

PRIVACY MANAGEMENT POLICY

INTRODUCTION:

CHARLTON BROWN® respects the privacy of all clients including nannies, students, families and staff. Personal information is information that is not in the public domain which identifies an individual and which is capable of being associated with a specific individual. CHARLTON BROWN® adheres to the Privacy Act 1988 (Commonwealth) including the National Privacy Principles. CHARLTON BROWN website has a link to www.privacy.gov.au for all to access.

Personal information includes home address, phone numbers, date of birth, marital status, next of kin, salaries, all information concerning students – enrolment, academic performance and personal welfare (medical matters). It may also include photographs.

RESPONSIBILITY

It is the responsibility of all staff to maintain a professional approach to every staff member and client's privacy.

COLLECTION

CHARLTON BROWN® may only collect personal information

- for a lawful purpose that is necessary for, or directly related to, our functions or activities, and
- Must not collect the personal information in a way that is unlawful or unfair.

When CHARLTON BROWN® asks for personal information directly from the person to whom that information is about, we must take whatever steps are reasonable to make sure the person is aware of:

- the purpose for which the information is being collected,
- our legal authority (if any) to collect the information, and
- Any person to whom; or anybody or agency to which; it is our usual practice to disclose the personal information to.

When we ask for personal information, we must:

- take such steps (if any) as are, in the circumstances, reasonable to ensure that the information collected is relevant to that purpose and is up to date and complete, and
- Ensure that the collection of the information does not intrude to an unreasonable extent upon the personal affairs of the individual concerned.

STORAGE AND SECURITY

CHARLTON BROWN® takes reasonable steps to ensure that personal information is stored and secured against:

- loss,

- unauthorised access,
- unauthorised modification,
- unauthorised disclosure, and
- Other misuse.

ACCESS AND AMENDMENT

Access and amendment covers:

- information about the nature and purpose of records held by CHARLTON BROWN®
- access to records containing personal information, and
- Alteration of records containing personal information.

ACCURACY

CHARLTON BROWN® must take reasonable steps to ensure that the personal information we use is accurate, up to date and complete.

USE

CHARLTON BROWN® must not use the personal information except for a purpose to which the information is relevant. Personal information must not be used for a purpose other than that for which it was obtained, unless:

- the individual concerned has consented to use of the information for that other purpose,
- we believe on reasonable grounds that use of the information for that other purpose is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or another person,
- use of the information for that other purpose is required or authorised by or under law,
- use of the information for that other purpose is reasonable and necessary for enforcement of the criminal law or to law imposing a pecuniary penalty, or for the protection of the public revenue, or
- The purpose for which the information is used is directly related to the purpose for which the information was obtained.

Where personal information is used for one of the above purposes, we must include in the record containing that information a note of that use.

STORAGE AND SECURITY OF PERSONAL INFORMATION

- Review all procedures for the storage, distribution and disposal of personal information within your area.

- Do not leave paper records in view where members of the public can sight them.
- Ensure all staff accessing CHARLTON BROWN® databases have completed a Network Access Form, signed the Confidentiality form and had access authorised.
- Before releasing authorised information ensure that the person to whom you are releasing the information has been clearly identified.
- When discussing work matters, ensure other people cannot hear you or identify the person you are talking about.
- Do not look up records (CHARLTON BROWN® database) for interest sake or provide non-work related information to other parties.
- Ensure visitors to your workplace are clearly identified as such.
- Log off systems whenever possible and ensure that other client information is not accessible.
- Do not release personal information to third parties unless you are authorised to do so. If in doubt seek further advice.
- Do not share or use obvious passwords.
- Lock filing cabinets and secure any sensitive material.
- Where possible, do not take files home; if this is unavoidable ensure they are not in view on public transport or left on the back seat of a vehicle.
- Dispose of all sensitive material in a secure bin or shred. Do not dispose of official records unless doing so under the retention and disposal schedule (check with records management).
- If printing drafts on pre-used paper ensure that no inappropriate or identifying information is placed on file or sent inadvertently to third parties.
- When sending or faxing sensitive correspondence ensure that the address, fax number and date are entered correctly.

STUDENT ACCESSING PERSONAL RECORDS

If a student requests to review their own personal information then the following procedures are implemented:

1. Student asks for the information in writing or in person
2. College Administrator locates all information on the student
3. Student is contacted and an appointment set for student to view information.
Student is able to request copies of any information.

DISCLOSURE TO THIRD PARTIES

- Personal information can be disclosed to a third party with the consent of the student or staff member concerned. Such consent cannot be assumed, and should be given expressly and in writing.
- Details of student's academic record should not be given to third parties.

- In some cases, legislation has conferred upon certain public officers the right to demand and receive information, even though it is regarded as confidential. Some of these parties may include – Commissioner for Taxation, Commonwealth Departments of Education, Training, Centrelink, DIAC with regards to the ESOS Act, National Code and Assurance Fund
- Where CHARLTON BROWN® judges that it is in the clear interests of the individual (i.e. to prevent or lessen an imminent and serious threat to the individuals life or health)
- Where disclosure is sought in the course of legal proceedings – subpoena or notice of third party disclosure, this must be referred to the Director promptly.

REPORTING BREACHES OF PRIVACY

All breaches should be referred to the Director as soon as practicable after the breach has been identified. Following notification the Director may:

- Minor breaches of policy – liaise with relevant section head on the necessary actions required to prevent breaches from reoccurring or
- Major breaches of policy – instigate an investigation into the breach.

GRIEVANCE PROCEDURE ACCESS AND AMENDMENT

Privacy issues can be discussed with the General Manager Director on a confidential basis. If an individual feels that their privacy has been breached, a complaint may be made in writing to the Director. In order to enable such a complaint to be properly investigated, it should identify the person whose privacy appears to have been breached. Anonymous will not be dealt with.

RELATED LEGISLATION

Commonwealth

Privacy Act 1988