

POLICY AND PROCEDURE

PRIVACY POLICY

Date Approved:	4/12/2020
Date Effective:	1/01/2021
Scheduled Review Date:	11/11/2022
Policy Category:	Governance and Risk Management
Policy Owner:	Director of Standards and Operations

1. Context

This policy sets out the personal information handling practices of SEDA College WA (“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 the College a better and more complete understanding of the types of personal information that the College holds and the way that information is handled.

SEDA College WA 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 the 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.

3. 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.

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4. What kind of personal information?

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

5. 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 information.

6. What kind of sensitive information?

The kind of sensitive information that the College may collect and hold about an individual includes, but is not limited to: health and disability information, racial and ethnic origin or working with children check information.

7. How the College collects personal information.

It is usual practice for the College to collect personal information directly from the individual. In many circumstances the student's legal guardian will be required to have input due to students being under 18 years old.

Sensitive information will only be collected with the individual's consent and where the collection is reasonably necessary for one or more of the College's functions or activities (unless a legal exemption applies).

Student / family information is collected over different phases of the enrolment process;

- Initial collection taken at application stage
- Further information collected at interview
- Final documents required provided at enrolment or as soon as able

8. The purposes for which the College collects and uses personal information.

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The 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.

The College's functions or activities include;

- providing educational services to students in an independent school environment. The 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 WA is required to provide the relevant State Government (Western Australia), 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's VET Student Statistical Collection 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.

In Western Australia, the Education and Training Reform Act 2006 requires the College to collect and disclose personal information for a number of purposes including the allocation of a Western Australian Student Number, School Curriculum and Standards Authority Number and updating personal information on the Western Australian Student Register. Survey data on the performance of the College is used to identify continuous improvement opportunities and improve our practices. The College is also required to immediately provide access to records in the following circumstances:

- in accordance with requirements in the Commonwealth Privacy Act and any other applicable legislation;
- to the Western Australian Ombudsman on request in writing;
- 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, the 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

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sensitive information, for the purpose of providing education and related support services. This may include information disclosed to and held by the Student Connect Wellbeing staff which might otherwise have been expected to have remained confidential and only be held by Student Connect.

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.

9. Who might SEDA College disclose personal information to?

As part of its functions or activities, the College may disclose personal information, including sensitive information to other individuals and organisations such as:

- a student's parent and/or guardian (unless otherwise requested in writing).
- professional services contractors (including IT consultants, insurers, accountants, lawyers) that assist the College to conduct its functions or activities.
- 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 the College such as the sports partners.
- RTO / VET Providers where the students will be enrolled.
- Department of Transport (for SmartRider Applications), and/or
- any other individual or organisation the College is required to disclose the information to by law.

10. Sending information overseas.

The College does not send personal information about an individual outside Australia. In the unusual event that this is required to occur, the College will comply with the Australian Privacy Principles.

11. Management and security of personal information.

The 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 from the College's service provider.

Survey data is collected in either hard copy or via survey monkey, JotForm or similar (electronic format).

The College destroys personal information by a secure documents' disposal service.

12. Updating and accessing personal information.

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The 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 the College holds about them. Access and correction requests can be made to SEDA College WA directly in writing.

13. 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 (if over 18 years old).

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.

14. Data Breaches.

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

All data breaches will be investigated thoroughly by the College's Data Breach Response Team, 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).

15. 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 Concerns, Complaints & Grievances Policy - Staff

While the 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.

16. References Documents

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This policy references the following documents:

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

17. Policy History

Version	Policy Owner	Approval Date	Effective Date	Summary of Changes