

Privacy Policy and Procedure

RTO Number 90198

Policy

The NSW Health Registered Training Organisation is committed to fair and compliant personal and health information management practices in its educational, training, research, community engagement and associated administrative procedures and activities. In protecting the privacy of personal and health information entrusted to it, the RTO will meet its State and Commonwealth legislative obligations, by observing the privacy and information protection principles laid down.

NSW Health RTO will at all times comply with the requirements of:

- a. The Privacy and Personal Information Protection Act 1998 (NSW) (PIIP Act); and
- b. The Health Records and Information Privacy Act 2002 (NSW) (HRIP Act); and
- c. Where otherwise required, the Australian Privacy Principles (APPs) set out in the Privacy Act 1988 (Cth).

Under the Privacy Act 1988, the NSW Health RTO must disclose what personal information is being collected from an individual, how that information is stored and used, and who it may be provided to.

The NSW Health RTO will not disclose an individual's personal information or results to another person or organisation unless:

- the individual is aware that the information must be provided
- the individual has given consent
- the RTO reasonably believes that the disclosure is necessary to prevent or lessen a serious and imminent threat to an individual's life or health or to that of another person
- The disclosure is required or authorised by or under law; or
- The disclosure is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of the public revenue.

All staff must comply with this policy and procedure at all times. "Staff" includes any person working in a permanent, temporary or casual capacity, whether full time or part time, including volunteers, consultants, contractors, visiting staff (paid or honorary), board and advisory committee members and any person performing a public official function.

Procedure

NSW Health Registered Training Organisation (RTO) collects personal information during the course of its business, from students, staff or individuals seeking to enrol in RTO programs. Personal information is collected by NSW Health RTO in accordance with the Privacy Act 1988. Personal information may be collected:

- a. About students;
- b. About individuals seeking to enrol as students;
- c. About individuals participating in educational and training programs;
- d. About its staff and contractors.

Under various Australian laws, the NSW Health RTO is required to provide an individual's personal information to other government departments including but not limited to the Department of Employment and Workforce Relations (DEWR), the Australian Health Practitioner Regulation Agency (Ahpra) and the NSW Department of Education. Personal information is provided to these entities for reporting, professional registration, Smart and Skilled funding and VET Student Loans administration.

Storage of personal information

Personal information may be collected electronically, in hard copy format or by other means. The RTO stores an individual's personal information in the secure information technology systems.

Program progression and unit of competency results for NSW Health staff

For NSW Health employees completing programs with the NSW Health RTO, it is NSW Health policy that an individual's progress is discussed with, and their results are provided to, the individual's line manager or other person supporting that individual's learning.

Amendment of personal details

Individuals wanting to access or amend their personal information can make an informal request to the appropriate staff member immediately responsible for the information concerned. This request may not need to be in writing. If the individual is unhappy with the outcome of their informal request, they can make a formal application.

Individuals may make a formal application to access or amend their personal information held by the NSW Health RTO. Requests must:

- a. Be made in writing and addressed to the:
Executive Manager
NSW Health RTO
HSNSW-RTO@health.nsw.gov.au
- b. Include the applicant's name and contact details;
- c. Explain what personal information the applicant wants to access or amend;
- d. Explain how the applicant wants to access or amend their personal information.

Privacy complaints

Individuals who consider that the NSW Health RTO has breached their privacy may make a written request for an internal review. The request should be addressed to:

Privacy Contact Officer
Mr Ravi Srinivasan
Director Information Systems and Technology Support
Hetinfo@health.nsw.gov.au

The written request should

- Specify an address within Australia to which a notice can be sent;
- Be lodged within 6 months from when the alleged breach occurred;
- Set out details of why the breach is said to have occurred.

The review will be completed by the Privacy Contact Officer as soon as is reasonably practical and within 60 days from the date the application is received. Upon completion, the Privacy Contact Officer will notify the applicant in writing of:

- The findings of the review;
- The reasons for the findings described in terms of the Information Privacy Principles;
- Any proposed actions;
- The reasons for the proposed action (or no action); and
- The applicant's entitlement to have the findings and reasons reviewed through external review, by the NSW Civil and Administrative Tribunal (NCAT)

The Privacy Contact will notify the RTO Executive Office of the assessment outcome.

Individuals who are dissatisfied with the outcome of an internal review, may apply to the NSW Civil and Administrative Tribunal (NCAT) for an external review of the earlier conduct which was subject to the internal review. A person has 28 days from completion of the internal review to seek an external review. NCAT has the power to make binding decisions on an external review. For more information on how to request an external review, please visit www.ncat.nsw.gov.au

NSW Health

Registered Training Organisation

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