

PRIVACY POLICY

Policy owner	Executive Management Committee
Policy category	Operational
Policy status	Approved
Approval body	MIECAT Council
Last amended	20 th March 2023

PURPOSE

The purpose of this document is to provide a framework for MIECAT in managing privacy considerations. MIECAT collects and holds personal information about all its students, staff and volunteers. Privacy of student and staff information is a vital part of the institute's relationship with stakeholders and is supported by legislative responsibilities to maintain confidentiality. This policy recognises MIECAT's responsibility to collect, manage, use and disclose personal information in accordance with legislative requirements and prevailing community expectations of best practice.

SCOPE

This policy covers all staff, students, contractors and volunteers at MIECAT.

POLICY AND PROCEDURES

MIECAT collects and administers a range of personal information to enable the efficient and effective operations of the organisation. In compliance with the Privacy and Data Protection Act 2014 (VIC) and the Privacy Act 1988, the organisation is committed to protecting the privacy of personal information it

collects, holds and administers. MIECAT is bound by laws which impose specific obligations when it comes to handling information. The organisation has adopted the following principles contained as minimum standards in relation to handling personal information.

1. Principles

- 1.1 In all areas of academic and administrative practice the principle of minimal disclosure will be applied.
- 1.2 MIECAT will only collect information which the organisation requires for its primary function
- 1.3 MIECAT will ensure that stakeholders are informed as to why information is collected and how the information gathered is administered.
- 1.4 MIECAT will use and disclose personal information only for MIECAT's primary functions or a directly related purpose, or for another purpose with the person's consent.
- 1.5 MIECAT will store personal information securely, protecting it from unauthorised access.
- 1.6 MIECAT will provide stakeholders with access to their own information, and the right to seek its correction.
- 1.7 Certain types of information may be subject to confidentiality standards beyond this policy, for example other MIECAT policies or additional legislative requirements. In certain cases, the confidentiality requirements in this policy will be overridden by legal or legislative obligations of disclosure.

2. Collection of personal information

- 2.1 MIECAT collects and holds a range of personal information about all its students and staff. This includes variously:
 - personal details: name, student ID number, contact information, age, enrolment status, digital images, etc
 - academic records: transcripts, current course and enrolment details, assessment results, academic standing

- sensitive information: including personal health and welfare information such as emergency contacts, medical reports, information related to current health status, membership of professional organisations etc.

2.2 Information collected is used for a variety of purposes, including:

- admission to a program
- enrolment and academic progress
- program and course administration
- communication with students
- statistical purposes, such as Institute planning
- provision of student services and teaching and learning support
- financial management
- mandatory reporting to external agencies
- discretionary reporting to external bodies
- promotion of the MIECAT Institute.

2.3 MIECAT will collect personal information only where it is necessary for one or more legitimate functions or activities. Where personal information is collected, all reasonable steps will be taken to inform students of:

- the purpose for which the information is collected
- any person, body or agency to which the Institute usually discloses information of that kind
- any law that requires or authorises particular information to be collected.

MIECAT will take all reasonable steps to ensure that personal information collected is accurate, relevant, up-to-date, complete, and not misleading. To this end, MIECAT will take reasonable steps to allow individual students to correct inaccurate information as appropriate.

2.4 MIECAT will collect health information about an individual if:

- the information is necessary to provide a health service to the individual; and

- the information is collected as required or authorised by or under law and in accordance with rules established by competent health or medical bodies that deal with obligations of professional confidentiality which bind the organisation.

2.5 If MIECAT collects information during the course of the activities of a non-profit organisation, the following conditions must be satisfied:

- the information relates solely to the members of the organisation or to individuals who have regular contact with it in connection with its activities;
- at or before the time of collecting the information, The MIECAT Institute inform the individual whom the information concerns that it will not disclose the information without the individual's consent; and
- the collection must be necessary for the establishment, exercise or defence of a legal or equitable claim.

3. Storage of personal information

MIECAT will take all reasonable steps to protect records of personal information from misuse, loss, unauthorised access, modification or disclosure.

Staff access to records of personal information will be restricted to staff members who need the information in order to carry out their duties and responsibilities in the personal and/or academic interests of students. Staff who are granted access to records of personal information will be made aware of the strict conditions set out under the Higher Education Support Act 2003 for access to records of personal information that have been collected for the purposes of administering Commonwealth contributions and loans programs. Staff will be made aware that the following are all serious offences under the Higher Education Support Act 2003:

- disclosing such personal information outside of the requirements of official duties
- copying a record of such personal information outside of the requirements of official duties, and
- causing unauthorised access to such personal information held in a computer system

Where personal information is no longer needed for any legitimate purpose, it will be destroyed using a confidential method of disposal.

4. Use and disclosure of personal information

4.1 Personal information will be used only for the purpose for which it is required. Where information has been obtained for a particular purpose, it will not be used for any other purpose, unless:

- the individual concerned has consented to its use
- use of the information is required by law. This may include but is not limited to:
 - The Commonwealth department responsible for tertiary student support funding and programs, as required for administrative purposes. This will include information about all students related to their enrolment.
 - Centrelink: as required to enable verification of entitlement to Centrelink payments. This will include information on all students regarding enrolment and workload.
 - The Australian Taxation Office (ATO): on the individual liabilities of all enrolled students who have elected to defer and repay through the taxation system liabilities accrued under the range of Commonwealth loans and contribution programs.
- MIECAT believes it is necessary in order to prevent or lessen a serious and imminent threat to the life or health of the individual concerned, or another person.

4.2 MIECAT will not disclose personal information about students to people, bodies or agencies outside MIECAT including parents, spouses or other relatives or friends of the student, or to staff who have no need of the information, unless:

- the student has given written permission for MIECAT to disclose the information
- MIECAT is required by law or by Commonwealth or State funding bodies to disclose the information

- MIECAT has taken reasonable steps to inform the student that information of that kind is usually passed on to those people, bodies or agencies
- MIECAT believes the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned, or another person.

4.3 MIECAT may disclose personal information if its disclosure is mandated by an enforcement body or is required for the following:

- the prevention, detection, investigation, prosecution or punishment of criminal offences, breaches of a law imposing a penalty or sanction or breaches of a prescribed law;
- the enforcement of laws relating to the confiscation of the proceeds of crime;
- the protection of the public revenue;
- the prevention, detection, investigation or remedying of seriously improper conduct or prescribed conduct;
- the preparation for, or conduct of, proceedings before any court or tribunal, or implementation of the orders of a court or tribunal.

MIECAT must make a written note of the use or disclosure.

4.4 Staff must obtain written consent from students to use their images for promotional purposes.

5. Data security and retention

5.1 MIECAT will implement and maintain steps to ensure that personal information is protected from misuse and loss, unauthorised access, interference, unauthorised modification or disclosure.

5.2 MIECAT will only destroy records in accordance with the organisation's Records Management Policy.

5.3 MIECAT will change information to a pseudonym or treat it anonymously if required by the person whose information MIECAT holds and will not use any government related identifiers unless they are necessary for MIECAT's functions.

5.4 MIECAT will take seriously and deal promptly with any accidental or unauthorised disclosure of personal information.

6. Individual's right of access to personal records

6.1 MIECAT will take reasonable steps to allow individual students to view the personal information MIECAT holds about them, and to correct it if it is inaccurate, incomplete, misleading or not up to date.

6.2 Where MIECAT collects and holds personal information for the purposes of administering Commonwealth contributions and loans programs, students have a legislative right to view their individual personal information, except where MIECAT is required or authorised by Commonwealth legislation to refuse to provide the student with access.

6.3 MIECAT will ensure compliant opt-in and unsubscribe are features of all mailing list communications.

7. MIECAT website

7.1 Log information (browsing)

When a person uses MIECAT's online services, the servers automatically record information that the browser sends whenever a website is visited. These server logs may include information such as server address, top-level domain name (for example, .com, .gov, .au, .uk, etc.), the date and time of the visit to the site, the pages accessed and documents viewed, the previous sites visited, the browser type, the browser language, and one or more cookies that may uniquely identify the browser. No attempt is made at identification through browsing other than in exceptional circumstances, such as an investigation into the improper use of the website.

7.2 Cookies

A cookie is a small file containing a string of characters that uniquely identifies your computer and browser. It is information that a web browser sends back to our website server whenever it is visited again.

MIECAT uses cookies to 'remember' browsers between page visits. In this situation, the cookie identifies a browser, not a person. No personal information is stored within these cookies.

7.3 Google Analytics

MIECAT uses Google Analytics to collect information about visitors to our website. Google Analytics uses first-party cookies and JavaScript code to help analyse how users use the site. It anonymously tracks how visitors interact with this website, including how they have accessed the site (for example from a search engine, a link, an advertisement) and what they did on the site. The information generated by the cookie about an individual's use of the website (including the IP address) will be transmitted to and stored by Google on servers in the United States. Google will use this information for the purposes of compiling reports on website activity and providing other services relating to website activity and internet usage. Google Analytics Demographics and Interest Reporting is enabled. Demographic and interest reports may be generated including identifiers such as your age, gender, affinity categories (for example education and training interests), in-market segments and other categories based on acquisition, behaviour, and conversions metrics. These reports may be used by MIECAT to assist in making policy and programme decisions. A person can prevent their information from being collected by Google Analytics by refusing the use of cookies by selecting the appropriate settings on your browser or by installing the Google Analytics Opt-out Browser Add-on.

7.4 Links to External Websites

MIECAT's website includes links to other websites. MIECAT is not responsible for the content and privacy practices of other websites. MIECAT recommends that each website's privacy policy is examined separately.

RESPONSIBILITY FOR IMPLEMENTATION

MIECAT Council, Director and all staff.

The Executive Management Committee and Academic Board are responsible for monitoring and reporting to the MIECAT Council.

KEY STAKEHOLDERS

All staff, students, contractors and volunteers at MIECAT

SUPPORTING DOCUMENTS

Freedom of Information Act 1982

Fair work Act (2009)

Health Records Act 2001 (VIC)

Higher Education Support Act 2003

Privacy Act 1988

Privacy and Data Protection Act 2014 (VIC)

Application form for record change

MIECAT Student grievance handling and resolution policy

MIECAT Records management policy

VERSION HISTORY

Date of Issue	Version	Author	Summary of changes
04/08/2015	0.1	Jan Allen	Reviewed by Academic Board
12/11/2015	1.0	Jan Allen	Approved by MIECAT Council
30/11/2020	2.0	Yvonne Hanks	Updated and moved procedures to a separate document. Approved by Council 14/12/2020
20/03/2023	3.0	J. Mitchell	Procedures incorporated into revised policy

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