

Policy No 22

Privacy Policy

To be ratified by the Academic Governance Body

Purpose

This policy is to provide our clients and staff with clear information about GTB's position in relation to how we manage their personal information collected and stored by Gestalt Therapy Brisbane (GTB).

Terms of reference

- Client may be referring to a GTB student, client seeking therapy from a student or qualified practitioner and an attendee to a workshop or event.
- Our, we or us refers to GTB as an organisation.
- Staff refers to administration, academic or contract staff.

Access to this policy

This policy is available in the GTB Policy and Procedures Handbook and on the GTB website.

Overview

The policy applies to prospective students and students enrolled in Higher Education courses with GTB. It also includes other individuals who may interact with GTB in conducting its business. The policy includes collection and use of personal information, disclosure of personal information, security of personal information and rights and access to records.

Principles

- We comply with the Higher Education Standards Framework (Threshold Standards) 2015 (HES Framework).
- We comply with all relevant Commonwealth, State and Territory legislation and regulatory requirements relevant to its operations, including the Australian Privacy Principles set out in the Privacy Act 1988.
- We are committed to and guided by principles of access, equity, fairness and ethical behaviour

Definitions

Personal and sensitive information Under the Privacy Act 1988 and Privacy Amendment (Enhancing Privacy Protection) Act 2012 (s6(1)), personal and sensitive information is defined as follows:

Personal information:

“Information or an opinion about an identified individual, or an individual who is reasonably identifiable: (a) whether the information or opinion is true or not; and (b) whether the information or opinion is recorded in a material form or not.”

Sensitive information:

“(a) 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, that is also personal information; or (b) health information about an individual; or (c) genetic information about an individual that is not otherwise health information; or (d) biometric information that is to be used for the purposes of automated biometric verification or biometric identification; or (e) biometric templates”.

Australian Privacy Principles (APPs)

The Australian Privacy Principles (APPs), which are contained in schedule 1 of the Privacy Act 1988 (Privacy Act), outline how most Australian and Norfolk Island Government agencies, all private sector and not-for-profit organisations with an annual turnover of more than \$3 million, all private health service providers and some small businesses (collectively called ‘APP entities’) must handle, use and manage personal information.

While the APPs are not prescriptive, each APP entity needs to consider how the principles apply to its own situation.

The principles cover:

- the open and transparent management of personal information including having a privacy policy
- an individual having the option of transacting anonymously or using a pseudonym where practicable
- the collection of solicited personal information and receipt of unsolicited personal information including giving notice about collection
- how personal information can be used and disclosed (including overseas)
- maintaining the quality of personal information
- keeping personal information secure
- right for individuals to access and correct their personal information

Policy

In the course of its business, we may collect information from students or persons seeking to enrol with us and other individuals who interact with us in the course of its business, either electronically or in hard copy format, including information that personally identifies individual users. GTB may also record various communications between individuals and GTB.

In collecting personal information GTB will comply with the requirements of the Australian Privacy Principles (APPs) set out in the Privacy Act 1988 (Cth) as amended by the Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Privacy Act).

From time to time, GTB may be related to other entities (related entities) and this Privacy Policy applies if your personal information is dealt with by those related entities.

Authority to collect information

GTB is an approved non-self-accrediting Higher Education provider, registered with TESQA. This registration is issued under the authority of the Tertiary Education Quality and Standards Agency Act 2011. GTB is therefore required to comply with the Higher Education Support Act 2003 (HESA) and in particular for the purposes of this policy GTB must comply with the Australian Privacy Principles in respect of personal information obtained for the purposes of section 36-20 or Chapter 3 or 4 of the act. In addition, GTB must manage this information according to Part 5-4 Management of information and Division 179 Protection of personal information of this act. The Higher Education Support Act 2003 (HESA) can be accessed from the Federal Register of Legislation

<https://www.legislation.gov.au/Series/C2004A01234>

Collection and use

GTB collects personal information, either directly or indirectly, that is reasonably necessary for, or directly related to its delivery of the services it offers. Some of the information collected may be regarded as ‘sensitive’ as defined by the Privacy Act. In broad terms the kinds of personal information and purposes for which it is collected are:

Solicited information

- Contact information such as name, organisation, position, address, telephone, and email are collected for marketing, support services, mandatory reporting and for communicating with stakeholders as part of our day to day operation.
- In addition to information collected training activity, GTB will also collect, store and report information relating to satisfaction surveys, complaint handling and on our client employers.
- Names, addresses, phone numbers, emergency contact details, bank account details and other employment related information is collected from employees for the purpose of managing human resources. The management of staff personal information complies with this policy.

Student personal and sensitive information as well as training activity information is prescribed by the AVETMIS Standard. This information is collected directly from students using enrolment forms which may be electronic, or paper based and other administrative forms including but not limited to complaint forms, recognition of prior learning applications, requests for refund etc.

Survey responses are collected using our Employer and Learner Satisfaction Surveys which are issued in electronic format.

Enquiry information from prospective students including personal contact information is collected directly from individuals who make data requests either by telephone or email in person or via our website.

GTB personal information is also collected from individuals on employment commencement.

Sensitive information

Personal information collected by GTB that may be regarded as 'sensitive' under the Privacy Act includes and is not limited to:

'Disability' and 'long-term impairment status' (health); and 'indigenous status', 'language spoken at home', 'proficiency in spoken English', 'country of birth' (implies ethnic/racial origin).

'Dietary requirements' (health-related) are collected for event catering purposes only.

Biographical information, which may contain information on 'affiliations' and 'membership of a professional or trade association' are obtained from guest presenters for marketing purposes.

'Memberships of professional associations' and 'health and work injury information' is collected from GTB employees for HR management purposes.

Direct marketing

GTB respects an individual's right not to receive marketing material and provides an option within communications and on its website for individuals to unsubscribe from receiving marketing material. GTB conducts its marketing communications and dissemination of service information in accordance with Australian Privacy Principle 7 (Direct marketing), the Spam Act 2003 (in respect of electronic communications), and the Do Not Call Register Act 2006.

Google Analytics and cookies

Google Analytics is a web service provided by Google Inc. Cookies are used to generate data on website activity and usage. The cookies, which include IP addresses, are transmitted to and stored in Google servers in the United States where they are used to compile web-use reports. Google may transfer this information to third parties, where required by law, or for information processing on its behalf. Google will not associate IP addresses with any other data held by Google. More information on Google's privacy policy can be found on their website www.google.com.au in the policies section. It is possible to disable cookies by adjusting web-browser setting and to opt-out of Google Analytics. Doing so, however, may affect web-site functionality.

The GTB web servers automatically log information such as server address, date and time of visit and web pages accessed. No personal information is recorded. These logs are used for website management and improvement.

Unsolicited personal information

If GTB should receive unsolicited personal information, it will be treated and managed according to the Australian Privacy Principles.

Notification of collection

GTB seeks to notify individuals of the collection of their personal information before, or at the time of collection, or as quickly as possible thereafter. Notifications are usually in writing but may be verbal for telephone help-desk services, or research conducted by telephone interview.

Marketing: notification is provided on our website course application page. Individuals are also notified at the time of collecting personal information for events. A privacy notice is provided in all GTB marketing communications.

Disclosure of personal information

GTB does not disclose personal information other than for the purpose for which it was collected, or an individual has consented to a secondary purpose, or an individual would reasonably expect this (such as receiving communications about upcoming events), or if required by law.

GTB may share personal information with the Commonwealth government in accordance with Commonwealth contractual obligations. In these circumstances GTB will take reasonable steps to inform and seek consent from the individuals concerned and take all reasonable steps to ensure that the recipient handles the personal information according to the APPs.

Management of personal information

GTB endeavours to ensure the personal information it collects and uses or discloses is accurate, up to date, complete and relevant. GTB routinely updates the information held in its client record system. In addition to periodically checking with stakeholders if their personal contact details have changed.

Access to and correction of personal information

Individuals may, subject to the exceptions prescribed by the Australian Privacy Principles, request access to and correction of their personal information where this is collected directly from individuals by GTB.

GTB does not charge for giving access to or for correcting personal information.

Requests for access to or correction of personal information should be made in writing. Requests will be answered within 14 business days.

Information retention and disposal

Personal information is held in electronic format:

- Information collected from student enrolment applications and survey responses is held in databases.
- Names and contact details of stakeholders are held in the Student Management System and email contact lists.
- Names and contact details collected during the delivery of services may be held either in electronic form in GTB's document management system.
- Personal staff information is held in the HR management, pay roll database/files.
- Backup copies of all electronic files held in GTB's systems are kept in the event of system failure/loss. All backup copies of system files are secured.

GTB retains some personal information for 30 years. When personal information is no longer necessary for GTB's business functions, and it is lawful to do so, GTB destroy the information.

Information security

GTB takes active steps to protect personal information from misuse, interference and loss, and from unauthorised access, modification or disclosure.

GTB's systems and internal network are protected from unauthorised access using appropriate technologies. Most system data transferred over the internet is protected by Secure Socket Level protocol (SSL). The inherent risks associated with data transmission over the internet are, however, commonly acknowledged. Individuals, who do not wish to provide their personal information via the online website forms have the option of mailing this information to GTB.

Access to the Student records is protected through user log-on and password, and assignment of user access rights.

Third-party providers used by GTB for the delivery of services are required to be compliant with the Australian Privacy Principles and offer appropriate safeguards to protect personal information.

GTB's premises and data storage systems are fully secured. GTB practices clean-desk policy and locking workstations when working with personal information. Paper documents containing names and addresses are required to be locked away and shredded when destroyed. All hardware is properly 'sanitised' before disposal.

Concerns and complaints

Complaints or concerns about GTB's management of personal information should be directed in writing using the Grievance and Complaints Policy No 3 which can be found on the GTB website.

Contacting us

Requests for personal information, changes to information or for concerns or complaints related to privacy should be submitted via our website for review by GTB Directors: <https://www.gestalttherapybrisbane.qld.edu.au/concerns-queries>.