

Peel Valley Training and Employment (PVTE) is committed to meeting privacy obligations of the Privacy Act 1988 and the Australian Privacy Principles (APPs). This includes protecting the privacy of personal information we collect and hold whether we have requested such information or not.

Please note that for the purpose of this policy, ‘participant’ includes people who are also referred to as ‘students’.

## **Scope**

This policy explains PVTE’s management of personal information it collects, uses and discloses. It also explains how personal information can be accessed or corrected.

This policy applies to all PVTE staff, volunteer workers and Board of Management. Contractors are also required to fully comply with PVTE’s privacy obligations and policy.

## **How PVTE collects personal information**

PVTE collects and holds information:

- a) Provided by, at the request or with the consent of the person themselves, including participants, job applicants and staff
- b) Provided by the Department of Human Services as part of referring a participant and providing an employment service
- c) Provided by others, such as job applicants and people or organisations who refer someone to one of our services. PVTE requires that such referrals are only made with the consent of the person being referred.

## **Types of information PVTE collects and holds**

The types of personal information PVTE collects and holds includes names, contact details, date of birth, gender, detail of identification provided, who to contact in the case of an emergency and their contact details, licences held, employment related information and education and training attainment. PVTE only collects this information where it is reasonably necessary for the services PVTE provides.

Depending on the service a participant accesses and whether the person is an employee PVTE may also collect sensitive information such as medical information, assessments, types of disability, racial or ethnic origin and criminal record. This type of personal information is only collected with the person’s consent, including consent given to a relevant third party such as the Department of Social Services, and where this information is reasonably necessary for the services PVTE provides.

## **Why personal information is collected by PVTE**

Reasons PVTE collects personal information includes:

- a) To determine eligibility for a PVTE service
- b) To provide a service to participants
- c) To be able to provide a person with information they have requested, act on suggestions for improvement, receive feedback or resolve complaints
- d) To meet PVTE’s contractual and regulatory obligations including with the government
- e) To conduct surveys, research and analysis for business purposes

- f) Because a person is or has been a staff member, has applied to work for PVTE or provides a service to PVTE

### **Disclosure of personal information by PVTE**

Personal information is disclosed to third parties by PVTE:

- a) Because PVTE is required to under contractual or regulatory requirements
- b) To help participants access services they have requested or consented to
- c) To arrange and provide associated services or activities
- d) To assist participants transfer to another service provider
- e) For audit purposes
- f) If required or permitted by law
- g) Otherwise with the person's consent

PVTE is assisted by various third parties to deliver services including:

- a) The Department of Social Services
- b) An internet service provider
- c) Organisations that undertake external audits including those required by contractual agreements

Where practical PVTE has agreements in place with these third parties as part of protecting private information held.

PVTE will not sell or receive payment for disclosing personal information.

### **Use of Government Identifiers**

PVTE will not use Australian government identifiers, such as a Centerlink Customer Reference Number (CRN), medicare numbers or drivers licence number as PVTE's identifier of participants or other individuals. PVTE will only use or disclose such identifiers in circumstances allowed by the Privacy Act, such as the use of a CRN when communicating with the Department of Social Services.

### **Protection of personal information**

PVTE takes practical and reasonable steps to make sure information collected, used and disclosed is accurate, up to date, complete, stored securely and only accessed by authorised persons for permitted purposes.

PVTE holds personal information in electronic and hard-copy formats. PVTE uses a range of measures to protect this information, including lockable cabinets and protection of computer systems with password and anti-virus software. We also have procedures for destroying personal information we no longer need, taking into account information that needs to be held in line with contractual and legal purposes.

Copies of personal information may be made and stored in a remote, secure location. Such copies are made to meet contractual, legal and business continuation needs.

## **How personal information can be accessed**

A participant can request to see their PVTE file by asking their Case Manager, Case Worker, Trainer/Assessor or a manager. Similarly others, such as an employer of a participant who is an individual or the carer of a PVTE participant, can request access to records that contain *their* personal information. They can also request a copy of the record(s). PVTE will respond to a request for a person to access records that contain their personal information as soon as practicable and within 30 days of the request being made to PVTE. Proof of identification must be supplied before access can be granted. PVTE will respond by providing the requested access or by providing reasons for refusing to do so.

Where PVTE believes the request could be refused under law, PVTE will seek advice from a relevant department or authority if PVTE deems this appropriate, such as the Department of Social Services for the PVTE Employment Service and Personal Helpers and Mentor Support service. Such records can include but are not limited to:

- a) Records that also contain information about another person
- b) Medical/psychiatric/psychological records (unless supplied by the participant or where the participant clearly has a copy or has previously seen a copy of the records)
- c) Information provided by other third parties. Where a participant would like to see or have a copy of information provided by a third party, PVTE will advise the participant to seek the information from the author of the information, unless PVTE has written permission from the author to release the information to the participant.

Where the request to access records is referred to the Department of Social Services for consideration, PVTE will comply with any direction given by that Department in relation to the provision or refusal of access to the records.

Any access by people to their personal records will be supervised by a PVTE staff member.

PVTE in some circumstances may charge a fee to cover administrative costs of retrieving a person's personal information and providing it to them. PVTE will advise if there will be any such costs involved.

## **How personal information can be updated or corrected**

PVTE will take reasonable steps to make corrections to personal information.

PVTE relies on participants advising us of any changes in their personal information. Participants are asked to do this by informing their Case Manager, Case Worker, Trainer/Assessor or a PVTE manager.

A person may request an update or correction of their personal information held by PVTE by informing PVTE of the changes required. This amendment is best submitted in writing, signed by the person and placed on the relevant file.

A participant may not alter original case notes. They may apply to have an amendment made to those notes which is to be submitted in writing, signed by the participant and placed on their file.

If PVTE refuses a request to update or change personal information, reasons why will be provided to the requestor.

### **Dealing with PVTE anonymously or by using a pseudonym**

Requests for general information, provision of feedback, suggestions for improvement and complaints can be made to PVTE anonymously or by using a pseudonym. However, PVTE may be limited in its ability to effectively respond to requests, complaints and information provided anonymously or by using a pseudonym.

### **How a person may complain about a breach of the Australian Privacy Principles**

PVTE treats complaints as an opportunity to improve our services and increase participant satisfaction with PVTE. As such it is appreciated if any complaints about PVTE, including in relation to Australian Privacy Principles, are lodged directly with PVTE. A staff member or manager will help a person make a complaint where this assistance is needed and the complaint is not viewed as frivolous or vexatious.

A person who is a participant of the PVTE Employment Service or Personal Helpers and Mentor service can also complain about a breach of the Australian Privacy Principle by PVTE in relation to their personal information to the Department of Social Services.

A person can also complain about a breach of the Australian Privacy Principle by PVTE in relation to their personal information to the Australian Information Commissioner.

### **Overseas recipients**

PVTE will not disclose personal information to any overseas recipients.

### **Availability of PVTE's Privacy Policy**

This policy will be reviewed regularly and the current version made available on the PVTE website. A printed copy is available on request to the Office Administrator. Requests for the policy in an alternative format may also be requested and will be made available in the requested format and within 30 days of the request if reasonable in the circumstances.

### **Contact details of PVTE Head Office**

Phone: (02) 6762 1300

Address: 109 Bridge Street, WEST TAMWORTH

Postal Address: PO Box 3718, WEST TAMWORTH 2340

Email Address: [pvte@pvte.com.au](mailto:pvte@pvte.com.au)