

SOUTHERN SCHOOL OF NATURAL THERAPIES

PRIVACY STATEMENT

The Southern School of Natural Therapies (SSNT) takes privacy very seriously and is committed to protecting the privacy of individuals. This includes personal, health, financial and other confidential information, which is necessary for the SSNT to collect to carry out its functions. The SSNT takes all reasonable steps to protect individual information from loss, misuse or unauthorised disclosure or destruction. The right to privacy is a value that is highly regarded. The SSNT only collects information which is necessary for it to undertake its functions and duties. Students are entitled to access their personal information by applying through the Student Services/Administration .

The SSNT works to balance the rights of privacy with the need to be accountable and transparent in its dealings. Certain information will not be available under freedom of information laws. This includes private information relating to another individual, the SSNT's internal working documents and material obtained in confidence.

Refer to the SSNT's full *Privacy Policy* below which includes the *Personal Information Procedures related to FEE-HELP*.

Privacy - Personal Information Procedures

The SSNT complies with the *Information Privacy Principles* of the *Commonwealth Privacy Act 1988* with respect to collecting personal information. This applies to information collected for both VET and higher education purposes.

The SSNT complies with the information privacy principles relating to information obtained by the provider for the purposes of FEE-HELP and repayment of HELP loans. The SSNT policy allows students to apply for, and receive, personal information that the SSNT holds about themselves according to the above requirements. (*Clause 23 of Schedule 1A of the Higher Education Support Act [HESA]*).

Any request should be lodged in writing, addressed to the **Manager-Student Services** , providing full details of your name, student number and details of the specific information required.

A dispute resolution process is available according to the '*Grievances, Complaints and Appeals Policy and Procedures - Non-Academic*', available on the SSNT website, in the library or at the Student Services/Administration . (Also refer to 7 and 8 in the Privacy Policy below.)

The SSNT's full privacy policy is available below or from the library or Student Services/Administration on phone (03) 9415 3333, and on the website at: <http://www.southernschool.com/html/student-centre/policies-procedure/PRIVACY%20STATEMENT%20LATEST%20121208%20Ver3.pdf>

SOUTHERN SCHOOL OF NATURAL THERAPIES

PRIVACY POLICY

1.0 Broad Policy Statement

The right to privacy is a value that is highly regarded by Australians. The Southern School of Natural Therapies (SSNT) takes privacy seriously and is committed to protecting the privacy of individuals and other confidential information it holds.

The confidence of students and staff, complainants and others in protecting their individual information is fundamental to the SSNT's relationship with its stakeholders. The SSNT maintains the highest standards of confidentiality of the information it receives or collects.

The SSNT collects individual information in its capacity as a private provider of education both as a Registered Training Organisation (No 4095) and as a Higher Education Provider in Victoria and is committed to complying with the provisions of the relevant privacy legislation. The individual information covered is information which can be used to identify an individual and typically includes information such as name, address and date of birth and other appropriate information to enable it to conduct its lawful functions as required by the Health Professions Enrolment Act 2005. The SSNT only collects information that is necessary for it to perform its functions. The SSNT acts lawfully and so far as is reasonable and practicable in a fair and non-intrusive way. Wherever possible, it collects information directly from you rather than from third parties. The members and staff will tell you if the SSNT needs to collect information about you from a third party.

Information is collected and used in accordance with the Information Privacy Principles (IPP) described in the legislation (see Appendix 1), which sets standards in relation to the collection, storage, use or disclosure of individual information. When the SSNT collects information it advises why it is being collected, and the law which requires it to be collected.

The SSNT takes reasonable steps to protect individual information from loss, misuse or unauthorised disclosure or destruction.

In order to protect information from possible misuse the SSNT requires that enquirers establish their identity before discussing individual information.

The SSNT has delegated to the Principal via the **Manager-Student Services/Administration , Ms Cheryl Richter**, responsibility for overseeing the implementation of all privacy procedures and that the procedures are running effectively, including:

- Handling requests for information by government agencies.
- Handling requests by members of the public to access confidential information in the SSNT (information cannot be given to a third party unless specific instructions are received).
- Updating and correcting information.
- Handling complaints concerning the privacy laws or this policy by providing access to students to a fair and equitable grievance procedure should the need arise.

- Reviewing the internal procedures for maintaining consistency of dealing with individual information and the keeping of appropriate records in a secure manner.

This policy is displayed on the SSNT 's web site and is available at the Student Services/Administration of the SSNT (Level 1, No 25 Victoria ST Fitzroy, 3065). Any individuals shall be able to obtain a copy of the policy.

2.0 Relevant Legislation

The SSNT complies with relevant Acts regarding the collection and handling of individual information and the access of such information by the individuals concerned.

In particular, this involves the *Information Privacy Principles (IPP)* of the Commonwealth *Privacy Act 1988* with respect to personal information. This includes information collected for VET and higher education purposes and for FEE-HELP.

The *Information Privacy Act 2000* applies to the management of individual information in the Victorian Public Service and its regulatory authorities. The privacy laws became enforceable as of 1 September 2002. *The Health Records Act 2001* is a complementary act which specifically establishes privacy standards for the handling of health information and applies to the handling of any health information. These principles are complementary to, and are essentially encompassed in, the privacy principles set out in this document. Information on an individual's health will be collected only if the SSNT requires it to fulfill its role under the *Health Professions Enrolment Act 2005*.

The *Freedom of Information Act 1982* deals with accountability and transparency of authorities allowing the public (students) to access certain documents and information about themselves.

The Higher Education Support Act governs FEE-HELP.

3.0 Effective Date

This policy is effective from the 20th June, 2009.

4.0 Privacy, Confidentiality and Freedom of Information

Privacy laws regulate the collection, use and disclosure, storage and disposal of individual information and relate to how an individual's information is handled. Freedom of Information laws provide for an individual's right of access to information and provide for access to certain documents of the SSNT whether or not they relate to the requester.

The SSNT balances the rights of privacy with the need to be accountable and transparent in its dealings. Certain information will not be available under freedom of information laws. This includes private information relating to another individual, the SSNT's internal working documents and material obtained in confidence.

If there is a need to restrict information about an individual to an individual the SSNT only does so if it is lawful to do so and will provide an explanation of the reason for doing so.

5.0 Information Privacy Principles (IPP)

5.1 Information Privacy Principle 1 - Collection

The SSNT only collects information that is necessary to carry out its functions or activities. Individual information is collected in a lawful manner and as far as is reasonable and practicable, in a fair means and not in an unreasonably intrusive way.

When collecting information, the SSNT takes reasonable steps to ensure that the individual is aware of his/her right to access the information, the purpose of its collection, to whom it may be disclosed, any law that requires the particular information to be collected, and the main consequences (if any) for the individual if all or part of the information is not provided. Where practicable and possible information will only be collected with an individual's consent. If collected without consent the SSNT will only do so if lawful. If the SSNT collects information about an individual from someone else it will take reasonable steps to ensure that the individual is made aware of his/her rights as referred to above (except if such action would pose a serious threat to the life or health of any individual).

The kind of information that the SSNT may collect includes the following:

- Information provided to the SSNT by students or prospective students for the purpose of assessing applications for enrolment, renewal of enrolment, or FEE-HELP.
- Information collected from third parties for the purpose of the SSNT assessing applications for enrolment or re-enrolment.

Information is only collected where it is necessary for the fulfilment of the SSNT's role under the *Tertiary Education Act* or the *Education and Training Reform Act 2007*, *Higher Education Support Act 2003*, or other relevant legislation.

5.2 Information Privacy Principle 2 - Use and disclosure

The SSNT does not use or disclose information about an individual other than for the primary purpose of the collection, unless the information is related to the primary purpose and it could reasonably be expected by the individual to be used or disclosed, or the individual has consented. The following exceptions apply:

- Where no consent is given or it is impracticable to obtain it and the use or disclosure is necessary for research, or the compilation or analysis of statistics, as required by the Victorian Registration and Qualifications Authority (VRQA), Department of Education Employment and Workplace Relations (DEEWR) or other government department, other than for publication in a form that identifies any particular individual and the SSNT believes that the information will not be disclosed by the recipient.
- the SSNT reasonably believes that the use or disclosure is necessary to lessen or prevent a serious and imminent threat to an individual's life, health, safety and welfare or a serious threat to student/staff/public health, safety, or welfare.
- the SSNT has reason to suspect that unlawful activity has been, is being or may be engaged in and it is necessary to use and disclose such information for investigating or reporting to relevant authorities.

- the use or disclosure is required or authorised by or under the law or the SSNT reasonably believes that the use or disclosure is necessary by or on behalf of a law enforcement agency for:
 - prevention, detection, investigation, prosecution or punishment of criminal offences or breaches of law imposing a penalty or sanction;
 - the enforcement of laws relating to the confiscation of the proceeds of crime;
 - protection of the public revenue;
 - the prevention, detection, investigation or remedying of seriously improper conduct;
 - the preparation for, or conduct of, proceedings before any court or tribunal or implementation of its orders.
- the SSNT is requested to do so by ASIO (Australian Security Intelligence Organisation) or ASIS (Australian Secret Intelligence Service) and such request is authorised in writing by the Director-General of the relevant authority certifying that the disclosure would be connected with the performance of its functions.

5.3 Information Privacy Principle 3 - Data quality

The SSNT takes reasonable steps to make sure that the individual information it collects uses or discloses is accurate, complete and up-to-date.

5.4 Information Privacy Principle 4 - Data security

The SSNT will take reasonable steps to protect the individual information it holds from misuse and loss and from unauthorised access, modification or disclosure.

The SSNT and its staff are committed to maintaining the privacy of the individual information collected, and the SSNT takes reasonable precautions to protect the information from loss, misuse, or unauthorised alteration. Internal systems are in place to monitor the access and changes to the data.

Data held on the SSNT's electronic data files, or which flows between system networks, or are stored in back up systems for disaster recovery purposes, are protected from unauthorised access. The SSNT uses its best endeavours to ensure that security systems used are the most appropriate technology to protect the information transmitted.

The SSNT takes all reasonable steps to destroy or permanently de-identify individual information if it is no longer needed for any purpose.

5.5 Information Privacy Principle 5 - Openness

The SSNT takes all reasonable steps to let an individual know what sort of individual information it holds, for what purposes and how it collects, holds, uses and discloses that information.

5.6 Information Privacy Principle 6 - Access and correction

Students or prospective students and members of the public have a ready means of being able to contact the SSNT to access the information, to confirm its correctness, and to lodge requests for amendment of the records where necessary. The SSNT has established a procedure to handle the

requests for information and provide a means for contacting the SSNT by mail, email or telephone.

Individuals wishing to obtain further information about the SSNT's privacy policy or procedures, or who wish to access their information or ensure that their information is updated should **contact the Manager-Student Services Tel. 03 - 9415 3333, email: crichter@ssnt.com.au.**

The SSNT provides access to individual information that is held about an individual on request by the individual except if:

- Such access would pose a serious and imminent threat to the life or health of any individual.
- Such access would have an unreasonable impact on the privacy of other individuals.
- The request is frivolous or vexatious.
- The information relates to existing legal proceedings between the SSNT and the individual (and would not be accessible by discovery or subpoena in the proceedings).
- Such access would reveal intentions of the SSNT in relation to negotiations with the individual in such a way as to prejudice those negotiations.
- Such access would be unlawful.
- Denying access is authorised by law.
- Providing access would be likely to prejudice:
 - prevention, detection, investigation, prosecution or punishment of criminal offences or breaches of law imposing a penalty or sanction,
 - the enforcement of laws relating to the confiscation of the proceeds of crime;
 - protection of the public revenue,
 - the prevention, detection, investigation or remedying of seriously improper conduct,
 - the preparation for, or conduct of, proceedings before any court or tribunal or implementation of its orders.
- The request is made by or on behalf of a law enforcement agency.
- ASIO, ASIS or a law enforcement agency performing a lawful function asks the SSNT not to provide access to the information on the basis that providing access would be likely to cause damage to the security of Australia.

If access would reveal evaluative information generated within the SSNT, which is confidential, the SSNT may give the individual an explanation for such decision rather than direct access to the information.

If the SSNT is not required to provide the individual with access to information (as stated above) it will, if reasonable, consider whether the use of mutually agreed intermediaries would allow sufficient access to meet the needs of both parties.

If the SSNT charges for providing such access to cover its costs it will advise the individual who requests access that access will be provided on the payment of a prescribed fee and may be refused until the fee is paid.

If an individual is able to establish that the information the SSNT holds about the individual is not accurate, complete and up to date, the SSNT takes reasonable steps to correct or append the information.

If the individual and SSNT disagree about whether the information is accurate, complete or up-to-date, and the individual asks the SSNT to associate with the information a statement claiming that the information is not accurate, complete or up-to-date, the SSNT takes all reasonable steps to do so.

5.7 Information Privacy Principle 7 - Unique identifiers

The SSNT does not adopt a unique identifierⁱ of an individual that has been assigned by another organisation unless it is necessary to carry out the SSNT's functions OR the individual has consented to it.

The SSNT does not use or disclose a unique identifierⁱ to another organisation unless it is necessary for the SSNT to fulfil its obligations to the other organisation, or it is necessary to fulfill the objectives described under the Use and Disclosure clause (5.2 above) OR the individual has given consent.

The SSNT does not require an individual to provide a unique identifierⁱ in order to obtain a service unless it is required or authorised by law or is connected with a purpose for which the unique identifier was assigned.

5.8 Information Privacy Principle 8 - Anonymity

The SSNT allows individuals the option to interact anonymously whenever it is lawful and practicable to do so and it will freely provide general information such as enrolment status of students or prospective students and information about its processes (including applying for enrolment, information on course approvals and making complaints).

The SSNT cannot offer students or prospective students the ability to transact with anonymity in relation to all matters, as this may inhibit the SSNT from carrying out its functions (ie to maintain accurate records) and private information cannot be divulged to a third party without written consent.

With regard to an individual making a complaint, the SSNT's preference is that the complaint be in writing and not anonymous. It is very difficult to deal with anonymous complaints or complaints where the person making the report is not prepared to lodge a formal complaint. The SSNT's '**Grievances, Complaints, and Appeals Policy and Procedures** and a Complaints Form is available on the website at: <http://www.southernschool.com/html/student-centre/policies-procedure/HIGHER%20EDGRIEVANCES%20AND%20APPEALS%20%5BNON-ACADEMIC%5D.pdf>, or at the library.

5.9 Information Privacy Principle 9 - Transborder data flows

The SSNT will transfer information about an individual to a third party who is outside of Victoria in limited circumstances and **only if one or more of the following apply:**

- The SSNT reasonably believes that the recipient of the information is subject to the law, binding scheme or contract which effectively upholds principles for fair handling of the information that are substantially similar to the Privacy Principles.
- The individual consents to the transfer.

- The transfer is necessary for the performance of a contract between the individual and the SSNT or the implementation of pre-contractual measures taken in response to the individual's request.
- The transfer is necessary for the conclusion or performance of a contract concluded in the interest of the individual between the SSNT and a third party.
- The transfer is for the benefit of the individual and it is impracticable to obtain the consent of the individual and if it were practicable the individual would be likely to give consent, such as for transfer to an interstate training institution or to a university.
- The SSNT has taken reasonable steps to ensure that the information, which it has transferred will not be held, used or disclosed by the recipient of the information inconsistently with the privacy principles.

5.10 Information Privacy Principle 10 - Sensitive information

The SSNT does not collect sensitive informationⁱⁱ about an individual unless the individual has consented, it is required under law, or the collection is necessary to prevent or lessen an imminent threat to the life or health of any individual and the individual concerned is physically or legally incapable of giving consent or communicating consent or the collection is necessary for the establishment, exercise or defence of a legal or equitable claim.

The SSNT may need to collect sensitive information, as authorised by the law, about an individual if it is necessary in order to fulfill the SSNT's role under the Health Professions Enrolment Act. It will only be done without the individual's consent if there is no reasonably practical alternative to collecting the information for that purpose and it is impracticable for the SSNT to seek the individual's consent. This may include information as to any criminal record or proceedings brought against the individual. Consent to the collection of some sensitive information may be a requirement for enrolment.

5.11 Information Privacy Principle 11 - Health Information

The SSNT may need to collect health information in order to investigate the fitness or otherwise of a student or prospective student to practice as a (primary) health care practitioner, if required to do so. Health information may relate to a mental or physical incapacity or an alcohol or drug-dependency. Such information will be collected in accordance with the Health Records Act 2001 which sets out privacy principles specifically regarding the collection of health information. These principles are complementary to and are essentially encompassed in the privacy principles set out in this document. Information on an individual's health will be collected only if the SSNT requires it to fulfill its role under the Health Professions Enrolment Act 2005 or other specific legislation.

6.0 Staff, Consultants, SSNT and Panel Members

The SSNT and its staff are trained in their obligations under this Policy. Student Services/ Administration, consultants, lecturers, sessional lecturers, panel/committee members and contractors are required to understand and comply with this policy. Adherence to the privacy principles shall be a condition of employment. A breach of any of the principles or this policy is a ground for disciplinary action.

The SSNT investigates any suspected infringements of privacy. Disciplinary action will be taken in cases where investigation demonstrates that an infringement has taken place.

7.0 Further Information or Complaints

Individuals wishing to obtain further information about the SSNT's Privacy Policy, or who wish to make a complaint about the SSNT's handling of a privacy issue should contact the Manager-Student Services, Ms Cheryl Richter and refer to the SSNT 's **'Privacy Policy'** or **'Grievances, Complaints and Appeals Policies and Procedures – Non Academic'** available on the website, <http://www.southernschool.com/html/student-centre/policies-procedure/index.php> at the library or at the administration/Student Services/Administration . These procedures should be followed. Refer to 8.0 below.

8.0 Dispute Resolution, Grievances, Complaints and Appeals

The SSNT has established a dispute resolution procedure to deal with grievances, complaints and disputes regarding the information stored and used by the SSNT. The **Grievances, Complaints and Appeals Policy and Procedures –Non Academic** describes the procedures set out in a three stage process. (Also refer to 7 above).

For further specific information about privacy, complaints and procedures contact the Manager-Student Services/Administration , Ms Cheryl Richter or Ms Glenys Savage, Quality Assurance Manager at:

Mail: 25 Victoria St, Fitzroy, Victoria, Australia, 3065.
Telephone: +61 3 9415 3333
Facsimile: +61 3 9415 3334
Email: crichter@ssnt.com.au; or gsavage@ssnt.com.au

The Grievances procedures are also posted on the SSNT's website, see 7.0 above at: <http://www.southernschool.com/html/student-centre/policies-procedure/index.php>

Summary of Grievances Procedures

Students are requested to follow the review stages as follows.

Initially, at the first stage, a complaint or grievance should be addressed to the person concerned where possible, or their Head of Department. If not resolved satisfactorily or in a timely manner, then the matter can be taken to the Principal at the second stage.

If the student/complainant is not satisfied with the process and decisions undertaken at these internal resolution stages, they may request that the matter be referred to an *external dispute resolution process* by the body appointed by the SSNT for that purpose.

The details of this external body and contact person, as stated in the Grievances Procedures, are as follows:

Australian Council for Private Education and Training (ACPET)
Executive Officer, Victoria
PO Box 551

East Melbourne
Vic 8002
Tel: 9416 1355

This final stage will be addressed within 30 days.

If ACPET makes recommendations in relation to a grievance they have reviewed, ACPET will forward these recommendations within 14 days to the Principal or his delegate who will ensure that the recommendations are implemented within 21 days. Where a matter cannot be resolved within the period of 30 days, the individual involved shall be kept informed of the progress of the dispute.

If the complaint is still not resolved following the SSNT's internal and external *Grievances and Complaints Procedures*, The Office of the Victorian Privacy Commissioner can be contacted on:

Phone: 1300 666 444
Phone: +61 3 8619 8719
Email: enquiries@privacy.vic.gov.au
Website: www.privacy.vic.gov.au

9.0 Policy Review

This policy will be reviewed every two years or as required.

10.0 End Notes (Footnotes)

- i A **unique identifier** is usually a number or name assigned to an individual in order to identify the individual for the purposes of an organisation's operations. Tax File Numbers and Driver's Licence Numbers are examples. Unique identifiers can facilitate data matching and data matching can diminish privacy.
- ii **Sensitive information** means information or an opinion about an individual's (I) racial or ethnic origin or (ii) political opinions or (iii) membership of a political association; or (iv) religious beliefs or affiliations; or (v) philosophical beliefs; or (vi) membership of a professional or trade association; or (vii) membership of a trade union; or (viii) sexual preferences or practices; or (ix) criminal record.

Web address: <http://www.southernschool.com/html/student-centre/policies-procedure/PRIVACY%20STATEMENT%20LATEST%20121208%20Ver3.pdf>