



Privacy Policy
Policy Number: OSS009

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| Related Policies | |

This Policy applies to Port Macquarie Community College (PMCC) and its trading arms.

Policy Guidelines

(Please note that in any dispute or significant difference of interpretation concerning these Guidelines direct reference should be made to the relevant provisions of the Privacy Act or other expert source in preference to these Guidelines. Furthermore, there are specific references to the disclosure of information where it is required by law or in circumstances where it may prevent or lessen a serious threat to the life or health of the person concerned, or some other person. Such references have not been otherwise addressed in these Guidelines.)

PMCC and its operating units adhere to the Privacy Act 1988 as outlined at the Australian Government site <http://www.oaic.gov.au/privacy/privacy-act/the-privacy-act>.

PMCC will maintain policies and procedures that assure the safety, integrity, accuracy and currency of its records, and will protect them by such security safeguards as it is reasonable to take against loss, unauthorised access, modification or disclosure, or other misuse.

Personal Information

PMCC will safeguard any personal information that PMCC, or anyone acting on our behalf, might obtain.

PMCC will obtain only such personal information as is necessary to enable the organisation to conduct its business and for no other purpose, unless the person concerned consents to its use for that purpose, its use is authorised under the Privacy Act, or it is required by Australian Standards Quality Authority (ASQA) for audit purposes under the provisions of the VET Quality Framework.



The Australian Commonwealth Government from time to time, requests from the College certain encoded student information for statistical research purposes.

PMCC will seek such information by lawful and fair means and not in an unreasonably intrusive way. Wherever practicable, PMCC will obtain personal information only from the person concerned.

The security of your personal information is important to PMCC. When you enter sensitive information (such as credit card numbers) on PMCC's website, we encrypt that information using secure socket layer technology (SSL). When Credit Card details are collected, we simply pass them on in order to be processed as required. We never permanently store complete Credit Card details.

PMCC follows generally accepted industry standards to protect the personal information submitted to us, both during transmission and once we receive it.

If you have any questions about security on PMCC's Website, you can email PMCC at portace@portace.com.au.

PMCC will sometimes collect personal information from a third party if the person has consented or would reasonably expect us to collect the information in this way, for example from publicly available sources such as websites or telephone directories.

PMCC will take reasonable steps to make sure that the personal information PMCC collect, use or disclose is accurate, complete and up-to-date.

At the time of collecting personal information, or prior to it, PMCC will take reasonable steps to advise the person concerned:

- That they may have access to the information,
- How they may contact us to gain access,
- The purpose(s) for which PMCC collect the information,
- The name of any organisation, or type of organisation, to which PMCC may disclose the information,
- If the information is required by law, and
- Any consequences if the person fails to provide all or part of the information.

If it is not practicable to advise the person at that time, or prior to it, PMCC will advise them as soon as practicable after collection of the information, including any instance where the information is provided by a third party on that person's behalf.

PMCC will take reasonable steps to destroy or permanently de-identify personal information that is no longer needed for the purpose for which it was obtained.



Access to information

Current and previous staff members and students are entitled to know whether personal information about them is held by the College, the nature of the information, the main purposes for which it is used and their entitlements to gain access to it. PMCC will provide a person, on request, with access to their personal information on establishment of identification or will provide reasons for denying access in accordance with the provisions of the Privacy Act. Access to personal information includes opportunity for the person to inspect records, take notes or obtain a photocopy or computer printout, however, this must be in the presence of the CEO.

If a person establishes that the personal information PMCC holds concerning them is inaccurate, incomplete or not up to date PMCC will take all reasonable steps to correct the information.

The College will provide the employee or student with access to their personal record upon written request by the individual, except:

- in the case of personal information, other than health information, providing access would pose a serious and imminent threat to the life or health of any other staff or students;
- providing access would have an unreasonable impact upon the privacy of other staff or students;
- the request for access is frivolous or vexatious;
- providing access would reveal the intentions of the organisation in relation to negotiations with the staff member in such a way as to prejudice those negotiations;
- providing access would be likely to prejudice an investigation of possible unlawful activity;
- denying access is required or authorised by or under law; and
- providing access would be likely to prejudice the outcome of an internal investigation.

If the College is not required to provide the employee or student with access to the information because of one or more of (the above) reasons, the College must, if reasonable, consider whether the use of mutually agreed intermediaries would allow sufficient access to meet the needs of both parties. The College must provide reasons for denial of access or a refusal to correct personal information.

PMCC will respond to an employee or student's written and signed request for their personal information as soon as practicable. The time taken to respond to a staff member's request for access may be influenced by various factors. These may include the method of communication, the type or amount of personal information requested, how the personal information is held, if a third party needs to be consulted and how it is to be provided to the individual making the request.

PMCC will not disclose personal information they have collected from a person to a third party without the written consent of the person concerned, except where it is required:

- By law,
- To comply with the Standards for National Regulation,
- To lessen or prevent a serious and imminent threat to an individual's life, health or safety; or a serious threat to public health or public safety, or
- As part of a necessary investigation into suspected unlawful activity, and its use or disclosure to relevant persons or authorities.



The unauthorised disclosure of personal information to a third party by a staff member may result in dismissal.

Gain Consent

PMCC will obtain written permission from any person or organisation for the use of any advertising material that refers to them, and will abide by any conditions of that permission. (See Appendix 1)

Record Keeping (See Appendix 2)

PMCC will maintain a summary available for inspection by the public, of the nature of the personal information PMCC keep in our records, setting out, for each type of record:

- The purpose(s) for which it is kept,
- The category of individuals about whom it is kept,
- The period for which it is kept,
- The persons authorised to have access to it and the conditions of access, and
- Steps to be taken by persons wishing to access their records.

College Marketing

The College may from time-to-time, contact students and past students by mail, email or telephone for the purpose of course evaluation and marketing. Students may at any time request that all such marketing cease. All requests will be promptly complied with. The College does not allow the use of student information for any secondary marketing not related to the College.

Electronic Privacy

PMCC will only record a student's or member's email address if they send a message or if their consent is implied through the collection of personal information given by them. Their email address will only be used by us for the purpose for which it is provided.

Students and members who are on one or more of our email lists may opt out of further contact from us by clicking the unsubscribe option provided in all emails sent to our marketing and network email lists.



Appendix 1

Consent to Release Information

Name :.....

Address:.....

Phone:.....

I, being aware of the nature and content of the information concerning me in the College’s files and records, hereby give consent for the following information to be released to

.....(Specify – a particular person or organization, “potential employers” etc.) for the purpose of

.....

(Specify purpose – ‘considering my suitability for employment’ etc.) and for no other purpose :

.....(Details of information to be supplied)

.....

.....

Signed :

Date :



Appendix 2

RECORDS SUMMARY

| Record | Purpose for Retaining Record | Categories of People For Whom Records Are Kept | Period of Retention | Persons with Authorised Access and Conditions of Access | Steps to be Taken by Person to Access Information on File |
|-----------------------|--|--|---------------------|--|--|
| Enrolment and receipt | Record of course selection and payment of fees | All students | 7 years | Government agencies Employment agencies for Mutual Obligation requirements | Request for access through CEO |
| Student Records | Results and issuing of qualifications | All students | 30 years | Students have access to their own records. Records not disclosed to third party without the permission of the student. Personal information contained in student records not disclosed to third party. | Request for access to own records from student through CEO. Access to student records is restricted to that required for the purposes of the business of the College |
| Members records | Record of membership | Members | 2 years | Members have access to their own records. Records not disclosed to third party without the permission of the member. Personal information contained in member records not disclosed to third party. | Request for access to own records from member through CEO. Access to member records is restricted to that required for the purposes of the business of the College |



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|----------------------------------|---|------------------------|---------------------------------------|--|--|
| Trainer & Staff records | Record of wages & taxation Record of employment | All staff and Trainers | 5 years after cessation of employment | Staff have access to their own records. Personal information is not available to a third party. | Access to staff records is restricted to that required for the purposes of the business of the College |
| Financial Records | Record of financial transactions and reports for audit purposes | | 7 years | Auditor Funding bodies Management Committee CEO | Access to financial records is restricted to that required for the business of the College. Audited Annual Financial Reports available on request. |
| Child Protection Forms & Reports | | Staff and Trainers | Indefinitely | Private and Confidential, access by law only under the Child Protection Act. | |