



3.15 Privacy Policy

Version	4
Approval Authority	Board of Directors
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Next Review	03/03/2022

1. Purpose

To define TCC's commitment to the protection of employee and students' privacy.

2. Scope

This policy applies to all workplace participants including the Board of Directors, employees, volunteers and contractors at Tamworth Community College (TCC). All workplace participants must, therefore, be aware of their obligations under this policy and take reasonable action to ensure ongoing compliance. Non-compliance with this policy may result in action, ranging from counselling to formal disciplinary proceedings up to and including dismissal.

3. Policy Statement

Tamworth Community College is committed to protecting the privacy of all employees and students.

The personal details we collect may include name, address and phone number at home, work and mobile and email address. These details are necessary to ensure the College can contact staff and students concerning work or the course enrolled in.

TCC is committed to maintaining the confidentiality, integrity and security of all personal information entrusted to it in the normal course of its work. Accordingly, employees will respect students' and others' rights to privacy and shall not communicate personal information on other employees or students to others without the written permission of the person concerned, unless it is to be given to an authorised member of staff in the normal conduct of their duties, would normally be available to the public, or is required by law to be released.

3.1. Privacy for Employees

An employee record is a record of personal information either on paper or in electronic format relating to the employment of a staff member. The record comprises information about employment, including health, recruitment and selection, terms and conditions of employment, performance, discipline, and resignation. Employees records are confidential and kept in locked storage.

Personal information must only be collected for purposes necessary to the functions and activities of the College. These include selection, employment, appraisal, discipline, remuneration of staff, and administrative activities. Personal information must only be collected by means that are permissible by law.

Where reasonably possible, the College will only collect personal information directly from the staff member or students to whom the information relates. In most cases, this information will



be collected from applicable forms. If the College collects personal information about a staff member or student from a third party, reasonable steps will be taken to ensure that the staff member or student is or has been made aware of the collection and the reason for the collection. The College must not use the information for a purpose other than that for which it was collected unless the staff member or student to whom the information relates has consented to the use of the information for that other purpose or if so directed by a court of law.

Employees, including trainers', phone numbers or addresses will not be given to students who desire contact with an employee, unless the employee has given permission to do so. However, a student's request to speak to an employee may be passed on to that employee by a member of staff, and the student will be told that the employee may contact them if possible. Messages will be relayed to the staff member concerned by a member of the office staff.

3.2. Privacy for Students

Student telephone numbers and addresses will not be given out at any time except for the provision of class roll information for trainers at the commencement of classes or if requested by TCC Management. Student information on the class roll is for the purpose of communicating with students in connection with the trainer's teaching obligations, and for no other reason. The information will not be released to a third party and class rolls are not allowed to be removed from the respective College Campus (or teaching location, for courses held off campus).

Employees will not copy student's names and addresses for themselves or for others, allow others to view the rolls, or pass information from the rolls to other students. Class rolls are a legal document and will be kept securely for the duration of the course and returned to the office immediately after the scheduled course session finishes.

The information collected from students including personal details and course outcomes may be made available to the NSW Department of Education or any other government agency that require the information by law. The information supplied by the College will be used by the government for research, statistical analysis, program evaluation, post-completion surveys and internal management purposes. Signing the College enrolment form is consenting and declaring agreement to the use of the information for these purposes.

Information collected includes date of birth, country of birth, residential status, schooling level, language spoken at home, whether or not students have a disability, whether or not they are Aboriginal or Torres Strait Islander and the level of education completed and the reason for undertaking training. TCC is required by the State and Federal Governments to collect data on all our activities and participants in accordance with the Australian Vocational Education and Training Management Information Statistics System (AVETMISS). We submit this information annually to Training Services NSW within the Department of Industry. This information, together with any assessment outcomes, is stored for a period of 30 years.

The College will not supply your personal information to any person or agency, except those stated above, without your prior consent. No personal information is taken off-site or disclosed to third parties, except as described above or in the form of a class roll for courses not held at the College.

All your information is stored on a single, secure database, access is controlled and limited to the Executive Officer, Training & Quality Manager and Administration Staff. The data management system is secured and only accessible via a logon and password.

It is the right of each student to know exactly what personal information of yours the College holds. Student information is available from the College but this information will not be given to

anyone other than the person listed in the database. A student’s personal information will be used to identify them before any personal information is disclosed.

3.3. 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. Access to personal information includes opportunity for the person to inspect records, take notes or obtain a photocopy or computer print out, however, this must be in the presence of the Executive Officer.

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.

The College 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.

3.4. Breach of the Privacy Policy

The Privacy Policy is designed to promote and enhance the confidentiality of Tamworth Community College staff and students. A failure to comply with this policy will be viewed seriously and may result in disciplinary action, including dismissal. Staff must report breaches of this policy to the Executive Officer, who is responsible for the application of legislation. The College will use its utmost endeavours to protect staff who, in good faith and with good grounds, report breaches of the privacy policy.

4. Definitions	•
5. Relevant Legislation	•
6. Related Documents	• Discipline Policy, VET Privacy Policy



7. Revision History

Version	Effective Date	Description of Revision	Approved
4	22/07/2020	<ul style="list-style-type: none"> Minor word changing to scope to include “ranging from counselling to formal disciplinary proceedings up to and including dismissal” 	
3	11/05/2015	<ul style="list-style-type: none"> 	Board of Directors
Previous		<ul style="list-style-type: none"> See original document for revision history 	