

Approved by:	Board of Directors	Date approved:	16/12/2014	Next review:	16/12/2016
Document No:	1P06	Version No:	2.0		
Supporting documents	1F01 WEA Illawarra Customer Information Collection Notice 1F02 Alesco Learning Centre Illawarra Information Collection Notice 1F03 Employment Information Collection Notice 1F04 Contractor/Volunteer Information Collection Notice 1F05 Internet Information Collection Notice 1WI04 Privacy Procedures <i>National Catholic Education Commission and National Council of Independent Schools' Associations Privacy Compliance Manual April 2014</i> Website of the Office of the Australian Information Commissioner				
References & Legislation:	Privacy Act 1988 (incorporating the Privacy Amendment (Enhancing Privacy Protection) Act 2012) Health Records and Information Privacy Act 2002				

1. Purpose

This Privacy Policy sets out how WEA Illawarra and its associated entities (including Alesco Learning Centre Illawarra) manage personal information provided to or collected by it.

WEA Illawarra is bound by the Australian Privacy Principles (APPs) contained in the *Privacy Act 1988*. Where WEA Illawarra and its associated entities collect and records health information, it is also bound by the NSW Health Privacy Principles which are contained in the *Health Records and Information Privacy Act 2002*.

WEA Illawarra may, from time to time, review and update this Privacy Policy to take account of and make sure it remains appropriate to new laws and technology and changes to WEA Illawarra's operations and practices.

2. Scope

The Privacy Policy provides a framework for Directors, employees, contractors and volunteers of WEA Illawarra and its associated entities in dealing with privacy considerations and complying with Commonwealth and State privacy legislation.

3. Definitions

APPs – The 13 Australian Privacy Principles from Schedule 1 of the *Privacy Act 1988*.

Employee record, means a record of personal information relating to the employment of an employee and includes types of information defined in the *Privacy Act 1988*.

Health information is a subset of sensitive information and is defined in the *Privacy Act 1988*.

Personal information means information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not and whether the information or opinion is recorded in a material form or not.

Sensitive information is a special kind of personal information and means information or an opinion about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, criminal record, that is also personal information; or health information about an individual; or genetic information about an individual that is not otherwise health information; or biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or biometric templates.

4. Policy

WEA Illawarra collects and administers a range of personal information for the purposes of providing and marketing its education and training services. The organisation is committed to protecting the privacy of personal information it collects, holds and administers.

WEA Illawarra recognises the essential right of individuals to have their information administered in ways which they would reasonably expect – protected on one hand, and made accessible to them on the other.

WEA Illawarra is bound by laws which impose specific obligations when it comes to handling information. The organisation has adopted the following framework in relation to the handling of personal information.

4.1. What kinds of personal information does WEA Illawarra collect and how is it collected?

The type of information WEA Illawarra collects and holds includes (but is not limited to) personal information, including health and other sensitive information, about:

- Customers before, during and after the course of their enrolment in a WEA Illawarra education or training course;
- Students and their parents/guardians before, during and after the course of a student's enrolment at Alesco Learning Centre Illawarra;
- Job applicants, staff members, contractors and volunteers; and
- Other people who come into contact with WEA Illawarra.

Personal information you provide

WEA Illawarra will generally collect personal information held about an individual by way of forms filled out by customers, students, and their parents/guardians, face-to-face meetings and interviews, e-mails and telephone calls. On occasion, people other than customers, students, parents/guardians provide personal information.

Personal information provided by other people

In some circumstances WEA Illawarra may be provided with personal information about an individual from a third party, for example a report provided by a medical professional, a reference from a school, an employment or disability services provider.

Exception in relation to employee records

Under the *Privacy Act 1988* and *Health Records and Information Privacy Act 2002*, the APPs and Health Privacy Principles do not apply to an employee record. As a result, this Privacy Policy does not apply to WEA Illawarra's treatment of an employee record, where treatment is directly related to a current or former employment relationship between WEA Illawarra and the employee.

4.2. How will WEA Illawarra use the personal information you provide?

Students, parents/guardians, customers, employees, contractors and job applicants

WEA Illawarra will use personal information it collects from you for the primary purpose of collection, and for such other secondary purposes that are related to the primary purpose of collection and reasonably expected by you, or to which you have consented.

Primary purposes of collection of information are contained in the following documents which are provided or made available (as relevant) to individuals at the time of, or soon after collection of information:

- WEA Illawarra Customer Information Collection Notice
- Alesco Learning Centre Illawarra Information Collection Notice
- Employment Information Collection Notice
- Contractor/Volunteer Collection Notice
- Internet Information Collection Notice.

In some cases where WEA Illawarra requests personal information about a student, parent/carer/guardian or customer, if the information requested is not provided, WEA Illawarra may not be able to enrol or continue the enrolment of the individual or permit the individual to take part in a particular course or activity.

Volunteers

WEA Illawarra also obtains personal information about volunteers who assist WEA Illawarra in its functions or conduct associated activities, to enable WEA Illawarra and the volunteers to work together.

Marketing and fundraising

WEA Illawarra treats marketing and seeking donations for the future growth and development of WEA Illawarra as an important part of ensuring that the WEA Illawarra continues to provide a quality learning environment in which students, customers and staff thrive. Personal information held by WEA Illawarra may be disclosed to organisations that assist in WEA Illawarra's fundraising. Parents, staff, contractors and other members of the wider community may from time to time receive fundraising information. WEA Illawarra publications, like newsletters and magazines, which include personal information, may be used for marketing purposes.

4.3. Who might WEA Illawarra disclose personal information to and store your information with?

WEA Illawarra may disclose personal information, including sensitive information, held about an individual to:

- an employment services or disability services provider;
- another training provider;
- another school;
- government departments;
- medical practitioners;
- people providing services to the WEA Illawarra, including specialist visiting teachers, counsellors and sports coaches;
- recipients of WEA Illawarra publications, such as newsletters and magazines;
- parents/guardians;

- anyone you authorise WEA Illawarra to disclose information to; and
- anyone to whom we are required to disclose the information to by law.

Sending and storing information overseas

WEA Illawarra may disclose personal information about an individual to overseas recipients. However, WEA Illawarra will not send personal information about an individual outside Australia without:

- obtaining the consent of the individual (in some cases this consent will be implied); or
- otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

WEA Illawarra may also store personal information in the 'cloud' which may mean that it resides on servers which are situated outside Australia.

4.4. How does WEA Illawarra treat sensitive information?

Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless you agree otherwise, or the use or disclosure of the sensitive information is allowed by law.

4.5. Management and security of personal information

WEA Illawarra's staff are required to respect the confidentiality of personal information and the privacy of individuals. WEA Illawarra has in place steps to protect the personal information WEA Illawarra holds from misuse, interference and loss, unauthorised access, modification or disclosure, by use of various methods including locked storage of paper records and password access rights to computerised records.

4.6. Access and correction of personal information

Under the Privacy Act and the Health Records Act, an individual has the right to obtain access to any personal information which WEA Illawarra holds about them and to advise WEA Illawarra of any perceived inaccuracy. There are some exceptions to these rights set out in the applicable legislation. To make a request to access or update any personal information WEA Illawarra holds about you please contact the Chief Executive Officer in writing. WEA Illawarra may require you to verify your identity and specify what information you require. WEA Illawarra may charge a fee to cover the cost of verifying your application and locating, retrieving, reviewing and copying any material requested. If the information sought is extensive, WEA Illawarra will advise the likely cost in advance. If we cannot provide you with access to that information, we will provide you with written notice explaining the reasons for refusal.

4.7. Consent and rights of access to the personal information of Alesco Learning Centre Students

WEA Illawarra respects every parent's/guardian's right to make decisions concerning their child's education. Generally, WEA Illawarra will refer any requests for consent and notices in relation to the personal information of an Alesco student to the students's parents or legal guardians. WEA Illawarra will treat consent given by parents/guardians as consent given on behalf of the student, and notice to parents/guardians will act as notice given to the student.

As mentioned above, parents/guardians may seek access to personal information held by WEA Illawarra about them or their child by contacting the Chief Executive Officer. However,

there will be occasions when access is denied. Such occasions would include where release of the information would have an unreasonable impact on the privacy of others, or where the release may result in a breach of WEA Illawarra’s duty of care to the student. WEA Illawarra may, at its discretion, on the request of a student grant that student access to information held by WEA Illawarra about them, or allow a student to give or withhold consent to the use of their personal information, independently of their parents/guardians. This would normally be done only when the maturity of the student and/or the student’s personal circumstances so warranted.

4.8. Enquiries and complaints

If you would like further information about the way WEA Illawarra manages the personal information it holds, or wish to complain that you believe that WEA Illawarra has breached the Australian Privacy Principles please contact the Chief Executive Officer. WEA Illawarra will investigate any complaint and will notify you of the making of a decision in relation to your complaint as soon as is practicable after it has been made.

5. Implementation

Directors, employees, contractors and volunteers will be informed during their induction of their responsibilities in relation to the management of personal information. Supporting procedures and forms will be developed to assist in the implementation of this policy.

6. Responsibilities

The WEA Illawarra Board is responsible for developing, adopting and reviewing this policy.

WEA Illawarra’s Chief Executive Officer is responsible for the implementation of this policy, for monitoring changes to Privacy legislation, and for advising on the need to review or revise this policy as and when the need arises.

WEA Illawarra employees, contractors and volunteers are responsible for complying with all aspects of this policy in the collection, use, disclosure, storage and access to personal information.

Version	Date Approved	Approved By	Brief Description
1.0	8/8/2013	Board of Directors	Creation of original document
2.0	16/12/2014	Board of Directors	Major revision of policy to comply with changes to <i>Privacy Act 1988</i> and introduction of the Australian Privacy Principles, and to meet requirements in relation to Alesco Learning Centre Illawarra.