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## PRIVACY - PERSONAL INFORMATION PROCEDURE


<b>Parent Policy Title</b>	Privacy - Personal Information Policy												
<b>Associated Procedures</b>	Privacy - Health Information Procedure												
<b>Preamble</b>	This Procedure governs the management by the University of personal information.												
<b>General</b>	The University is bound by privacy legislation and must manage personal information in accordance with the Information Privacy Principles in the <i>Information Privacy Act 2000</i> . The Principles stipulate how public sector organisations covered by the Act should collect, use, store, disclose and give access to personal information.												
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<b>1. Background</b>	The <i>Information Privacy Act 2000</i> applies to public bodies established for a public purpose under an Act. It provides that an act done or practice engaged in by an organisation is an interference with the privacy of an individual if the act or practice is contrary to, or inconsistent with, an Information Privacy Principle ('IPP').												
<b>2. Scope</b>	<p>This Procedure applies to all organisational areas of the University. It applies to the collection, use, storage, disclosure and access to personal information. <i>Personal information</i> is defined under the <i>Information Privacy Act</i> as information or an opinion, whether true or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion. The personal information can be recorded in any format – for example, in writing, online, digitally or by electronic means.</p> <p>This Procedure does <i>not</i> cover the management of <i>health information</i>. The management of health information is covered by the Procedure on the Management of Health Information.</p> <p>Nor does this Procedure apply to personal information that is:</p> <ul style="list-style-type: none"> <li>• in a publication that is available to members of the public;</li> <li>• kept in a library, art gallery or museum for reference, study or exhibition</li> </ul>												

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	<p>purposes;</p> <ul style="list-style-type: none"> <li>• a public record under the control of the Keeper of Public Records that is available for public inspection; or</li> <li>• an archive within the meaning of the Commonwealth <i>Copyright Act 1968</i>.</li> </ul>
<p><b>3. Information Privacy Principles</b></p>	<p>The University will manage personal information in accordance with the Information Privacy Principles (IPPs) in the <i>Information Privacy Act</i>. This Procedure should be read in conjunction with those Principles which are set out in Schedule 1 of the Information Privacy Act which is at <a href="http://legislation.vic.gov.au">http://legislation.vic.gov.au</a>.</p> <p>The University will:</p> <p>(a) only collect personal information that is necessary for its functions or activities;</p> <p>(b) only collect sensitive information about an individual if the individual has consented, the collection is required under law (e.g. collection of statistics for a government agency) or the collection is otherwise in accordance with IPP 10.</p> <p><i>Sensitive information</i> means personal information about an individual's racial or ethnic origin, political opinions, membership of a political, professional or trade association or trade union, religious beliefs or affiliations, philosophical beliefs, sexual preferences or practices or criminal record;</p> <p>(c) if it collects personal information about an individual, take reasonable steps to ensure that the individual is made aware of:</p> <p>the identity of the University's privacy officer and how to contact that officer,</p> <p>that he or she is able to gain access to the information (subject to the provisions of the <i>Freedom of Information Act</i>),</p> <p>the purposes for which the information about him/her is collected,</p> <p>to whom the organisation usually discloses information of that kind,</p> <p>any law that requires the particular information to be collected, and</p> <p>the main consequences (if any) for the individual if the information is not provided.</p> <p><i>(Note: This paragraph (c) will not apply to the extent that compliance with it would pose a serious threat to the life or health of any individual)</i></p> <p>(d) not use or disclose personal information about an individual for a purpose other than the original purpose of collection except in accordance with IPP 2;</p> <p>(e) as required by Section 6(1) of the <i>Information Privacy Act</i>, interpret IPP 4.2 regarding destruction or permanent de-identification of personal information subject to the University's obligations under the <i>Public Records Act 1973</i>.</p> <p>(f) as required by Section 12 of the <i>Information Privacy Act</i>, interpret IPP 6 regarding an individual's rights to access to, and correction of, personal information subject to the procedures contained in the <i>Freedom of Information Act 1982</i>; and</p>

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	<p>(g) take reasonable steps to ensure that personal information is stored securely.</p> <p>Organisations and individuals contracted to provide services to the University will also be required to comply with the Information Privacy Principles in relation to acts done by the service provider for the purposes of the contract with the University.</p>
<b>4. Privacy Officer</b>	<p>The responsibilities of the University's Privacy Officer will include:</p> <ul style="list-style-type: none"> <li>• ongoing review of the University's practices and procedures to ensure that they comply with this Procedure, current legislation and best practice;</li> <li>• reviewing this Procedure and advising and educating University management and staff of their responsibilities under this Procedure, the <i>Information Privacy Act</i> and the <i>Health Records Act</i>; and</li> <li>• the receipt and investigation of complaints.</li> </ul>
<b>5. Complaints</b>	<p>Any individual in respect of whom personal information is or has been held by the University may complain to the University's Privacy Officer about an act or practice of the University that the individual believes is an interference with the privacy of that individual.</p> <p>The Privacy Officer will investigate the complaint as speedily as possible. The Privacy Officer will then advise the Vice-Chancellor or nominee of his/her findings and make recommendations to the Vice-Chancellor or nominee about the complaint.</p> <p>The Vice-Chancellor or nominee will make a decision on the complaint and advise the complainant in writing of the result of the investigation.</p>
<b>Status</b>	Revised Format. Prior approval Council 6 May 2002. The implementation of the latest version of these procedures supersedes all previous versions of these procedures.
<b>Approval Body</b>	University Council on 6 May 2002; Senior Management Committee, 29 May 2009, SMC09/17(M), Minute 3.3(j).
<b>Initiating Body</b>	Director, Legal Services
<b>Definitions</b>	The term <i>personal information</i> has the meaning set out in section 3 of the Information Privacy Act 2000.
<b>Date Effective</b>	6 May 2002
<b>Next Review Date</b>	1 December 2012
<b>Keywords</b>	Privacy, personal information, Information Privacy Principles

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<b>Owner/Sponsor</b>	Vice-Chancellor
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