

Replaces (please remove) Section 11.2 issued 03/04

## 11.2 USQ PRIVACY PLAN

### ACTS ADMINISTERED BY UNIVERSITY OF SOUTHERN QUEENSLAND

- *University of Southern Queensland Act 1998*

It should be noted that in some instances, Queensland Information Privacy Principles, may be superseded by other legislative requirements, such as the *Freedom of Information Act 1992* or section 63 of the *Health Services Act 1991*.

### OVERVIEW

In pursuit of the achievement of its mission involving teaching, learning and research USQ accumulates a large amount of personal information concerning staff, students and other persons. Through the administrative functions related to its core activities USQ is required to collect, manage, use and disclose personal information in accordance with all relevant legislation and standards.

This policy addresses the circumstances in which privacy issues may arise and how personal information is managed and protected. USQ has adopted a general stance of transparency regarding the information it holds, subject to the provisions of the *Freedom of Information Act 1992*. A range of related policies, guidelines and procedural documents already address the issue of privacy at USQ.

The USQ Privacy Plan, which has been developed to comply with Queensland Government *Information Standard No 42 – Information Privacy (IS42)*, will integrate the provisions of the eleven Information Privacy Principles with the operating procedures of USQ. Information Standard 42, including a definition of personal information and the Information Privacy Principles (IPPs), is available at:

<http://www.qgcio.qld.gov.au/SiteCollectionDocuments/Architecture%20and%20Standards/Information%20Standards/Current/is42.pdf>

### GENERAL PRINCIPLES

USQ recognises that all staff and students, both past and present, are entitled to a legitimate expectation that USQ will protect all information of a personal nature, which it holds, about them. However, USQ is required to hold certain records of factual information about staff and students, both for internal use and to meet its statutory obligations.

For the purposes of this policy, personal information is given a broader meaning than in the *Freedom of Information Act 1992*. The FOI Act refers to ‘personal affairs information’, meaning matters of private concern to individuals. ‘Personal affairs’ has been defined by the Queensland Information Commissioner, as that “of or relating to the private aspects of a person’s life”. The Commissioner has held the view that the phrase has a well accepted “core meaning” which includes affairs relating to family and marital relationships; health or ill-health; relationships and emotional ties with other people; and domestic responsibilities or financial obligations. Privacy Principles 6 and 7 refer only to ‘personal affairs information’.

Information Privacy, for the purposes of all Information Privacy Principles other than IPP 6 and 7, defines ‘personal information’ as:

“information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion”.

### RESPONSIBILITY

Responsibility for the implementation of the USQ Privacy Plan resides with the Chief Operating Officer, University Services. However, the Privacy Contact Officer is the first point of contact for privacy matters at

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USQ, and will handle complaints, requests for amendment of records and reporting of relevant privacy matters to the Queensland Department of Justice and Attorney General.

## **TYPES OF PERSONAL INFORMATION HELD BY UNIVERSITY OF SOUTHERN QUEENSLAND**

### **Student Personal Information**

USQ collects student personal information for USQ enrolment purposes, pursuant to legislative requirements under the Migration Act, Taxation Acts, Queensland Education Acts and Commonwealth Education Acts. USQ uses this information to ensure student records are accurate and up-to-date, and to comply with legislative and other governmental requirements. Student records may relate to:

- enrolment;
- fees;
- academic performance;
- personal welfare (eg. medical or counselling matters);
- equity group information; and
- other student related matter.

For administrative reasons records may be kept in various offices throughout USQ. The major series of hard print records relating to students of USQ are held in the official student files managed by Records & Archives Services and the International Office. In addition, USQ holds microfilm records of former students of USQ and its predecessors. Security arrangements will vary according to the level of sensitivity of the information. Student records are retained for various periods according to the relevant Records Retention and Disposal Schedule, as approved by the Queensland State Archivist. Information held in student records may be disclosed outside USQ, as appropriate, for example, to:

- Australian Taxation Office;
- Department of Education, Science and Training (DEST);
- Centrelink;
- other Universities;
- tertiary admissions centres;
- partner organisations for various schemes and competitions;
- Student Guild, including student's advocacy representative; and
- other bodies in accordance with legislative requirements.

Also, international agents with whom USQ has contractual arrangements may be provided with the personal information of their students to assist in the management and on-going administration of their students.

The following officers have access to student records:

- executive and senior academic and administrative staff;
- supervisors and authorised staff reporting to these supervisors;
- members of appeal committees; and
- the student to whom the record relates.

Records relating to current, former and prospective students of USQ may be stored on paper, microfilm and electronic media. Individuals can obtain information regarding access to their personal information documents by contacting USQ's Freedom of Information Coordinator.

### **Employee Personal Information**

USQ collects, stores and uses employee personal information so that human resource management functions can be performed. USQ is required to maintain employee personal information eg. employment history, payroll and superannuation information relating to current and former continuing and fixed-term contract (casual and temporary) employees of USQ. Employee personal records may relate to:

- recruitment and appointment;

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- payroll and superannuation;
- leave;
- performance appraisal; and
- other employee related matters.

For administrative reasons records may be kept in various offices throughout USQ. The major series of hard print records relating to University employees are the official Human Resources files managed by Human Resources. There are files on all current members of staff. In addition, USQ holds files on the majority of former members of USQ's staff. Security arrangements will vary according to the level of sensitivity of the information. Information held in employee records may be disclosed outside USQ, as appropriate, for example, to:

- Australian Taxation Office;
- UniSuper Ltd.; and
- third parties such as banks and insurance companies (name and account numbers only).

Records relating to current and former employees of USQ are stored on paper and electronic media. Individuals can obtain information regarding access to their personal information by contacting the Group Manager, Human Resources and Corporate Services.

Employee records are retained for various periods according to the relevant Records Retention and Disposal Schedule, as approved by the Queensland State Archivist. Payroll and other employee financial records are maintained and disposed of under the *Financial Management Standard 1997*.

### **Financial Management System Personal Information**

USQ collects personal information about vendors to allow normal business processes to take place eg. name, address for payment, bank account details to allow for electronic payment of accounts. The purpose of these records is to process and account for expenditure, revenue, assets, liabilities, provisions, reserves, staff reimbursement and subsistence and to assist USQ in meeting all its obligations under the *Financial Administration Audit Act 1977* and the *Financial Management Standard 1997*.

For administrative reasons records may be kept in various offices throughout USQ. The major series of hard print records relating to financial management of USQ are held in the official files managed by Financial Services. Security arrangements will vary according to the level of sensitivity of the information. Financial records are retained for various periods according to the relevant Records Retention and Disposal Schedule and the *Financial Management Standard 1997*. The following officers have access to financial records:

- executive and senior academic and administrative staff;
- supervisors and authorised staff reporting to these supervisors.

Individuals can obtain information regarding access to their personal information documents by contacting the Group Manager, Finance and Facilities. Records relating to current and aged financial data of USQ may be stored on paper and electronic media.

### **Information Technology Systems Personal Information**

USQ's ITS information management systems network routinely carries, enables processing of, and stores, for varying periods, much of the corporate core business and associated support business of USQ on behalf of its cost centres.

It encompasses internal and external electronic transactions, including, telephone, e-mail, Intranet and Internet activity. A significant volume of personal information records within the ITS network are described as above, or are referred to in the other parts of this plan that deal with the content of USQ's core business activities.

In addition, some personal information records may be specifically customized for IT administration purposes eg. IT system security identifiers and usage tracking records relating to staff users. That information is usually disclosed only to authorised personnel, including staff supervisors, system administrators and the individual officers concerned. Codes of Conduct and other policy statements on the use of IT resources, including collection and use of the information, are available on the ITS website.

Individuals can obtain information regarding access to their personal information by contacting the Freedom of Information Coordinator. Records relating to current and former employees and students of USQ may be stored on paper, microfilm and electronic media.

### **EXISTING CONTRACTS, LICENSES AND OUTSOURCING ARRANGEMENTS**

Contracts and agreements handled by USQ comply with the requirements of the Information Privacy Principles (IPPs) set out in *Information Standard No 42 – Information Privacy (IS42)*. Personal information collected and held in relation to contracts and agreements consists only of names, addresses, financial information and other information relevant to contracts.

### **PUBLIC REGISTERS MANAGED WITHIN UNIVERSITY OF SOUTHERN QUEENSLAND**

The term "public register" means a register of personal information that is required by law to be publicly available or open to public inspection (whether or not on payment of a fee). The *University of Southern Queensland Act 1998* does not require USQ to maintain any public registers.

Any person who believes that there is a public register maintained either by or within USQ that may affect them adversely should contact the Freedom of Information Coordinator, University of Southern Queensland, Toowoomba QLD 4350.

### PRIVACY IMPLEMENTATION TIMELINE

OBJECTIVE	DEADLINE
Privacy Contact Officer determined	22 February 2002
Draft Privacy Plan	31 March 2002
Plan approved by VCC & VC	3 May 2002
Publish Plan on website	17 May 2002
Implement plan	1 September, 2003
Develop privacy and security statements for forms	As needed
Develop privacy statement for website	1 July, 2002
Develop Privacy Policy from framework of Privacy Plan for approval of VCC	1 July 2002
Review procedures for dealing with both external and internal requests for access and complaint resolution	1 July 2002
Promulgate awareness of Privacy Policy with staff and students	1 July 2002
Develop guidelines/posters for points at which personal information is collected	1 July 2002
Review forms that collect personal information	Ongoing
Review and update existing USQ policies to comply with new Privacy Policy	Ongoing
Review to monitor change in Qld Privacy practice and awareness of it within USQ	Ongoing
Mandatory review and update of USQ Privacy Policy	Annual

## PROCEDURE TO GAIN ACCESS TO PERSONAL INFORMATION

USQ has in place mechanisms and normal administrative practices to handle routine requests for access to information such as academic transcripts, or for alterations to information such as changes of address.

The new Queensland privacy scheme allows any individual to request access to information about themselves or for information about themselves to be amended to ensure that the information in their records is accurate, complete and not misleading.

Individuals wishing to obtain access to information about themselves, should direct enquiries, as follows:

- Student Ph. (07) 4631 1759;
- Human Resources Ph. (07) 4631 2580;
- Finance Ph. (07) 4631 2980;
- Other matters Ph. (07) 4631 1759,.

All requests from individuals for amendment of information about themselves should be directed to the Freedom of Information Coordinator – contact no. (07) 4631 1759..

## REVIEW PROCEDURE

If individuals believe that their personal information has not been dealt with in accordance with the Queensland Information Privacy Principles (IPP's), available at: <http://www.qgcio.qld.gov.au/SiteCollectionDocuments/Architecture%20and%20Standards/Information%20Standards/Current/is42.pdf>. They may make a complaint to USQ seeking an internal review. A request for an internal review must be made in writing and must be made within six months from the date when the breach was suspected to have occurred. Requests should be forwarded to the Privacy Contact Officer, University of Southern Queensland, Toowoomba QLD 4350.

Requests for review will be acknowledged in writing within 14 days from the date on which the application was received, and USQ will process the request within 60 days from the date on which the application was received. Applicants will be advised in writing of USQ's decision.

If applicants do not agree with USQ's decision they may request an appeal review. The Vice-Chancellor will arrange for an appeal review to be carried out, within 45 days, by a more senior officer who has not previously been involved in the matter. The Vice-Chancellor will provide a response in writing to the aggrieved applicant.