

# Introduction to Privacy

A presentation outlining privacy at  
La Trobe University

Last updated 12 May 2005

## Have you ever...

- Received mail addressed to you or answered a phone call and wondered how they got your name and address or number?
- Purchased a raffle ticket or participated in a survey and then received regular follow-up mail asking for donations?
- Completed a form and wondered why they are asking for that particular information?
- Had a company or service continually misspell your name or address and continue to keep wrongly addressing you?

## Was your reaction...

- One of concern towards your privacy?
- Annoyance with the other party?

## What is privacy?

*Controlling who knows what about individuals by protecting their personal information*

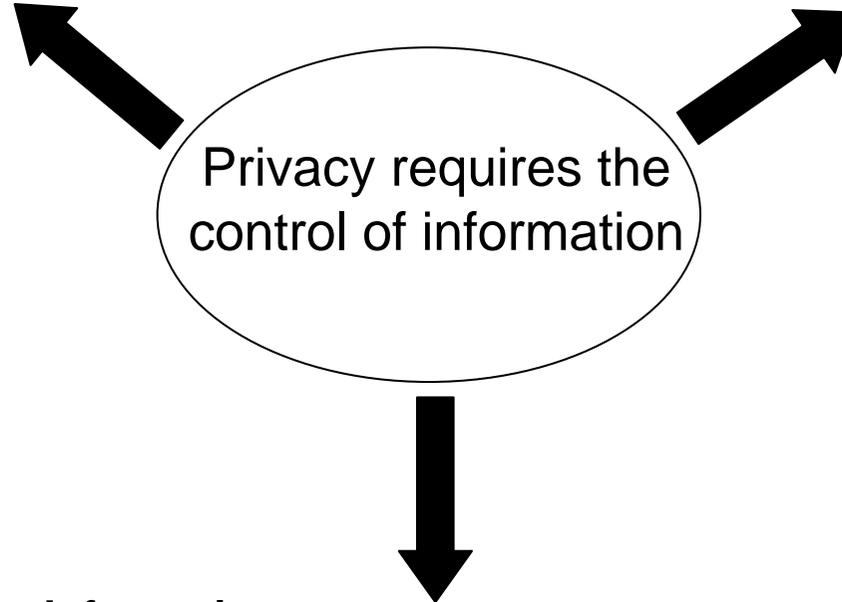
## Why privacy?

- It is the **law** – we all must comply
- Individuals expect their privacy to be protected
- Individuals who believe that their privacy has been breached can make formal complaints
- Protecting privacy enables organisations to gain trust and confidence from individuals they serve
- Gaining trust and confidence enhances reputation of an organisation

## Personal Information

Recorded information or an opinion, whether true or not, about an identifiable individual.

Put simply, if recordable information can reasonably identify an individual, or their identity is apparent, then it is personal information.



## Health Information

Applies to:

1. Health information that is personal information collected by an organisation.
2. Any personal information or an opinion collected or used about an individual in providing a service in health, mental health, disability, aged care, or palliative care.

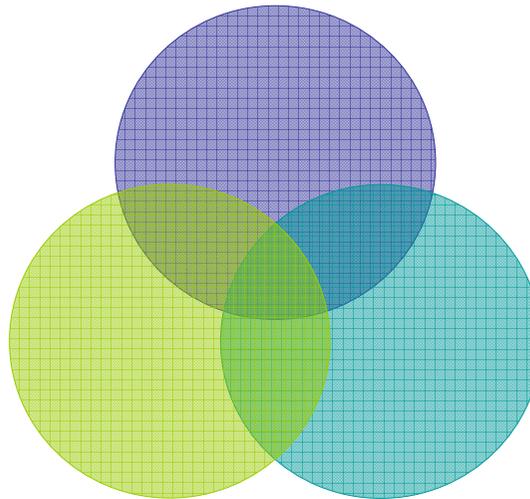
## Sensitive Information

Information or an opinion about an individual's racial or ethnical origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade associations, membership of a trade union, sexual preferences or practices, criminal record.

# Controlling Privacy

**Controlling privacy is achieved by collecting and handling personal and health information in accordance with the following privacy laws:**

**Information Privacy Act 2000 (Vic)**



**Commonwealth Privacy Act 1988**

**Health Records Act 2001 (Vic)**

## Privacy laws applicable to La Trobe University are:

### **Information Privacy Act 2000 (Vic)**

- Applicable to the collection and handling of personal information relating to students, staff, and research participants

### **Health Records Act 2001 (Vic)**

- Applicable to the collection and handling of health information relating to students, staff and research participants
- Applicable to personal information collected and handled by Departments, Schools, Centres or Units intending or claiming to provide a health service

### **Commonwealth Privacy Act 1988**

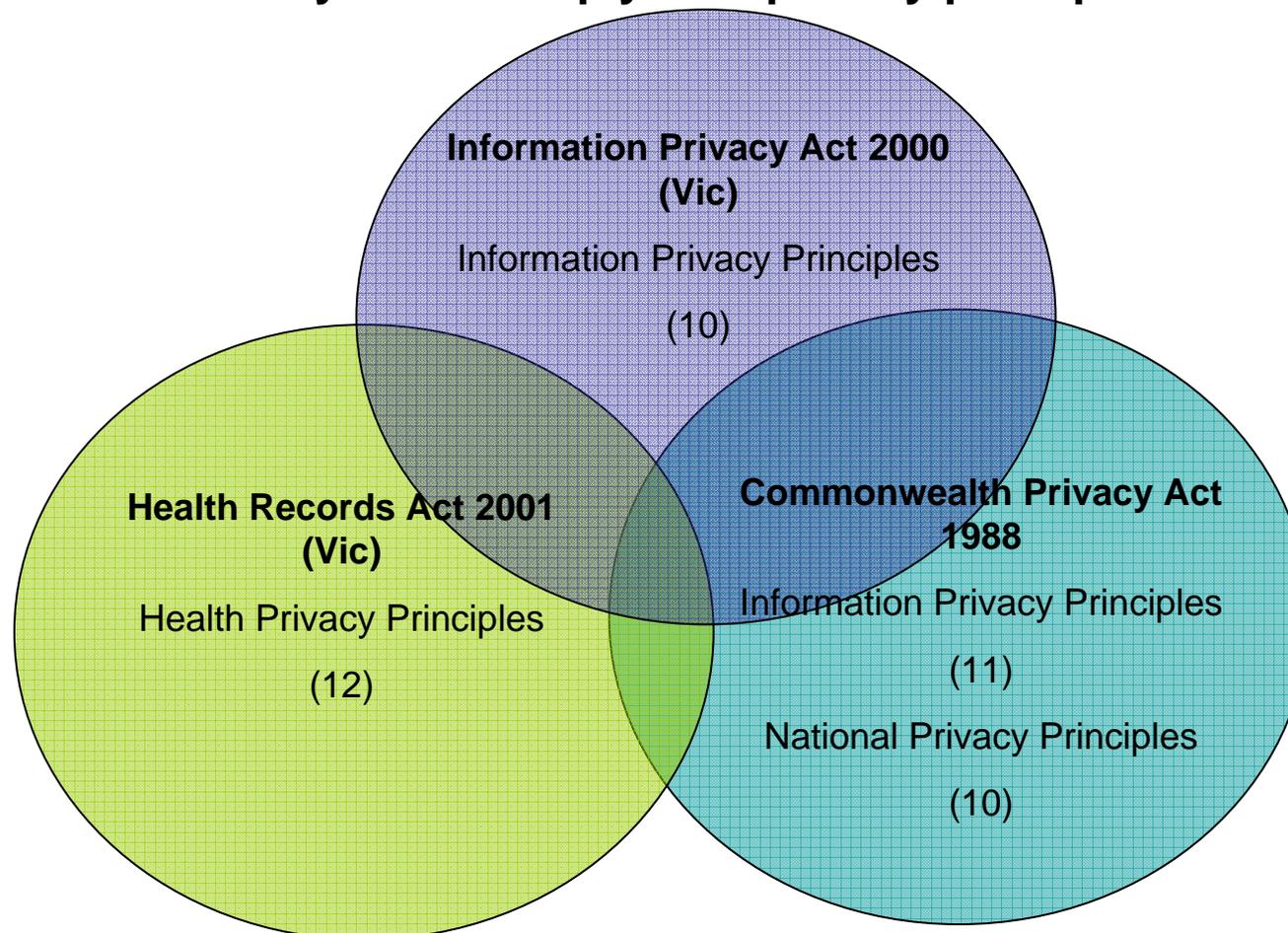
- Applicable in instances whereby the University is providing a service under contract to the Commonwealth Government
- Applicable in instances whereby Commonwealth funding agreements stipulate compliance
- Applicable to companies privately owned by the University

## Privacy (and data protection) laws represent:

- Openness and transparency** ➤ Individuals should be made aware of the information held about them and why it is held, and should be able to see it and correct it if necessary
  
- Balancing** ➤ Organisations should only collect personal and health information as is necessary, and should minimise intrusion into privacy
  
- Purpose limitation** ➤ Generally, personal and health information should be used only for the purpose for which it was collected
  
- Individual participation** ➤ Individuals should have as much say as possible in what information about them is used for and who gets access to it

# Requirements of Privacy Laws

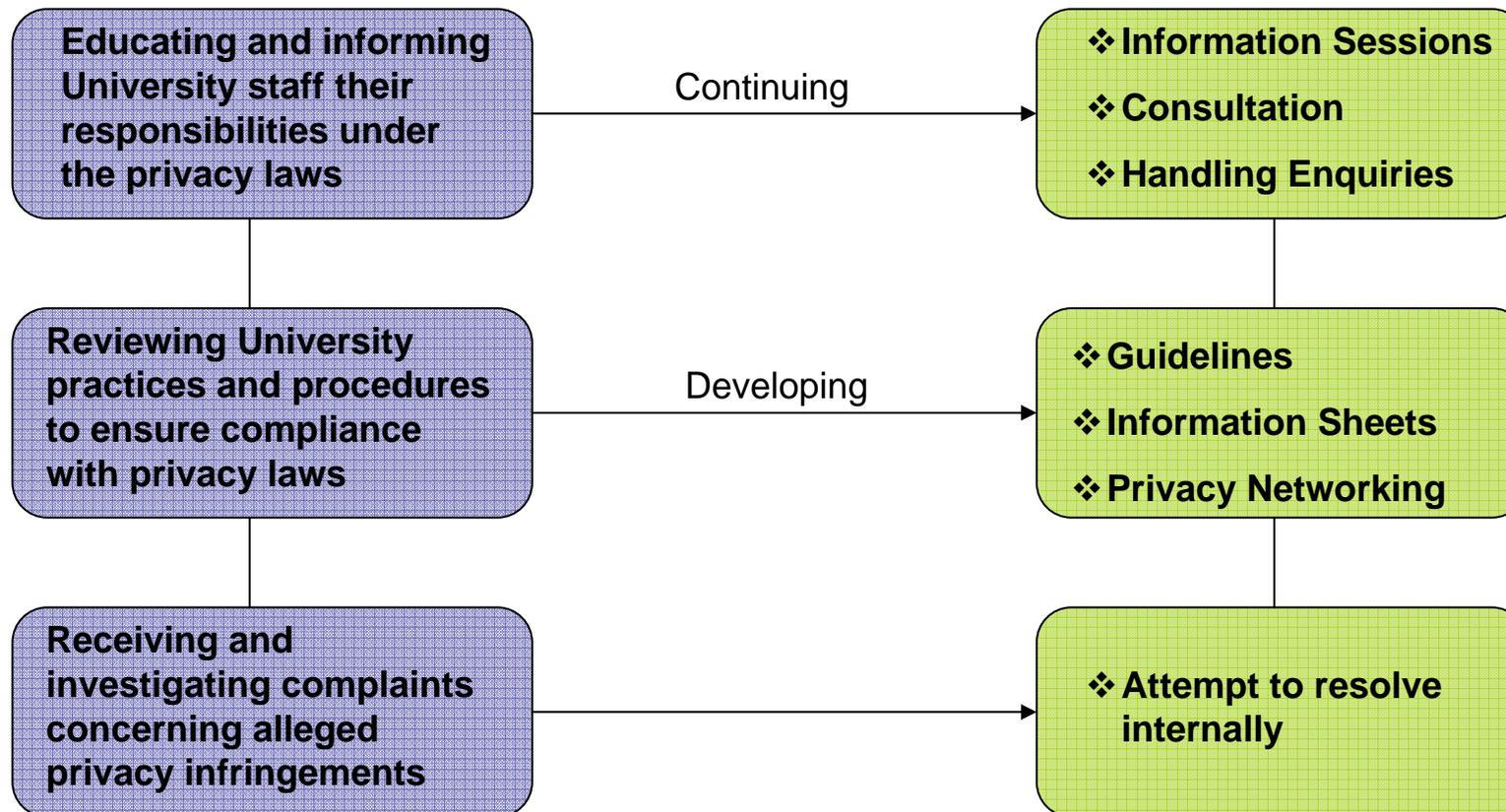
- Privacy laws are represented by privacy principles
- Privacy principles outline personal and health information handling practices
- La Trobe University must comply with privacy principles



# Privacy Principles in Brief

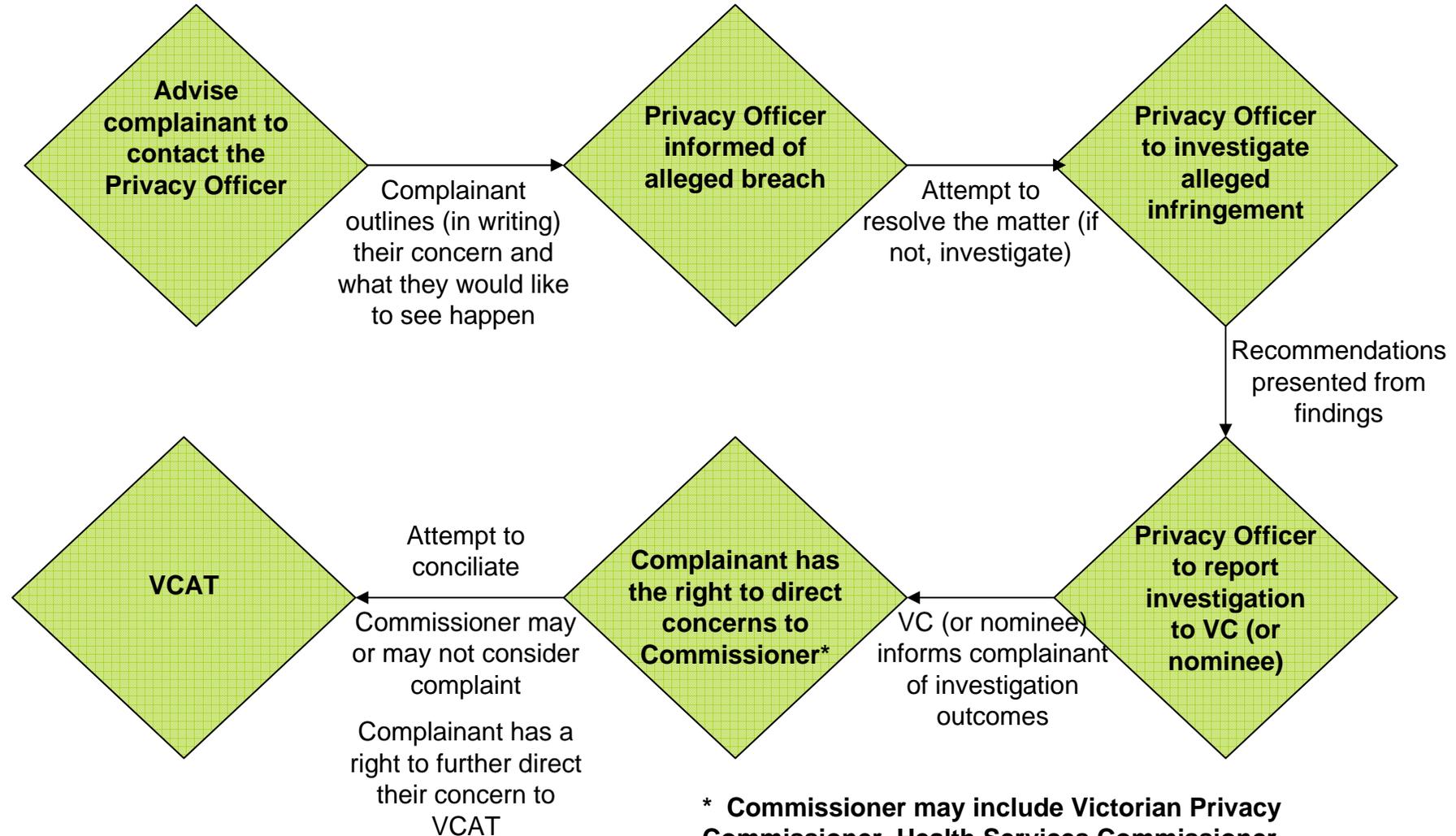
- Collection** ➤ Collect lawfully and fairly, and by reasonable means where necessary for functions. Tell the individual the purpose of collection, whether the collection is required by law and who the organisation usually discloses their information to.
- Use & Disclosure** ➤ Disclose or use only for primary purpose of collection unless it is a related secondary purpose. Otherwise, permissible use is required such as: the individual has consented; required for a law enforcement purpose; or authorised or required by law.
- Data Quality** ➤ Take reasonable steps to ensure information is accurate, up to date, and complete.
- Data Security** ➤ Take reasonable steps to prevent information against loss, unauthorised access, use, modification and disclosure.
- Openness** ➤ Organisations to have a policy on the management of information.
- Access & Correction** ➤ Individuals have a right of access to their personal or health information subject to certain exemptions, and they can also seek to correct it.
- Unique Identifiers** ➤ Assign unique identifiers only necessary to functions. Do not adopt other organisations' unique identifiers unless prescribed exemptions apply.
- Anonymity** ➤ Where lawful and practicable give individuals the choice of transacting anonymously.
- Transborder Data Flows** ➤ Where personal or health information is transferred out of one privacy protection regime it should be protected by another privacy regime unless prescribed exemptions apply.

## University Privacy Policies are supported by:



# Alleged Privacy Infringements

If an individual believes their privacy has been breached by La Trobe University then the following course of action is taken:



\* Commissioner may include Victorian Privacy Commissioner, Health Services Commissioner or Federal Privacy Commissioner

Questions or further advice regarding privacy can be directed to the University's Privacy Officer.

Contact Details:

Email: [Privacy@latrobe.edu.au](mailto:Privacy@latrobe.edu.au)

Ph: (03) 9479 2060