undertaking Statement when they are first employed or commence.

Printed documents that may contain sensitive information are kept in lockable offices and/or filing cabinets and are disposed of via secure Confidential Information Destruction bins.

Djerriwarrh makes every attempt to ensure the security of its computer network (see PO 007 Information Technology Usage). All staff are issued with a unique access password to the IT system and are required to keep their password confidential.

### **Notifiable Data Breaches (NDB)**

Djerriwarrh has data breach notification obligations when a data breach is likely to result in serious harm to any individuals whose personal information is involved in the breach.

Djerriwarrh has an obligation to notify individuals whose personal information is involved in a data breach that is likely to result in serious harm. This notification will include recommendations about the steps individuals should take in response to the breach. The Australian Information Commissioner will be notified of eligible data breaches.

Staff must report suspected data breaches to a Manager or the CEO. The CEO will determine, using an objective assessment, whether the breach is likely to result in serious harm.

An eligible data breach arises when the following three criteria are satisfied:

- 1...there is unauthorised access to or unauthorised disclosure of personal information, or a loss of personal information, that an entity holds;
- 2...this is likely to result in serious harm to one or more individuals; and,
- 3...the entity has not been able to prevent the likely risk of serious harm with remedial action.

<b>Associated Policies</b>	PO 007 Information Technology Usage PO 008 Participant Complaints and Appeals PO 009 Administration and Records Management PO 010 Training Administration and Records Management
<b>Associated Procedures</b>	PR 006a Notifiable Data Breach PR 008a Participant Complaints PR 010a Training Administration and Records Management
<b>Other associated documents Internal</b>	IP 006 Information Privacy Pamphlet FO004 Information Privacy Undertaking

<b>Relevant Legislation</b>	Privacy Act 1988 Privacy Act 1988 amendment (Part IIIC) 2018 Privacy and Data Protection Act 2014 (Vic) Charter of Human Rights and Responsibilities Act 2006 (Vic) Health Records Act 2001 (Vic) National VET Data Policy
<b>Other associated documents</b> <b>External</b>	Privacy and Data Protection Act 2014(Vic) - <a href="https://www.cdp.vic.gov.au/">https://www.cdp.vic.gov.au/</a>  Australian Privacy Principles – Privacy Fact Sheet 17 at <a href="http://www.oaic.gov.au/privacy/privacy-resources/privacy-fact-sheets/other/privacy-fact-sheet-17-australian-privacy-principles">http://www.oaic.gov.au/privacy/privacy-resources/privacy-fact-sheets/other/privacy-fact-sheet-17-australian-privacy-principles</a>  <a href="https://www.oaic.gov.au/privacy-law/privacy-act/notifiable-data-breaches-scheme#how-to-notify">https://www.oaic.gov.au/privacy-law/privacy-act/notifiable-data-breaches-scheme#how-to-notify</a>  AQTF Conditions and Standards