

COLLEGE PRIVACY POLICY

We will:

Only collect, use and disclose personal information about you that is required in the provision of products, treatments, services and for administrative purposes or to meet any legal obligations imposed on or instigated by the College.

Seek your consent to collect, use or disclose your personal information for any other purposes.

Use only fair and lawful ways to collect personal information.

Collect personal information directly from you if it is reasonable and practicable to do so.

Take reasonable steps to make you aware of (either at the time of collection or as soon as practicable afterwards):

- why we are collecting information;
- who else we might give it to; and
- any other specified matters.

Take reasonable steps to ensure you are aware of any information we collect, even if we have collected it from a third party.

Take reasonable steps to ensure the personal information that the college collects, uses or discloses is accurate, complete and up-to-date.

Take reasonable steps to protect the personal information about you from misuse and loss and from unauthorised access, modification or disclosure.

Take reasonable steps to destroy or permanently de-identify personal information if we no longer need it for any purpose and are not required to maintain the records by law.

On request, take reasonable steps to let you know what sort of personal information we hold, what purposes we hold it for and how we collect, use and disclose that information.

On request, we will give access to the personal information we hold about you unless particular circumstances apply (including emergency situations, specified business imperatives, law enforcement or other public interests).

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Collecting personal information

If an individual is acquiring or has acquired a product or service from the college, we will collect and hold their personal information to:

- provide the required services
- administer and manage those services, including charging, billing and collecting debts
- ask the individual of the ways the services provided could be improved
- inform the individual of the ways the services provided could be improved
- conduct appropriate checks for credit worthiness where required
- research and develop our services
- gain an understanding of the individual's service needs so we may provide them with better service and
- maintain and develop our business systems and infrastructure, and upgrading these systems

Types of information we collect

The college collects identifying data which may include name, contact details, occupation, current and previous address (postal and email), telephone number, health information, products prescribed, next of kin, professional opinion, and other information which may be necessary.

Health information means:

(a) information or an opinion about:

- (i) the health or a disability (at any time) of an individual; or
- (ii) an individual's expressed wishes about the future provision of health services to him or her; or
- (iii) a health service provided, or to be provided, to an individual;

that is also personal information; or

(b) other personal information collected to provide, or in providing, a health service

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How do we collect personal information?

We will, if reasonable and practicable to do so, collect personal information directly from the individual concerned. This may take place when the individual fills out documents such as an application form or an administrative form or when the individual gives us personal information in person, over the telephone or through other medium.

In certain circumstances, we will collect personal information from third parties. For example, we may need to collect personal information from:

- an individual's representatives (e.g. authorised representatives or legal advisers)
- an individual's relative
- publicly available sources of information or
- any other organisation identified below (see 'Disclosing personal information' below).

Collecting sensitive information

Unless we have consent, we will not collect information that reveals an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs or affiliations, membership of a political trade union, details of their health, disability, sexual orientation or criminal record.

This is subject to some exceptions including if:

- the collection is required by law or
- the information is necessary to provide a health service.

Collecting health information, dispensing medication and discussing symptoms in a public space

We may use the information you provide about yourself to fulfil your requests for our products, treatments and services, to respond to your inquiries about our offerings, and to offer you other products, programs or services that we believe may be of interest to you.

We will not provide any of your personal information we obtain to any other parties without your express consent.

We sometimes use this information to communicate with you, such as to notify you of changes in college practices, or when we make changes to our existing agreements, to fulfil a request by you, or to contact you about your account with us.

We may collect information from you in a place where we may be overheard, this is done in a manner sensitive to the surroundings - as some individuals may be particularly concerned about discussing health issues in an open area. In some circumstances, the employee may wish to take additional steps to protect privacy, such as taking the student to one side.

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Access to records

Students have a general right of access to their own records and can ask for a copy. If requested in writing, a letter of acknowledgement of the request will be made within fourteen days and the requested information will be available for perusal no later than thirty days after the written request is received.

Individuals will not be charged for lodging a request for access to their records, however, individuals may be charged for the administrative costs involved when access is provided. If applicable, notification of such costs will be included in the letter of acknowledgement. For example, such costs may include reasonable charges to recover costs relating to photocopying, copies of printed media and for staff time involved in processing a request.

Access may be denied or we may to limit the extent to which access is given - these circumstances may include where there is a serious threat to life or health, specific business imperatives and occasions relating to law enforcement, litigation or other public interest matters;

In the event when access might otherwise be denied we will consider whether providing access through an intermediary is possible.

Where access to some information is withheld, reasons for this decision will be provided to the individual

If an individual's record contains information about another person, that information will not be released if it would have an unreasonable impact on the privacy of that other person.

To prevent an unreasonable impact on the privacy of other person(s) whose information is on a record, the college will:

- removing the other person's identifying details before releasing the information and ensure the remaining context does not reveal the identity of that person.
- take reasonable steps to contact the other person to see if they consent to the release of their information.

Amendments to records

Students also have a right to seek the correction of information held about them, if this is shown to be inaccurate, incomplete or not up-to-date. Therefore, if an individual asks to have certain details amended or corrected, we will take reasonable steps to attach comments to the record noting the correct information rather than permanently erasing details from the record.

Where the individual and the service provider disagree about whether the information is incorrect, we will take reasonable steps to attach to the information a statement outlining the individual's claims that the information is not accurate, up-to-date or complete.

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Children's privacy

The Privacy Act does not set an age limit at which a child or young person can exercise their own privacy rights - this occurs when the individual becomes competent to make such decisions. Where a child or young person is competent they should make their own decisions; if they are not competent to do so, the college may discuss their record with a parent.

If a parent seeks information about their child, but the child explicitly asks that certain information not be disclosed to that parent, the college may consider it appropriate to keep such information confidential.

Providing personal information to others - the collection of records, qualifications or other products by friends, neighbours or relatives

A student's consent to the disclosure of their personal information can be expressed or implied. Implied consent may reasonably be inferred from the actions of the student. Depending on the circumstances, it may be inferred that a student has consented to someone else collecting medication on their behalf (and thereby receiving some of their personal information), if they have given a friend or relative their information for that reason.

Use and Disclosure of personal information

We will not use or disclose any information about you without your consent, or access your communications on our websites, unless:

- Required to do so by law.
- We believe it necessary to provide you with a service which you have requested.
- To protect the rights or property of the college, any college user, or any member of the public.
- To lessen or remove a serious threat to a person's health or safety.
- Required during litigation for defence of the college or for use in litigation instigated by the college.

Additionally, disclosure of information by a service provider to a 'person responsible' for an individual (including a partner, family member, carer, guardian or close friend) may be required if that individual is incapable of giving or communicating consent.

Disclosure may occur if;

- Required for compassionate reasons.
- Because it is necessary for the provision of appropriate care or treatment to the individual.

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The disclosure will be limited to the information that is reasonable and necessary to achieve the above purposes.

This policy defines a 'person responsible' as:

- a parent of the individual.
- a child or sibling of the individual, who is at least 18 years old;
- a spouse or de facto spouse of the individual.
- a relative of the individual who is at least 18 years old and a member of the individual's household.
- a guardian of the individual or a person exercising an enduring power of attorney granted by the individual that can be exercised in relation to the individual's health.
- a person who has an intimate personal relationship with the individual.
- a person nominated by the individual to be contacted in an emergency.

Information security

Some of the ways we ensure the security of records held by the college this include:

- implementing document storage security policies
- imposing security measures for access to our computer
- providing a discrete environment for confidential discussions
- only allowing access to personal information where the individual seeking access has satisfied our identification requirements and
- ensuring there is access control into our buildings
- Information stored by the college is stored on the premises and is not removed from the premises
- The file storage area is under constant closed circuit video surveillance or in full view of a staff member at all times
- 'Inactive records' are stored in a secure facility on site.

This policy defines an 'inactive record' as any record which has not been accessed for the purposes of providing health care treatment or services for no less than seven years.

In addition, our employees and the contractors who provide services related to our information systems are obliged to respect the confidentiality of any personal information held by the college, and are required upon entering into an employment agreement to sign a confidentiality agreement.

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Dealing with us anonymously

Where it is lawful and practicable to do so, individuals may deal with us anonymously (e.g. when enquiring about our products and services generally).

Complaints

Individuals who believe that we have breached their privacy rights in any way or wish to discuss any issues about our privacy policy should contact our *College Manager* (see 'Contacting us' below).

We will try to satisfy any questions and correct any errors on our part.

If we do not satisfactorily answer an individual's concerns, they have the right to make a complaint to the Privacy Commissioner on the telephone number 1300 363 992 or in writing to:

Office of Privacy Commissioner

GPO Box 5218

Sydney NSW 1042

Contacting us

Individuals may ask any questions about privacy and the way we manage personal information or obtain a form requesting access to personal information by:

- writing to our **College Manager** at **PO Box 10318, Adelaide Business Centre, SA 5000** or
- emailing us at college@cahriot.net.au