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Drafted by	Manager	Approved by Board on	17/09/2014
Responsible person	Manager	Scheduled review date	February 2018
Policy Area	Operational		

Title: Privacy

INTRODUCTION

Mountain District Learning Centre is committed to protecting the privacy of personal information which the organisation collects holds and administers as required by regulatory and funding bodies which MDLC is contracted to. Personal information is information which directly or indirectly identifies a person.

Purpose: To ensure that MDLC meets all contractual and legislative requirements relating to the collection and retention of staff, student and volunteer's information.

Policy:

MDLC is bound by the following legislation:

- *the Privacy Act 2001 (Victoria),*
- *The Commonwealth Privacy Act 1998*
- *The Victorian Information Privacy Act 2000*
- *Victorian Health Records Act 2001.*
- *Privacy Amendment (Enhancing Privacy Protection) Act 2012*
- *Australian Privacy Principals (issued March 2014)*

MDLC only collects information from individuals for the purpose of carrying out the role of providing an education program, HACC Planned Activity Group Program, leisure and volunteer activities as a Neighbourhood House and Learning Centre.

Personal information is collected as a requirement of funding bodies such as the Department of Education and Early Childhood Development and the Department of Health for collection of statistical information and to ensure eligibility criteria is met for government funded places.

This information is collected predominantly through the enrolment processes. Information about an individual's health may be requested to assist that person in the program of their choice or to facilitate emergency or first aid procedures whilst the person is in the care of Centre staff.

Individuals who become members of the Mountain District Women's Co-operative provide identifying information which is recorded on the MDWC members register. Members of the Board of Directors are required to provide information for the purposes of operating as the governing body of a Registered Training Organisation (RTO) registered with the VRQA.

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In adhering to the requirements of Privacy Laws to which we are bound we:

- Collect only information which the organisation requires for its primary function;
- Ensure that stakeholders are informed as to why we collect the information and how we administer the information gathered;
- Provide access to our Privacy Policy freely without charge including in copy form if requested;
- Use and disclose personal information only for our primary functions or a directly related purpose, or for another purpose with the person's consent;
- Store personal information securely, protecting it from unauthorised access;
- Provide stakeholders with access to their own information, and the right to seek its correction;
- Ensure that individuals who wish to complain about our compliance with the Australian Privacy Principles are directed to the MDLC Complaints Policy.

Privacy Statements

Privacy Statements will be included on enrolment and registration forms in accordance with statements set out in *Appendix A - Privacy Statements for Enrolment forms and Website*. Each year the data collection requirement of funding bodies will be reviewed and statements will be amended accordingly prior to publication.

Quality of Information:

MDLC will use its best endeavour to ensure the personal information collected is accurate, complete and up-to-date. Information that is identified as being incorrect will be rectified at the earliest opportunity.

Consent:

If personal information is to be gained from a third party (this may apply to some participants in the HACC program) the consent of the individual must be gained. If unsolicited personal information is discovered it must be destroyed as soon as practicable.

Security of Information:

MDLC will safeguard the information we collect and store against misuse, loss, unauthorised access and modification. Information will be secured in locked file cabinets or locked offices. Electronic records are protected by applying password protection on the central electronic filing system. Back-up data is encrypted so it is inaccessible by third parties. Security audits will be carried out annually.

Information will not be passed onto a third party either within Australia or overseas without the express permission of the individuals concerned. MDLC does not envisage a need for disclosing personal information to overseas recipients however, if permission was granted, the countries where the information would be disclosed would be specified.

Information that is deemed to be no longer required in accordance with the Records Management Policy will be destroyed or permanently de-identified.

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Access to Information:

An individual may request access to the personal information held about them. They will be directed to apply through the submission of a *Request for Access to Personal Information* form. In this circumstance the individual will be required to supply proof of identification documents.

In accordance with legislation, MDLC reserves the right to charge for information provided, in order to cover the costs involved in providing the information. Information will be provided within 30 days of the request form being received.

The MDLC HACC Planned Activity Group program has specific policies relating to access to personal information which should be referred to for individuals enrolled in HACC PAG programs.

Anonymity:

MDLC will give stakeholders the option of not identifying themselves when completing evaluation forms or opinion surveys.

Complaints about Privacy Procedures

Any individual who raises a concern about a possible breach of the Privacy Principles by MDLC will be advised of the MDLC Complaints Policy which requires a response to formal complaints within 15 working days.

Marketing and promotional information:

Prior to sending direct marketing material or promotional information, an individual will be asked for their consent to receive this material. This may be done upon enrolment or upon application for membership in the form of a permission statement and check box.

Electronic marketing material will include an option to “unsubscribe”. If individuals choose to unsubscribe or decide to “opt-out” when they are sent direct marketing material, they will not be contacted again for this purpose. Contact information will be available through the website or on newsletters or other written material.

A Privacy Statement will be placed on the MDLC website in accordance with Appendix A - Privacy Statements for Enrolment forms and Website.

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