

POLICIES AND ASSOCIATED PROCEDURES

POLICY NUMBER:	POU090123000
POLICY NAME:	Privacy
DATE APPROVED:	29 January 2009
POLICY TYPE AND CATEGORY:	General (University Governance)
RESPONSIBLE OFFICER:	Pro Vice Chancellor [Students]
Policy Advisor:	Privacy Officer

1.0 PURPOSE

The policy refers to the collection and handling of personal and health information by the University in a way that establishes a reasonable balance between an individual's right to control the use of their personal information, with the University's need to ensure that it can collect and use information with confidence in order to perform its functions.

The University must comply with privacy laws, principally the:

- § [Information Privacy Act \(Vic\) \(2000\)](#),
- § [Health Records Act \(Vic\) \(2001\)](#),

but also other laws that relate to privacy including the [Charter of Human Rights and Responsibilities Act \(Vic\) \(2006\)](#), and the [Surveillance Devices Act \(Vic\) \(1999\)](#), common law right to privacy and representations in privacy statements and contracts which attract the application of the Commonwealth [Privacy Act \(1988\)](#).

Victoria University has adopted the Information [Privacy Principles](#) and the [Health Privacy Principles](#) as minimum standards in relation to handling personal and health information which form part of the [Information Privacy Act \(Vic\) \(2000\)](#) and the [Health Records Act \(Vic\) \(2001\)](#).

2.0 BACKGROUND

Victoria University (VU) operates both locally and globally to offer a range of post-secondary award and non-award courses in Higher Education, Vocational Education and Further Education. Our courses are delivered across multiple campuses principally located in the western suburbs of Melbourne, the Melbourne CBD, and at facilities provided by other institutions with whom we have a relationship. In conducting its core activities of teaching, training, engagement and research, VU collects personal information from a range of individuals including students, staff and members of the public with whom it deals.

3.0 DEFINITIONS

3.1 Complaints

A complaint about information privacy is an expression of dissatisfaction with the University's procedures, staff, agents, contractors or quality of service associated with the collection or handling of personal or health information. Victoria University will investigate and respond to information privacy complaints in accord with our values for:

- § the pursuit of excellence in everything that we do;
- § equality of opportunity for staff and students; and
- § integrity, respect and transparency in personal and collaborative action.

3.2 Consent

This means free, informed, specific and current consent. An individual must also have the capacity to give consent, that is, that he or she is able to understand the nature and effect of giving consent by reason of age, injury, disease, senility, illness, disability, physical impairment or mental disorder.

3.3 Disclosures Register

This documents the disclosures of personal information made by the Privacy Officer and acts to safeguard privacy.

3.4 Health Information

Health information is defined in section 3 (1) of the Health Records Act (2001) as personal information about:

- i. the physical, mental or psychological health (at any time) of an individual;
- ii. a disability (at any time) of an individual;
- iii. an individual's expressed wishes about the future provision of health services to him or her;
- iv. a health service provided, or to be provided, to an individual, that is also personal information;
- v. other personal information collected to provide, or in providing, a health service;
- vi. other personal information about an individual collected in connection with the donation, or intended donation, by the individual of his or her body parts, organs or body substances;
- vii. other personal information that is genetic information about an individual in a form which is or could be predictive of the health (at any time) of the individual or of any of his or her descendants.

3.5 Legal Services (Their role in Privacy)

Legal Services provide advice and training to the University about IPrivacy and support the [Privacy Officer](#) in the discharge of his responsibilities. Legal Services can be contacted at:

Legal Services
Victoria University
Footscray Park Campus
Ballarat Road, Footscray
PO Box 14428 MELBOURNE
Victoria 8001
Telephone: 9919-5216

3.6 Personal Information

3.6.1 This is recorded information or opinion, whether true or not, about an identifiable individual. Personal information may include the following (either in combination or alone) where an individual's identity is apparent, or could reasonably be ascertained, from that information:

- i. name;
- ii. home address and telephone number;
- iii. photograph;

- iv. DNA;
- v. CCTV footage;
- vi. voice recording;
- vii. financial details
- viii. sex;
- ix. salaries and wages;
- x. academic results;
- xi. bank account details;
- xii. marital status;
- xiii. education;
- xiv. records of a student's library borrowings;
- xv. records of complaints/grievances or discipline matters;
- xvi. information concerning persons who apply to the University for appointment or admission;
- xvii. FEE-Help status; and
- xviii. information collected from or concerning human research subjects.

Sensitive Information

3.6.2 Some personal information that the University holds is sensitive and is therefore subject to greater restrictions under the Information Privacy Act (2000). Examples of personal information or opinion that is sensitive may include:

- i. racial or ethnic origin;
- ii. political opinions;
- iii. membership of a political association;
- iv. religious beliefs or affiliations;
- v. philosophical beliefs;
- vi. membership of a professional or trade association;
- vii. membership of a trade union;
- viii. sexual preferences or practices; and
- ix. criminal record.

3.7 Primary Purpose

This is the purpose for which the information was collected.

3.8 Unique Identifier

A unique identifier is a code consisting of alphabet characters and/or numerals (not a person's name) which is applied to an individual and distinguishes them from other individuals, for example a drivers licence number.

4.0 KEY WORDS

Privacy, personal (health) information, primary purpose, unique identifier.

5.0 SCOPE

The Policy is binding on all University staff, consultants, external contractors and students who have access to personal information held at the University.

6.0 POLICY

Policy Statement

VU operates in both a local and global setting and increasingly functions beyond the confines of its physical campuses. Progressively it is establishing far reaching networks and relationships, and more and more information (much of it electronic) is coming into its domain. Victoria University recognises its responsibility

for finding an appropriate balance to the competing values of a free flow of information and operational efficiency with that of respecting the privacy of people's personal and health information in our possession. This policy expresses our commitment to protecting people's information privacy and of establishing this principle as an important aspect of the way Victoria University creates, organises and performs our work, both physically and on line.

6.1 What Victoria University does

Victoria University creates, disseminates and applies knowledge with the objective to transform the lives of people through the power of education. We undertake this work through co-operation and partnerships that connect us to our region and to the world.

Our specific activities include:

- § Teaching and Learning;
- § Training and Research; and
- § Community Engagement.

The delivery of these services is supported by administrative areas.

6.2 Privacy Officer

The University has a Privacy Officer to oversee the operation of the Privacy Policy at Victoria University and to make decisions regarding privacy related complaints and queries. Specifically, the [Privacy Officer](#) will have the following responsibilities, with support from Legal Services:

- i. conduct an on-going review of the University's practices and processes to ensure that these comply with the policy, relevant legislation and best practice;
- ii. educate University management and staff on their responsibilities under this policy and to assist staff with respect to privacy issues;
- iii. monitor compliance with the policy and to hear and to determine complaints arising under the policy or the related legislation; and
- iv. keep records that are required to be kept under the policy, including a Register of Disclosure and Record of Complaints.

The University's [Privacy Officer](#) is the Pro Vice-Chancellor, Students. Contact details are as follows:

The Privacy Officer
Mr Stephen Weller,
Victoria University
Footscray Park Campus
Ballarat Road, Footscray
PO Box 14428 MELBOURNE
Victoria 8001
Telephone: 9919-5072
Email: Stephen.Weller@vu.edu.au

6.3 Collection of Information

Being a public institution engaged in teaching, training and research, and community service and engagement, VU holds a wide range of information that relates to students, staff, and members of the external community with whom it has established relationships in support of its core functions.

When collecting information about people, the University takes reasonable steps to make an individual aware of:

- i. the University's contact details;
- ii. the fact that the individual can access their information;
- iii. the purpose for collecting the information and to whom VU would normally disclose this to;

- iv. whether the disclosure is required by law; and
- v. the main consequences of not providing that information, particularly as it might impact upon our capacity to deliver good service.

Consistent with this commitment, the University requires the use of Collection Statements as attached to this policy or otherwise approved for use by Legal Services when information is being collected about people.

PERSONAL INFORMATION

- 6.3.1 Victoria University only collects personal information about an individual if that information is necessary for one or more of our functions or activities;
- 6.3.2 The University will only collect personal information about an individual by lawful, secure and fair means and not in an unreasonably intrusive way;
- 6.3.3 Victoria University will collect personal information about someone directly from that individual wherever it is reasonable and practicable to do so. There are however several instances where the University will collect information from other sources, for instance:
 - § a person authorised by the individual to act on their behalf. In this case, the University will take reasonable steps to ensure that the individual is made aware of the points 'i' to 'v' as given under section 6.2; or
 - § an agency authorised to act on the individual's behalf including information from VTAC, a contractor or a temporary employment agency.

HEALTH INFORMATION

- 6.3.4 An individual's health information is subject to higher thresholds of protection than personal information, so that there are some additional requirements for protecting health information over and above those applying to personal information. The senior officer (Manager or above) directly overseeing the area involved in the collection of health information authorises its collection if satisfied that the information is necessary for one or more of the functions or activities of the University and in addition to this there is consent or one of the other prescribed conditions under Principle 1.1 of the [Health Privacy Principles](#) as listed below-
 - i. where the collection is necessary for the establishment, exercise or defence of a legal claim; or
 - ii. where the information is collected from an organisation who is disclosing the information to the University for a purpose that the individual would reasonably expect; or
 - iii. where the information is collected from an organisation who is disclosing the information to the University for the purpose of:
 - § funding, management, planning, monitoring, improvement or evaluation of health services; or
 - § training provided by a health service provider to employees or persons working with the University;
 - iv. where the collection is made on suspicion that unlawful activity has been engaged in.
 - v. where the collection is on behalf of a law enforcement agency and the University reasonably believes that the collection is necessary for a law enforcement function;
 - vi. where the information is necessary to provide a health service to the individual and the individual is incapable of giving consent and:
 - § it is not practical to obtain the consent of an authorised representative of the individual; or
 - § the individual does not have such an authorised representative;
 - vii. where the collection is necessary to prevent or lessen a serious and imminent threat to life, health, safety or welfare.

- viii. where the collection is necessary for research, or the compilation or analysis of statistics, in the public interest:
 - § that purpose cannot be served by the collection of information that does not identify the individual or from which the individual's identity cannot reasonably be ascertained; and
 - § it is impractical for the University to seek the individual's consent to the collection.

A report is made annually to the [Privacy Officer](#) by each area that collects Health Information detailing the purpose and nature of the information that is collected.

6.4 Use and Disclosure

- 6.4.1 Wherever possible, personal and health information collected and held by VU will only be accessed and handled as required by staff authorized to do so for the purpose of carrying out their duties.
- 6.4.2 On the whole, Victoria University only uses or discloses information according to the purposes for which it was collected, for example maintaining required records, responding to a query or providing a service. Occasionally VU may need to use or disclose personal or health information for another purpose but will only do so in ways that consistent with the Information [Privacy Principles](#) and [Health Privacy Principles](#).

6.5 Data Quality

The University will take reasonable steps to ensure that the personal and health information it collects, uses or discloses is accurate, complete and up to date. To assist the University in this task and to ensure the quality and accuracy of the information that the University holds, staff and students are encouraged to update their information from time to time.

6.6 Data Security

- 6.6.1 VU is committed to holding your personal and health information securely and accordingly it will take reasonable steps to protect this information from misuse, loss, unauthorised access, modification and disclosure.

PERSONAL INFORMATION

- 6.6.2 The University will ensure that personal information is kept for no longer than is necessary for the purposes for which it may lawfully be used and thereupon securely destroyed.

HEALTH INFORMATION

- 6.6.3 Health Information is retained and destroyed in accordance with the [Health Privacy Principles](#).

6.7 Openness

- 6.7.1 Victoria University's Privacy Policy can be found on its web site at -
<http://wcf.vu.edu.au/GovernancePolicy/index.cfm?About=About&CFID=634091&CFTOKEN=25222688>
- 6.7.2 Any questions regarding this policy may be directed to the [Privacy Officer](#).

6.8 Access and Correction

You have a right to access and correct information about you held by VU.

PERSONAL INFORMATION

6.8.1 In the first instance you should contact the relevant area to arrange access and where necessary to correct the information if it is found to be inaccurate, incomplete or not current. However in some circumstances you will be required to pursue access through the Freedom of Information process. While the [Victorian Freedom of Information Act \(1982\)](#) establishes a legally enforceable right for every person to obtain access to documents from an agency, access to some documents is exempted.

HEALTH INFORMATION

6.8.2 Requests for access to (and correction of) health information can be made in writing via the [Privacy Officer](#). In relevant cases, requests can be made to the Manager, Counselling Services who acts on behalf of the [Privacy Officer](#) and who, if necessary can refer the matter to the [Privacy Officer](#) for determination. The University will provide you with access to your health documents on request except when there are valid reasons not do so as detailed under principle 6 of the [Health Privacy Principles](#). This includes where granting access would pose a serious threat to the loss of life or health of any person, or if it has an unreasonable impact upon the privacy of another person.

6.9 Unique Identifiers

6.9.1 VU does not use unique identifiers unless it is necessary to enable us to carry out our functions efficiently. Staff Numbers and Student Numbers are considered necessary for this reason.

6.9.2 The University will not adopt a unique identifier of an individual that has been assigned by another organisation.

6.10 Anonymity

Victoria University will provide an individual with the option of not identifying who they are when it is lawful and practicable to do so. However such is the nature of the work of the University, that generally, it will not be possible for the university to provide services to anonymous clients.

6.11 Transfer of Information outside Victoria

6.11.1 Victoria University may transfer personal information about an individual to someone outside Victoria if the University reasonably believes that the information will be handled in accordance with this policy and the Information Privacy Principles; or

6.11.2 The University will transfer information to another health service provider if requested to do so by the individual concerned.

6.12 Sensitive Information

The University will only collect sensitive information with the individual's consent or in accordance with the Information Privacy Principles.

6.13 Complaints

Having regard to timeliness and fairness, VU will investigate and respond to information privacy complaints in accord with our values for:

- § the pursuit of excellence in everything that we do;
- § equality of opportunity for staff and students; and
- § integrity, respect and transparency in personal and collaborative action.

7.0 USEFUL LINKS

[Health Records Act \(2001\)](#)

[Information Privacy Act \(2000\)](#)

[Office of the Health Services Commissioner](#)

[Privacy Act \(1988\)](#)

[Privacy Victoria](#)

[Private Lives](#) – A Guide to Privacy Law in Victoria (produced by the Victoria Law Foundation)

[Public Records Act \(1973\)](#)

[Records Management Policy \(Victoria University\)](#)

[Victorian Freedom of Information Act \(1982\)](#)

8.0 ACKNOWLEDGEMENT

Guidelines To Comply with The University of Melbourne Privacy Policy.

Guidelines to the Information Privacy Principles, May 2002; Part One.

Guidelines to the Information Privacy Principles, May 2002; Part Two.

Health Privacy Policy, La Trobe University.

Information Privacy Policy, Department of Justice.

Information Privacy Policy, Department of Primary Industries.

Information Privacy - Operational Policy, Deakin University.

Information Privacy Policy, University of Ballarat.

Privacy and Security Policy, Bond University.

Privacy Statement, PROV.

Privacy of your personal information. Monash University.

Privacy Policy. La trobe University.

Privacy Policy, Melbourne Water.

Privacy Policy. Monash University.

Privacy Policy. Office of the Victorian Privacy Commissioner.

Privacy Policy. RMIT University.

Privacy Management Policy. The University of Queensland.

Privacy Policy. The University of Adelaide.

9.0 CONSULTATION

Privacy Policy Working Party, comprising-

Ms Darija Bosnjak;

Mr Andrew Brewer;

Mr John Chadderton;

Ms Noni Clarkson;

Dr Darko Hajzler;

Ms Ragn Hannah;

Ms Robyn Shaw;

Ms Belinda Stewart; (Ms Sarah Wood) and

Mr Tony Vlahandreas.

The policy was received by the Staffing and Workforce Planning Committee on 29 April 2008, paving the way for University consultation over a 4 week period from early May to 30 May 2008.

10.0 REVIEW

The policy will be reviewed no later than November 2011.

11.0 ACCOUNTABILITIES

11.1 RESPONSIBILITY

The Pro Vice-Chancellor, Students, in his capacity as [Privacy Officer](#) has ultimate responsibility for the implementation and review of the Privacy Policy. However, responsibility for compliance, implementation and review for particular aspects, especially those relating to staff, may be assigned to other appropriate managers having responsibility for relevant activities.

Insofar as compliance with the policy is expected of staff as stipulated under the [Staff Code of Conduct](#), all staff bear responsibility.

11.2 IMPLEMENTATION AND TRAINING PLAN

TASK	RESPONSIBLE OFFICER	COMPLETION DATE
Approval of the policy by the Vice-Chancellor	Privacy Officer	Early December 2008 or as soon as practicable
The superseded Information Privacy policy and the Health Records Privacy policies are revoked and replaced on the Central Policy Register by the new Privacy Policy.	Privacy Officer Senior Policy Co-ordinator	Mid December 2008 or as soon as practicable
Announcement Email advising of the approval of the policy.	Privacy Officer	Mid December 2008 or as soon as practicable
The new Privacy Policy is published on the University's Homepage.	Privacy Officer	Mid December 2008 or as soon as practicable
Audit Learning and Teaching Policies, and documentation from HE and VE Faculties, Student Services and Human Resources eliciting information from clients, inserting privacy collection statements as necessary.	Teaching and Learning Support Executive Deans/Dean/ Executive Directors; Associate Directors; Director, Human Resources; Privacy Officer	30 June 2009 or as soon as practicable
Develop Privacy Web Page	Privacy Officer	Early March 2008 or as soon as practicable
Privacy Awareness Training Sessions	Privacy Officer Legal Services	On-going

11.3 COMPLIANCE

Compliance with the Privacy Policy is mandatory.

11.4 EFFECTIVENESS OF THIS POLICY

The effectiveness of the policy will be gauged by amongst other things, continuous communication strategies and awareness programs for staff and students, the number of complaints about privacy made to the Privacy Officer and the publication of a more user friendly, risk averse policy on the University's web site.

12.0 POLICY ADVISORS

Legal Services.

13.0 PROCEDURES

The Privacy procedures as attached give effect to the policy.

PROCEDURE

Information Privacy

**RESPONSIBLE OFFICER
FOR IMPLEMENTATION,
COMPLIANCE AND REVIEW:**

Privacy Officer

1.0 INFORMATION THAT THE UNIVERSITY COLLECTS TO EFFICIENTLY PERFORM ITS FUNCTIONS

All staff of the University have an obligation to adhere to and implement the policy and the procedures when collecting and handling personal and health information in the course of their work.

Staff

The information the University collects about staff is for the primary purpose of facilitating their employment and towards this end, VU maintains their employee records and administer employee benefits and entitlements, including salary, superannuation and other services. It is necessary for Victoria University to collect this information from staff in order to:

- § be able to communicate with you;
- § inform you about the range of facilities, services, benefits and opportunities available to staff;
- § in the event of an emergency, notify your nominated emergency contact person;
- § attend to day to day administrative matters;
- § prepare statistical analysis including legal reporting requirements and workforce planning; and
- § place your name on the staff electoral roll.

If staff choose not to provide VU with all the information the University asks for, the University may not be able to process a particular request or entitlement.

New staff must provide all personal information requested, including citizenship status documentation and a valid working with children check card or evidence of a satisfactory police check, where relevant. Without this the individual cannot be employed.

Students

The information that the University collects about students is for the primary purpose of enabling them to enrol in their chosen course of study and for Victoria University to deliver that course and related services to them. It is necessary for Victoria University to collect this information from students in order to:

- § be able to communicate with them;
- § carry out day to day administrative matters;
- § inform students about events and activities relevant to their course and other products, services and opportunities that are available to students of the University;
- § place their name on the student electoral roll;
- § maintain their academic record;

- § assist us in providing programs for the health and welfare of students;
- § facilitate internal planning;
- § foster alumni relations; and
- § fulfil the University's State and Commonwealth Government reporting and statistical obligations.

Externals

The University holds a range of personal information about individuals "outside" the university including graduates, benefactors and friends of the University, external members of our committees and those people doing business with the University such as consultants and contractors, and potential students. Researchers may also collect and hold data that contains personal information.

2.0 GETTING INFORMED CONSENT WHEN COLLECTING PERSONAL/HEALTH INFORMATION

At or before the time of collection of information, for example, such as at enrolment or as a result of a query from a prospective student on admission requirements, the University must take reasonable steps to ensure that the individual is aware of:

- i. some key matters, such as the primary purpose(s) for which the information is collected. In the case of students, the the primary purpose is for enabling students to enrol in their chosen course of study and for Victoria University to deliver that course and related services to them. In the case of staff, the primary purpose for collecting the information is facilitating staff employment and towards this end, the University maintains employee records and administers employee benefits and entitlements, including salary, superannuation and other services.;
- ii. any organisations or individuals to which Victoria University would normally disclose information of that kind. For example, under Commonwealth or State Government legislation, the University may include information in its annual reports to government bodies, for example, the Australian Taxation Office and Centrelink, for the administration of schemes such as the Higher Education Contribution Scheme, the Postgraduate Education Loans Scheme, the Youth Allowance (Austudy and Abstudy), amongst others;
- iii. the fact that he or she is able to gain access to the information;
- iv. any law that requires that particular information to be collected;
- v. the main consequences for the individual in not providing all or part of the information being sought in terms of the delivery of the particular service;
- vi. Victoria University's contact details, should he or she wish to contact the University.

3.0 PRIVACY COLLECTION STATEMENT

At Victoria University any document, including electronic media such as the Internet, that involves the collection of personal information (for example, Enrolment Forms, Assignment Cover Sheets, Practical Placement Forms, Student Progress Response Forms and Notices of Appeal and MYVU Portal web forms) should contain a Privacy Collection Statement drafted after consultation with Legal Services. It is the responsibility of each organisational unit that collects personal information to consult an Information Privacy Advisor to ensure that the processes/systems in place to manage this information are compliant with privacy laws.

(A Privacy Collection Statement for use in relation to the collection of information from staff and students is at Appendix One).

4.0 COLLECTION OF SENSITIVE INFORMATION

Staff are required to consult with the [Privacy Officer](#) when considering obtaining sensitive information without consent. The [Privacy Officer](#) may authorise collection of information in the following circumstances:

- i. where the collection is necessary for the establishment, exercise or defence of a legal claim; or

- ii. where the collection is necessary to prevent or lessen a serious and imminent threat to the life or health of any individual, where the individual whom the information concerns is physically or legally incapable of giving consent to the collection
- iii. where the collection:
 - § is necessary for research, or the compilation or analysis of statistics, relevant to government funded targeted welfare or educational services; or
 - § is of information relating to an individual's racial or ethnic origin and is collected for the purpose of providing government funded targeted welfare or educational services; and
 - § there is no reasonably practical alternative to collecting the information for that purpose; and
 - § it is impractical for the University to seek the individual's consent to the collection.

5.0 AUTHORISATION PROVIDED BY AN INDIVIDUAL FOR SOMEONE TO ACT ON THEIR BEHALF

In order that staff can disclose information about a student to a person other than that student, the student's express permission authorising this arrangement is required. Any authorisation that is made by an individual empowering someone to act on their behalf must be in writing and include the following details:

- i. the purpose of the authorisation;
- ii. the duration of the authorisation;
- iii. the date on which it is made;
- iv. where the authorisation is made by a student or a staff member, it will include their student or staff ID number;
- v. the name and contact details of the proxy.

Unless the express permission states otherwise, each request for information or undertaking of transactions requires new express permission from the student.

6.0 THE STAFF FINDER

Staff have the option to remove or prevent their details from being published externally through the Staff Finder by following the steps below.

The steps to remove or publish details to Staff Finder would be as follows:

1. Log in to eGuide
2. Choose False in the drop down menu for "Publish to Staff Finder?" (Default is True).
3. Select Save.

The choice to 'Opt out' of Staff Finder is explained more fully in Appendix Two.

7.0 USE AND DISCLOSURE OF INFORMATION

7.1 Victoria University will not use or disclose information about an individual for a secondary or other purpose other than the main purpose of collection unless :

- i. both of the following apply:
 - § the secondary purpose is related to the main purpose of collection and, in the case of sensitive and health information, determined by the [Privacy Officer](#) to be directly related to the main purpose of collection; and
 - § the individual would reasonably expect the University to use or disclose the information for the secondary purpose;
- ii. the individual has consented to the use or disclosure;
- iii. the use or disclosure is necessary for research, or the compilation or analysis of statistics, in the public interest, other than for publication in a form that identifies any particular individual and:

- § it is impracticable for the University to seek the individual's consent before the use or disclosure; and
 - § in the case of disclosure, the University reasonably believes that the recipient of the information will not disclose the information;
 - iv. the use or disclosure is permitted or authorised by the Privacy Laws;
 - v. after notification, the [Privacy Officer](#) reasonably believes that the use or disclosure is necessary to lessen or prevent either:
 - § a serious and imminent threat to an individual's life, health, safety or welfare; or
 - § a serious threat to public health, public safety or public welfare.
- 7.2 There are limited additional circumstances where the University may use or disclose personal information. To ensure compliance with the policy, the [Privacy Officer](#) must be consulted in relation to the release or use of information contrary to the above guidelines and in the following specific circumstances:
- § Victoria Police or another Law Enforcement body contact a staff member requesting information about a student;
 - § A telephone query requiring disclosure of information where the security measures for confirming identity as outlined in section nine of the Procedure cannot be made.
- 7.3 Victoria University staff are prohibited from disclosing information or undertaking transactions, in writing or verbally, about a student or a member of staff without the informed consent of that individual authorising another person to act on their behalf. (See section six of the Procedure.) This includes disclosure of information to or undertaking transactions with parents, partners, relatives, friends or organisations, including disability access organisations.
- 7.4 Disclosures that are made by the [Privacy Officer](#) will be detailed in a Disclosures Register.

8.0 DISCLOSING INFORMATION OVER THE TELEPHONE

Requests involving the release of information over the phone have some risk attached and wherever possible callers should be asked to seek information in person keeping in mind the University's service orientation. However in situations where this is not feasible, it is critical to take reasonable steps to confirm their identity. A minimum of three security questions should be used. Suggestions include:

- § Student/Staff ID Number;
- § Home and/or mobile phone number;
- § Middle Name(s);
- § Date of Birth; and
- § Semester and/or home address.

In cases where the staff member receives a request over the phone but does not have the information allowing him/her to ask the required security questions in order to confirm the identity of the caller, the staff member should either put that person on hold or call back as soon as these details are known in order to advance the request.

9.0 STORING AND PROTECTING INFORMATION

Victoria University stores information using electronic and hardcopy records systems. The security of personal and health information is important to the University and it will take all reasonable steps (including electronic and physical security) to ensure that this information is housed, and as may occasionally be necessary, moved safely to protect it against loss, unauthorised access, use, modification, disclosure or any other misuse. The University will ensure that personal information is kept for no longer than is necessary for the purposes for which it may lawfully be used. Records will be disposed of securely and in accordance with any requirements for the retention and disposal of personal information. Organisational Units will need to consult the University Archivist to ensure that records are retained in a way that is consistent with the [Public Records Office disposal schedule](#).

In the event that health information is deleted in circumstances allowable under the [Health Privacy Principles](#), the [Privacy Officer](#) must record on a register the name of the individual to whom the health information relates, the period covered by it and the date on which it was deleted.

10.0 INFORMATION ACCESS AND CORRECTION

Staff, students and members of the public can access information that the University holds about them in accordance with this policy, the University's [Freedom of Information guidelines](#) and the [Victorian Freedom of Information Act \(1982\)](#).

The [Victorian Freedom of Information Act \(1982\)](#) also stipulates exemptions for accessing information.

PERSONAL INFORMATION

Stage 1

The University will meet all reasonable requests for access to information through normal administrative arrangements. Under normal circumstances requests for access to personal information should in the first instance be addressed to the relevant organizational unit that routinely holds the information.

Stage 2

In dealing with less than straightforward requests for access, the staff member handling the matter should refer this to a senior officer at a level at least equivalent to an Administrative Director for determination. Any determination that is made by the senior officer will occur only after he/she has obtained advice from Legal Services.

Stage 3

Acting upon legal advice the matter can be referred to the [Privacy Officer](#) to make a ruling that can result in the determination that an FOI application is needed to seek access to the document(s) requested. Such a decision needs to be conveyed in writing to the individual within 30 working days of the request been made and informing the person that the University's FOI Co-ordinator is available to assist with such an application.

A FOI request is made to the [FOI Co-ordinator](#). Contact details are-

Postal address:

FOI Co-ordinator
Victoria University
Governance and Policy Branch
Footscray Park Campus
Ballarat Road, Footscray
PO Box 14428 MELBOURNE
Victoria 8001
Telephone: 9919-5345
Fax: 9919-5061

Stage 4

In some cases, your access to personal information held about you by the University may result in a request by you to correct this information. The request must be settled within 30 working days and the decision communicated to the applicant as appropriate.

HEALTH INFORMATION

The [Privacy Officer](#) or in relevant cases, the Manager, Counselling Services, acting on behalf of the [Privacy Officer](#) will determine all requests for access and correction of health privacy information after consulting with Legal Services and where appropriate the head of the area holding the information to which the request pertains. A decision on the request to access or correct health information should be made as soon as practicable, but no later than 30 days after the request has been received. The decision needs to be communicated to the applicant in writing and include reasons for the decision.

11.0 COMPLAINTS

INTERNAL MECHANISMS

Staff

A staff member who believes that Victoria University has breached the Privacy Policy or the Privacy laws can use the [Staff Issue and Complaint Resolution](#) policy to seek a resolution of the matter.

Students

A student who believes that Victoria University has breached the Privacy Policy or the Privacy laws can use the [Student Feedback and Complaints](#) policy to seek a resolution of the matter.

Other individuals

A person other than a student or member of staff of Victoria University who believes that Victoria University has breached the Privacy Policy or the Privacy laws can use the procedure outlined below to seek a resolution of this matter.

Step 1

Where an individual believes that the University has breached the policy and/or Privacy laws, he/she should endeavour to resolve the matter directly with the area concerned.

Step 2

If, through informal discussion, a complaint cannot be resolved to the satisfaction of the complainant, a written complaint should be lodged with the [Privacy Officer](#) about any act or practice of the University that the individual reasonably believes constitutes a breach of this policy, specifying details of the alleged breach. Details to be provided in the complaint should include:

- § the name and address of person lodging the complaint
- § details about the privacy concern/s;
- § if applicable, how concern/s could be remedied.

The written complaint should be made within 10 working days of the time the complainant first became aware of the alleged breach.

Step 3

Within 10 University days of receipt of a complaint, the [Privacy Officer](#), will:

- § confirm receipt of the complaint in writing,
- § inform the complainant that an investigation will be conducted and a response provided as soon as practicable, but in no more than 30 University days from the day the complaint is received,
- § commence an investigation into the complaint.

Step 4

The [Privacy Officer](#) shall investigate complaints expeditiously and shall provide a written copy of the findings of fact and recommendations made to both the Vice-Chancellor and to the complainant within 30 University days of the receipt of the complaint.

Step 5

The Vice-Chancellor (or the Chancellor in cases where the complaint involves the Vice-Chancellor) will determine what action will be taken on any recommendation contained in the findings of the [Privacy Officer](#), and advise the complainant in writing of the result of the investigation.

The [Privacy Officer](#) will keep a record of all Privacy related complaints.

EXTERNAL COMPLAINTS

You can also make a complaint to the [Privacy Commissioner](#) (where the issue involves personal information) or to the [Health Services Commissioner](#) (where the issue involves Health Information) at any time if you are of the belief that your privacy has been breached.

You should be aware that there are jurisdictional and time limits that can apply for making a complaint. For example, in the case of the [Privacy Commissioner](#) complaints should be made within 45 days of you finding out about the breach of one or more of the Information [Privacy Principles](#).

You can also make a complaint to Ombudsman Victoria regarding the administrative actions of the University.

Attachment 1



Students

Information Privacy Collection Statement

Victoria University's Privacy Policy commits the university to the responsible collection and handling of personal information. This document lets you know how we use your personal information that we collect from enrolment related forms.

Examples of current forms can be found at: <http://www.vu.edu.au/current-students>

Why we collect personal information

The information that we collect about you is for the primary purpose of enabling you to enrol in your chosen course of study and for Victoria University to deliver that course and related services to you. It is necessary for Victoria University to collect this information from you to:

- § be able to communicate with you;
- § carry out day to day administrative matters;
- § inform you about events and activities relevant to your course and other products, services and opportunities that are available to students of the University;
- § place your name on the student electoral roll;
- § maintain your academic record;
- § assist us in providing programs for the health and welfare of students;
- § facilitate internal planning;
- § foster alumni relations; and
- § fulfil our State and Commonwealth Government reporting and statistical obligations.

If you choose not to provide us with all the information that we ask for in these forms, we will not be able to enrol you at the University.

Personal information about you we may hold

Typically, the University may collect and hold information related to your contact details, academic performance, admissions, attendance, enrolment, progression, assessment, misconduct and financial information associated with your enrolment.

Disclosure of personal information

From time to time Victoria University may need to disclose personal information about you. Disclosure of personal information may include:

- § information related to results, attendance and progress may be released to your employer/sponsor or Secondary School where a student is an Apprentice/Trainee and Sponsored or VETIS/VCAL student;
- § disclosure to government departments and authorities including the Australian Taxation Office, the Department of Immigration and Citizenship, Department of Education, Employment and Workplace Relations and Skills Victoria;
- § informing Centrelink of your enrolment details if you are in receipt of payments;
- § disclosure to external organisations such as professional bodies, hospitals or government agencies if the disclosure is necessary in order for you to undertake learning in the workplace;
- § releasing your academic details to another tertiary institution or tertiary admission centre if you apply to transfer studies;
- § disclosure to Victoria University's cooperative offshore partners and contracted service providers, if necessary, for the enrolment in, administration, promotion and management of related courses;

"The current official version of this policy is maintained on the Victoria University Central Policy Register and downloading and printing of this policy will produce an uncontrolled copy which may not be current."

- § contracted service providers which the University uses to perform services on its behalf (such as banks, mailing houses, logistics and IT service providers such as RightNow Technologies Pty Ltd that host the ASKVU website); and
- § any other circumstance in accordance with the University's Privacy Policy which can be found at <http://wcf.vu.edu.au/GovernancePolicy/PDF/POU090123000.PDF>

How you can access your personal information

As a student, you can seek access to personal information that the University holds about you by contacting the Department of Student Connections.

Contact details:

Web: <http://intranet.vu.edu.au/student-services/SCC/Default.asp>

ASKVU: http://askvu.vu.edu.au/cgi-bin/askvu.cfm/php/enduser/std_alp.php

Phone: 9919-4000

You can also access personal information that the University holds about you through a formal Freedom of Information request. A written FOI request should be made to:

Postal address:

FOI Co-ordinator
Victoria University
Governance and Policy Branch
Footscray Park Campus
Ballarat Road, Footscray
PO Box 14428 MELBOURNE
Victoria 8001

Further information on freedom of information requests can be found at

<http://qpps.vu.edu.au/freedom/cid/8/parent/1/t/freedom>.

Accuracy of Information

The University will take reasonable steps to ensure that the personal information it collects, uses and discloses is accurate, complete and up to date. To assist the University in this task and to ensure the quality and accuracy of the information that the University holds, you must update your information when your personal and enrolment details change.

Victoria University's Privacy Officer

The University is committed to protecting and maintaining the privacy, accuracy and security of your personal information. To this end we have a Privacy Officer to oversee the operation of the Privacy Policy at Victoria University and to make decisions regarding privacy related complaints and queries. The Privacy Officer can be contacted at-

Postal address:

The Privacy Officer
Mr Stephen Weller,
Victoria University
Footscray Park Campus
Ballarat Road, Footscray
PO Box 14428 MELBOURNE
Victoria 8001

Telephone: 9919 5072

Email: stephen.weller@vu.edu.au

Staff

Information Privacy Collection Statement

Victoria University's Privacy Policy commits the University to the responsible collection and handling of personal information. This document lets you know how we use your personal information that we have collected as a result of Human Resources forms such as a Banking Authority or Employee Personal Data Record form or entering information into a HR information system such as HR Kiosk.

Examples of current Human Resources forms can be found at: <http://intranet.vu.edu.au/hr/HRFormsTemplates.asp>

Why we collect information

The information we collect about you is for the primary purpose of facilitating your employment and towards this end, we maintain your employee record and administer employee benefits and entitlements, including salary, superannuation and other services. It is necessary for Victoria University to collect this information from you to:

- § be able to communicate with you;
- § inform you about the range of facilities, services, benefits and opportunities available to staff;
- § in the event of an emergency, notify your nominated emergency contact person;
- § attend to day to day administrative matters;
- § prepare statistical analysis including legal reporting requirements and workforce planning; and
- § place your name on the staff electoral roll.

If you choose not to provide us with all the information we ask for, we may not be able to process a particular request or entitlement.

New staff must provide all personal information requested, including citizenship status documentation and a valid working with children check card or evidence of a satisfactory police check, where relevant. Without this the individual cannot be employed.

Information about you that we may hold

Typically, the University may collect and hold personal information which includes your name, date and country of birth, address, tax file number, banking details, superannuation details, qualifications, work status, details of paid outside work /directorships, referee reports and other information.

You will be asked to notify us of any health issue that may affect your work performance when you commence at VU. Health information is also collected in the course of your employment as a result of a reported work related incident or other illnesses and when volunteered as part of the VU Wellness programs.

Disclosure of Information

Victoria University may disclose personal information about you to the following organisations:

- § your nominated financial institution;
- § your nominated superannuation scheme eg. Unisuper or Vicsuper;
- § government departments and authorities including the Australian Taxation Office, the Department of Immigration and Citizenship, the Department of Education, Employment and Workplace Relations and WorkSafe Victoria;
- § organisations that provide salary packaging benefits to eligible and participating staff members, for example Custom Fleet and PAR Leasing;
- § organisations that provide the option to deduct fees from your salary (eg. health insurance providers)
- § Victoria University's cooperative offshore partners and contracted service providers, if necessary, for secondment or overseas work undertaken;

"The current official version of this policy is maintained on the Victoria University Central Policy Register and downloading and printing of this policy will produce an uncontrolled copy which may not be current."

- § contracted service providers which the University uses to perform services on its behalf (such as recruitment agencies, travel agents, banks, mailing houses, logistics and IT service providers;
- § the University's legal advisers or other professional advisers and consultants engaged by the University; and
- § any other organisation in accordance with the Privacy Policy which can be found at <http://wcf.vu.edu.au/GovernancePolicy/PDF/POH040809006.PDF>.

How you can access the information we hold about you

Subject to any specific exemptions in relevant legislation, you may access any of your personal information that Victoria University holds about you. You may do this by accessing your personal details through HR Kiosk or contacting the Human Resources Department.

If you wish to have access to your personal information, you should apply in writing to the Director, Human Resources. You can obtain contact details for the Director at <http://intranet.vu.edu.au/hr/DirectorContacts.asp>

You can also access personal information that the University holds about you through a formal Freedom of Information request. A written FOI request should be made to:

Postal address:

FOI Co-ordinator
Victoria University
Governance and Policy Branch
Footscray Park Campus
Ballarat Road, Footscray
PO Box 14428 MELBOURNE
Victoria 8001

Further information on freedom of information requests can be found at <http://gpps.vu.edu.au/freedom/cid/15/parent/1/t/freedom>.

Accuracy of Information

The University will take reasonable steps to ensure that the personal information it collects, uses and discloses is accurate, complete and up to date. To assist the University in this task and to ensure the quality and accuracy of the information that the University holds, you are encouraged to check and update your information from time to time.

Victoria University's Privacy Officer

The University is committed to protecting and maintaining the privacy, accuracy and security of your personal information. To this end we have a Privacy Officer to oversee the operation of the Privacy Policy at Victoria University and to make decisions regarding privacy related complaints and queries. The Privacy Officer can be contacted at-

Postal address:

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PO Box 14428 MELBOURNE
Victoria 8001

Telephone: 9919 5072

Email: stephen.weller@vu.edu.au

Attachment 2

STAFF FINDER & RESPECTING PRIVACY

Information Privacy v Operational efficiency

As part of VU's push for a sustainable and distinctive future, the University has recognised the need to remove the hurdles to us serving our clients to the high level that is expected and to work towards sharpening our already improving service orientation. The University must balance its needs for operational efficiency while respecting the rights of individuals for information privacy.

What is Staff Finder?

The eGuide/Staff Finder enables people who want information to locate staff quickly so that they are able to have their business attended to. This facility lists your name and includes details about your position, contact phone number and where you are located. Publishing this information on the www, may cause some people to feel that their rights to information privacy are not respected.

Striking the right balance...

For this reason, the University allows staff to remove or edit the details about themselves that can be accessed by people external to the University. A six monthly email will be sent to all staff advising them that they can opt-out of Staff Finder.

How do I change my details?

The steps to remove or publish details to Staff Finder would be as follows:

1. Log in to eGuide using your email username and password.
2. Choose False in the drop down menu for "Publish to Staff Finder?" (Default is blank).
3. Select Save.

If multiple phone numbers are listed in eGuide, the phone number published to Staff Finder is the first in the list. This means a user can determine their public number by listing it first in eGuide. All numbers listed will be available internally on eGuide.

In the event that staff are unable to access the facility, they can request their manager to edit this on their behalf (in consultation with the Department of Information Technology Services.)