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Drafted by	CEO	Approved by Board on	21/07/2021
Responsible person	CEO	Scheduled review date	21/07/2024
Policy Area	Operational		

Title: Privacy

Introduction

Mountain District Learning Centre (MDLC) is committed to protecting the privacy of personal information which the organisation collects, holds and administers as required by those regulatory and funding bodies to which MDLC is contracted. 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 information.

Policy:

MDLC is bound by the following legislation:

- The Privacy and Data Protection Act 2014 (Victoria)
- The Commonwealth Privacy Act 1998
- Victorian Health Records Act 2001.
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- The Public Records Act 1973

MDLC only collects information from individuals for the purpose of carrying out its primary function of providing education programs, social activity programs, leisure, volunteer and other activities as a Neighbourhood House and Learning Centre and Registered Training Organisation (RTO).

Personal information is collected as a requirement of funding bodies such as the Department of Education and Training and the Department of Health.

Examples of information collected includes, name, birthdate, contact details, educational history, employment status, disability status, concession status, reason for study/participation etc.

This information is collected predominantly through enrolment and intake processes. Information about an individual's health may be requested in order 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.

Providing personal information at enrolment/intake is compulsory in order to access funded places in government funded programs and information is transferred from hard copy records to secure

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student or client management systems in accordance with contractual obligations. Only authorised staff members have access to personal information gathered at enrolment or intake.

Individuals who become members of the Mountain District Women's Co-operative (MDWC) provide personal 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 and contracted to the Department of Education and Training.

In adhering to the requirements of Privacy Laws, MDLC will:

- Collect only information which is required for MDLC's primary functions;
- Ensure people are informed as to why the information is collected;
- Ensure the Privacy Policy is publicly available;
- Store personal information securely, protecting it from unauthorised access;
- Provide people with access to their own information, and the right to have information corrected;
- 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 *Annexure A - Privacy Statements for Enrolment forms and Website*. Each year the data collection requirement of funding bodies will be reviewed by the RTO Compliance Coordinator and statements will be amended accordingly, prior to publication.

Quality of Information:

MDLC will safeguard the personal information it collects and stores and ensure it 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 accessed by a third party, as may apply when making referrals to alternative programs, 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 by the RTO Compliance Coordinator

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Information will not be passed onto a third party 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 will be destroyed or permanently de-identified in accordance with the Records Management Policy and the Public Records Act.

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.

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 Social Activity Group programs, funded through the Home and Community Care (HACC) program and Commonwealth Home Support Program (CHSP) have specific policies that relate to access to personal information which should be referred to for individuals enrolled in those programs.

Anonymity:

MDLC will give participants 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 Annexure A - Privacy Statements for Enrolment forms and Website.

See also:

- 6.14 Complaints and Appeals
- 6.13_A1_Privacy Statements

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6.13_A2_Privacy and Information Security
6.13_A3_Request for Access to Personal Information

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