

## POLICY AND PROCEDURE

### Privacy Policy

<b>Date Approved:</b>	TBC
<b>Date Effective:</b>	1/06/2021
<b>Scheduled Review Date:</b>	31/05/2023
<b>Policy Category:</b>	Governance and Risk Management
<b>Policy Owner:</b>	Principal

#### 1. Context

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

SEDA College 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 College.
- 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.

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### **3. Records About Student Information**

As a part of the enrolment process and its operations, the College may collect and hold information about each student. This may include, but is not limited to: name, address, telephone number, email address, photographs, bank account details, assessment results, sex, parent/guardian details (including marital status)

The College will address matters relating to student attendance, consistent with its Attendance Policy.

The Principal will ensure that the College uses a system that is fit for purpose to accurately record and store student information.

Any student information collected by the College, which is Personal Information, will be handled consistently with this Privacy Policy, including how such information may be accessed by a student or parent/guardian.

### **4. Policy Content**

#### **4.1 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.

#### **4.2 What kinds of personal information?**

The kinds of personal information that SEDA College 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 College collects information about students on behalf of its VET providers according to the requirements of the VET Funding contracts, Standards for Registered Training Organisations, Higher Education Support Act 2003. SEDA College also collects data from stakeholders about the services provided by SEDA College. These surveys are voluntary and respondents may exercise their right of anonymity.

#### **4.3 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

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information.

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

The kinds of sensitive information that SEDA College 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.

#### **4.5 How SEDA College collects personal information**

It is usual practice for SEDA College to collect personal information directly from the individual. In many 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 College's functions or activities (unless a legal exemption applies).

#### **4.6 The purposes for which SEDA College collects and uses personal information**

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

SEDA College's functions or activities include:

- providing educational services to students in an independent school environment. SEDA College's functions or activities are sometimes delivered via enrolment with an external registered training organisation.
- the employment of staff and other related services.
- reporting to state or national regulators.
- reporting in circumstances related to public interest, such as law enforcement and public or individual safety.

SEDA College may be required to provide the Territory Government, through the Department of Education and Training ("DET") 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

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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.

SEDA College may also collect and disclose personal information for a number of purposes including the allocation of a Student Number, and updating personal information on the NT Student Register. Survey data on the performance of SEDA College is used to identify continuous improvement opportunities and improve our practices. SEDA College may also be required to provide access to records in the following circumstances:

- in accordance with requirements in applicable legislation;
- to a government representative on request in writing; and
- to DET or an authorised representative of the Department for any purpose connected with delivering education programs.

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 College's primary purpose of collection is to provide educational services and related support services including health and wellbeing support. This means that SEDA

College 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 College wellbeing staff which might otherwise have been expected to have remained confidential and only be held by such staff.

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

#### **4.7 Who might SEDA College disclose personal information to?**

As part of its functions or activities, SEDA College 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 College to conduct its functions or activities;

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- 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 College such as the sports partners; and
- any other individual or organisation SEDA College is required to disclose the information to by law.

#### **4.8 Sending information overseas**

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

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

SEDA College 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.

Survey data is collected in either hard copy or via on line survey platforms.

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

#### **4.10 Updating and accessing personal information**

SEDA College 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 College holds about them. Access and correction requests can be made to SEDA College directly.

#### **4.11 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.

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.

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#### **4.12 Data Breaches**

SEDA College takes all data breaches such as unauthorised access to or disclosure or loss of personal information extremely seriously.

All data breaches will be investigated thoroughly by the College's senior management, in accordance with the College's Data Breach Response Plan.

Data breaches likely to result in "serious harm" to an individual such as physical, psychological, emotional, financial or reputational harm will be reported to the Office of the Australian Information Commissioner (and in accordance with the Notifiable Data Breaches scheme effective 22nd February 2018).

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#### **4.13 Complaints and Monitoring**

You may complain about a breach of privacy:

- Student concerns, complaints, grievances and appeals can be raised under the Concerns, Complaints & Grievances Policy - Students
- Staff concerns, complaints, grievances and appeals can be raised under the Grievance Policy – Staff

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

#### **5. References Documents**

This policy references the following documents:

- Privacy Act 1988 (Commonwealth).
- Concerns, Complaints & Grievances Policy – Students
- Grievance Policy – Staff

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/>.

#### **6. Policy History**

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Version	Policy Owner	Approval Date	Effective Date	Summary of Changes

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