

## CHS Privacy Policy

<b>Document ID</b>	<b>CHS Privacy Policy</b>
<b>Category</b>	Governance
<b>Document Owner</b>	Director, Quality and Accreditation
<b>Approved By</b>	Governing board
<b>Authorised By</b>	Governing Board
<b>Related Documents</b>	Data Protection Policy
<b>References and Legislation</b>	Privacy and Data Protection Act 2014 Privacy Act 1988 Privacy and Personal Information Protection Act 1998 (PPIPA) Health Records and Information Privacy Act 2002 (HRIPA) TEQSA Act 2011 TEQSA HES Framework 2015

### Version Control

Version	Summary of changes	Approval date	Review Date
1.0	Document Established	Academic Board: 14 December 2018 Governing Board: 18 December 2018	14 December 2020

## Table of Contents

1. Purpose.....	2
2. Scope .....	2
3. Definitions .....	2
4. Collection of Information .....	3
5. Access, accuracy and amendment of information .....	3
6. Retention and Security of information.....	3
7. Use of information.....	3
8. Disclosure of information.....	4
9. Complaints and enquiries.....	4

## 1. Purpose

CHS, in carrying out its functions and activities, collects personal and/or health information from staff, students and third parties. It is the responsibility of CHS to ensure that the overall management of that information, which includes collection, storage, access, use and disclosure, complies with all Australian Federal and State privacy laws. CHS is committed to providing all stakeholders with the highest levels of professional service.

The purpose of this Privacy Policy is to communicate how CHS collects, deals with, protects and allows access to personal information in accordance with the relevant government legislations and regulations.

## 2. Scope

This policy applies to CHS's management of the collection, storage, access, use and disclosure of information related to staff, students, clients, customers, suppliers and prospective employees. The policy forms part of all CHS agreements, contracts and business practices which involve the collection and/or management of personal information.

All staff are responsible for complying with CHS's privacy obligations and practices as specified in this Privacy Policy when managing information provided to, or collected by CHS. A breach of this Privacy Policy may constitute misconduct and be subject to disciplinary action.

## 3. Definitions

<b>Term</b>	<b>Definition</b>
<i>Disclosure of Information</i>	Refers to the communication or transfer of information outside CHS.
<i>Health information</i>	Defined in HRIPA as: 'personal information that is information or an opinion about the physical or mental health or a disability (at any time) of an individual,
<i>HRIPA</i>	Health Records and Information Privacy Act 2002
<i>Information</i>	Health information and/or personal information.
<i>Personal information</i>	Defined in PPIPA as: "Information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion."
<i>PPIPA</i>	Privacy and Personal Information Protection Act 1998
<i>Sensitive information</i>	A subclass of personal information relating to an individual's ethnic or racial origin, political opinions, religious or philosophical beliefs, trade union membership or sexual activities.
<i>Staff</i>	All employees of CHS, including casual employees, conjoint and visiting appointees, consultants and contractors, agency staff, emeriti, members of CHS committees and any other person appointed or engaged by CHS to perform duties or functions for CHS.
<i>Use of Information</i>	Refers to the communication or handling of information within CHS.

## 4. Collection of Information

CHS will collect information only when it is necessary for carrying out its functions. In so doing the Privacy Policy (this policy) will be applied in an open manner, including informing individuals that information is being collected, why it is being collected, how it will be used, who else might see it and any consequences that may apply if the information is not provided.

CHS will only collect information by lawful means where collection is:

- For a lawful purpose, which is directly related to one of its activities; and
- Reasonably necessary for that purpose.

CHS will ensure that the information collected is relevant, accurate, up to date and not excessive, and that collection does not intrude to an unreasonable extent on the personal affairs of the individual.

CHS will collect information directly from the individual concerned unless it is unreasonable or impracticable to do so.

## 5. Access, accuracy and amendment of information

All reasonable steps will be taken by CHS to ensure that information it collects, holds or discloses is accurate, complete, up to date and not misleading.

CHS will respond to enquiries from an individual as to whether it holds that individual's information including any rights of access to it.

CHS will allow an individual to:

- Access his/her own information held by CHS without unreasonable delay or expense;
- Make appropriate amendments, corrections or updates to his/her information where necessary.

## 6. Retention and security of information

CHS will take all reasonable steps to ensure that information is:

- Held for no longer than is necessary, subject to legislation;
- Disposed of securely in accordance with approved methods; and
- Protected to the extent reasonable in the circumstances from loss, unauthorised access, use, modification or disclosure, and against all other misuse.

## 7. Use of information

CHS will only use information for the primary purpose for which it was collected unless the use of the:

- Information is directly related to the primary purpose for which the information was collected; or
- Personal information is necessary to deal with a serious and imminent threat to any individual's life or health; or
- Health information is necessary to deal with a serious and imminent threat to any individual's life, health or safety, or is necessary to lessen or prevent a serious threat to public health or public safety; or
- The individual provides consent to any other use.

CHS will only use information without an individual's consent in limited circumstances:

- Exchanging information within CHS that may relate to law enforcement purposes or for the protection of public revenue; or
- Where the use is permitted, or required under an Act or any other law.

## **8. Disclosure of information**

CHS will not disclose information it holds unless the:

- Disclosure of the information is directly related to the primary purpose for which the information was collected and there is no reason to believe that the individual concerned would object to the disclosure; or
- Individual is reasonably likely to have been aware, or has been made aware, that information of that kind is usually disclosed to a third party; or
- Disclosure of the personal information is necessary to deal with a serious and imminent threat to any individual's life or health; or
- Disclosure of the health information is necessary to deal with a serious and imminent threat to any individual's life, health or safety, or is necessary to lessen or prevent a serious threat to public health or public safety; or
- Individual provides consent to any other disclosure.

CHS will only disclose information without an individual's consent in limited circumstances, including where:

- The disclosure relates to law enforcement and related matters such as:
  - Disclosing information to a law enforcement agency for the purpose of ascertaining the whereabouts of an individual who has been reported to police as a missing person; or
  - Disclosing information to a law enforcement agency in order to investigate an offence where there are reasonable grounds to believe that an offence may have been committed; or
- Disclosure is permitted or required under an Act or any other law; or
- For health information where the disclosure is necessary for the training of employees or for research purposes, in the public interest, and the disclosure is in accordance with the guidelines issued under HRIPA; or
- CHS will only disclose sensitive information with the consent of the individual unless disclosure is necessary to deal with a serious and imminent threat to any individual's life or health.

## **9. Complaints and enquiries**

If an individual has any concerns about the way CHS is managing his/her information or believes that CHS may have breached his/her privacy, that individual may:

- Lodge a complaint with CHS in writing; or
- Contact the Office of the Australian Information Commissioner