

UMSU PRIVACY POLICY

WE RESPECT YOUR PRIVACY

UMSU respects your right to privacy and this policy sets out how we collect and treat your personal information.

“Personal information” is information we hold which is identifiable as being about you.

Certain areas within UMSU have specific privacy and confidentiality requirements and these are set out in Schedules attached to this policy.

SCOPE

This policy applies to UMSU Divisions and Departments which deal with personal information.

WHAT PERSONAL INFORMATION WE COLLECT

We may collect the following types of personal information from you:

- name
- address
- phone number
- email address
- student number
- enrolment information
- communications between us

HOW WE COLLECT YOUR PERSONAL INFORMATION

We may collect personal information from you in a variety of ways, including: when you attend one of our services such as Advocacy or Legal, when you interact with us electronically via email; when you access our website; and when you join an UMSU affiliated club or society.

USE OF YOUR PERSONAL INFORMATION

We use your information to provide services to you. We also use it to improve our services and to notify you of opportunities that we think you might be interested in. We will always offer you the opportunity to opt out of receiving such notifications.

We do not provide your information to third parties.

SECURITY OF YOUR PERSONAL INFORMATION

We take all reasonable steps to protect your personal information. However we are not liable for any unauthorised access to this information. If we become aware that your information has been accessed or used in an unauthorised way, we will notify you in a timely manner.

ACCESS TO YOUR PERSONAL INFORMATION

You can access and update your personal information by contacting us at 'privacy@union.unimelb.edu.au'. We may charge a reasonable administration fee for this access.

COMPLAINTS ABOUT PRIVACY

If you have any complaints about our privacy practices, please send details of your complaints to 'privacy@union.unimelb.edu.au'. Complaints about privacy are directed to the General Manager of UMSU or their nominee. We take complaints very seriously and will respond shortly after receiving written notice of your complaint.

CHANGES

Please be aware that we may change this Privacy Policy in the future. The revised versions will be available from our website, so please check back from time to time. We will always provide notice of at least 14 days on our website before any changes to this Policy commence.

WEBSITE

When you visit our website we may collect certain information such as browser type, operating system, website visited immediately before coming to our site. This information is used in a de-identified and aggregated manner to analyse how people use our site so that we can improve our service.

Cookies

We use cookies on our website. Cookies are very small files which a website uses to identify you when you come back to the site and to store details about your use of the site. Cookies are not malicious programs that access or damage your computer. We use cookies to improve the experience of people using our website.

Third party sites

Our site has links to other websites not owned or controlled by us. We are not responsible for these sites or the consequences of you visiting those sites.

The *UMSU Privacy Policy* will be reviewed every 12 months.

The Operations Sub-Committee in conjunction with the General Manager, UMSU has responsibility for leading the review of this policy. The process for reviewing the policy includes:

- Assessment of policy implementation to date;
- Those covered by the policy are provided with the opportunity to give feedback;
- All feedback and suggestions will be considered by the review of the policy;
- Proposed changes will be presented to UMSU staff to achieve consensus.
- Students' Council will endorse the finalised policy and UMSU Management will make copies available on the website.

SCHEDULES

Schedule A – UMSU Advocacy Service Confidentiality Protocol

Schedule B – UMSU Legal Service Confidentiality Protocol

Schedule C – UMSU Clubs and Societies Privacy Protocol

Schedule D – Rowden White Library Privacy Protocol

Schedule A – UMSU Advocacy Service Confidentiality Protocol

The Advocacy Service (the Service) manages personal and health information in accordance with the *Information Privacy Act 2000* (Vic), the *Health Records Act 2001* (Vic), the *Privacy Act 1988* (Cth) and the *University of Melbourne Privacy Policy*.

All students using the Service the right to expect that the information they present to anyone within the Service will remain confidential unless the material relates to a potentially life threatening situation or due to any overriding legal requirements. Staff have the responsibility to inform students of the limits of this confidentiality at the outset of their first meeting.

Information obtained by staff from students will remain confidential at all times unless the information concerns any of the following:

1. Life threatening situation (such as an expressed intention to self-harm or to commit harm to another individual);
2. Information concerning serious criminal behaviour;
3. A matter regarded as sufficiently serious to warrant the information being communicated to another person or service; and/or
4. An overriding legal requirement such as a court subpoena or order.

Where staff are in doubt as to whether to divulge information of a serious nature they should discuss this with the Manager, Advocacy & Legal prior to making any decision.

Notwithstanding the exceptions noted above, staff will ensure that they have the student's authority to pass on information to a third party, and will ensure that any information received from a third party about a student is with the prior approval of the student.

Staff cannot discuss student matters with parents or other family members without the express consent of the student. Where a legal representative of the student wishes to consult with staff on the student's behalf, they are required to produce a written authority to act.

Records Management – file retention and disposal

Consistent with the University's *Records Retention and Disposal Authority* (0700/7500/1) records held by the Advocacy Service are classified as temporary and are to be destroyed six years after the last action was completed. These records are held securely in the Advocacy Service until they are due for destruction.

Hard copy records will be destroyed by being placed in a secure record destruction bin for shredding. Electronic records will be permanently deleted.

A previous service user may - at any time prior to its destruction - obtain a copy of their file by contacting the service and requesting it.

Schedule B – UMSU Legal Service Confidentiality Protocol

The UMSU Legal Service (the Service) manages personal and health information in accordance with the *Information Privacy Act 2000* (Vic), the *Health Records Act 2001* (Vic), the *Privacy Act 1988* (Cth) and the *University of Melbourne Privacy Policy*. Confidentiality protocols operate in conformance with the obligations set out in the *Legal Profession Act 2004* (Vic), the *Law Institute Victoria Professional Conduct and Practice Rules 2005* and the *Risk and Practice Management Guidelines for Community Legal Centres*.

Clients of the Service have the right to expect that the information they present will remain confidential unless the material relates to one of the exceptions below. The Solicitor will inform clients of the limits of this confidentiality at the outset of their first consultation.

Information obtained from clients of the Service will remain confidential at all times unless:

1. the client authorises disclosure;
2. the practitioner is compelled by law to disclose;
3. the practitioner discloses information in circumstances in which the law would probably compel its disclosure, despite a client's claim of legal professional privilege, and for the sole purpose of avoiding the probable commission or concealment of a serious criminal offence;
4. the information has lost its confidentiality; or
5. the practitioner obtains the information from another person who is not bound by the confidentiality owed by the practitioner to the client and who does not give the information confidentially to the practitioner.

Notwithstanding the exceptions noted above, staff will ensure that they have the student's authority to pass on information to a third party, and will ensure that any information received from a third party about a client is with the prior approval of the client.

Staff cannot discuss client matters with parents or other family members without the express consent of the client.

Records Management – file retention and disposal

Consistent with the *Risk and Practice Management Guidelines for Community Legal Centres*, all files must be kept for a minimum of seven years from the date that the file is closed.

In some cases it may be a requirement that some files be kept longer. In relation to any client suffering a legal disability (such as being under 18 or suffering a mental illness) consideration should be given to whether it is prudent to retain the file beyond the seven year period for any reason.

Files containing instructions for wills, and original wills and powers of attorney must not be destroyed. If the Service retains the original will it must not be kept on the file, rather it must be kept in a secure place with a will register.

The following steps will be followed prior to any file being destroyed:

1. Files, advice sheets and related documents (eg. copy of summons, which may be attached to an advice sheet, in respect of which advice was sought) which are proposed to be destroyed will be provided to the Principle Solicitor.
2. With the exception of the following, the Principle Solicitor may authorise for destruction any files, advice sheets and related documents, which are over seven years old:
 - a. Any original documents belonging to the client. Such documents will include documents provided to the Service by the client; or documents obtained by the Service and which have been paid for by the client – in this regard it is recommended that wherever possible all documents belonging to the client should be returned to the client at the conclusion of a matter; or alternatively the Service should decline to accept documents belonging to the client, agreeing to take photocopies of such documents instead.
 - b. original wills
 - c. original powers of attorney
 - d. original copies of titles
 - e. files, advice sheets or related documents relating to instructions for wills and power of attorney
 - f. files, advice sheets or related documents relating to persons who were under a mental disability at the time of presenting at the Service for assistance. In this regard, the centre is entitled to assume that a person was not under a mental disability where no indication of the same appears on the file. An indicator of a person's disability may be express or implied from the nature of a matter otherwise.
 - g. files, advice sheets or related documents relating to persons who were under the age of 18 years at the time of presenting at the Service for assistance.
 - h. files, advice sheets or related documents in respect of which:
 - the Service has received a notice of intended litigation against it whether or not such litigation has in fact commenced.
 - the centre is subject to litigation, which has commenced.
3. Files, advice sheets or related documents identified in items 2(a) – (d) are to be kept indefinitely. Such documents should be clearly marked accordingly or stored separately.
4. Files, advice sheets or related documents relating to persons who were under the age of 18 years at the time of presenting at the Service, must be retained for at least a further seven years from the date when the person turned 18, or such longer period as determined from time to time. Such documents should be clearly marked accordingly or stored separately.
5. Once the Principle Solicitor has identified a file, advice sheet or related document as ready for destruction, it may be destroyed.

Hard copy records will be destroyed by being placed in a secure record destruction bin for shredding. Electronic records will be permanently deleted.

A previous client may - at any time prior to its destruction - obtain a copy of their file by contacting the Service and requesting it.

Schedule C – UMSU Clubs and Societies Privacy Protocol

UMSU Clubs and Societies (C & S) manages personal and health information in accordance with the *Information Privacy Act 2000* (Vic), the *Health Records Act 2001* (Vic) and the *Privacy Act 1988* (Cth).

In addition, C&S must comply with the Clubs and Societies Regulations of UMSU, in particular, Regulation 2.4.c.

C & S collects personal information to comply with its legal obligations, duty of care requirements and to effect the efficient administration of clubs. All students involved with C & S have the right to expect that the information they present to anyone within C & S will remain confidential, unless:

1. there is a life-threatening situation (such as an expressed intention to self-harm or to commit harm to others);
2. the information concerns criminal behaviour;
3. the matter is regarded as sufficiently serious to warrant the information being communicated to another person or service;
4. there is an overriding legal requirement (such as a subpoena or court order); and/or as otherwise detailed in this Policy.
5. Where there is doubt as to whether to divulge information of a serious nature, UMSU staff should discuss this with the C & S Coordinator, the UMSU General Manager, or the Manager, Advocacy & Legal prior to making any decision. C & S Officers should discuss the matter in camera with the C & S Committee.
6. Where a club has lost some of their records, the C & S office may supply copies of the records it holds to the executives of that club. Where there is doubt over the legitimacy of a request for a copy of those records, the decision will be referred to the C & S Committee.

The information C&S collects falls into three broad categories.

Club Records

C & S collects details relating to individual clubs, in particular:

- contact details of executive committee members;
- paperwork submitted by clubs as stipulated in the Regulations; and
- correspondence between the club and the C & S office.

This information is used to facilitate the administration of the C & S office. A club may nominate, in writing, one of their executive committee members as a designated contact, in which case those details will be supplied on request to the general public. This nomination can be revoked at any time by contacting the C & S office. Otherwise, executive contact details will not be supplied to any third party outside the C & S office.

Any member of a club may request a copy of that club's constitution.

Club Membership Lists

Clubs are required by Regulation 5.3 to submit up-to-date membership lists to the C & S office. The information collected in these membership lists are names, student numbers, course of study, local/international student status and other details as stipulated by a motion of the Clubs and Societies Committee.

Where a club submits a membership list that contains more than the required details, the C & S office will not retain those details.

Membership lists will only be handled by UMSU staff and C & S Officers, and are used to ensure clubs are complying with their obligations of affiliation. The C & S office also uses membership lists to generate statistical data about engagement with clubs. This data is reported only in aggregate, and not in a way that could identify any individual.

Club Camp Records

Clubs are required to collect and supply to the C & S office various personal and medical details on Participant Information Forms when those clubs run camps. The Participant Information Form collects name, student number, date of birth, contact details, guardians' contact details (only for participants under 18 years of age), Medicare and health insurance details, medical details, allergies and dietary requirements.

Participant Information Forms are handled only by UMSU staff, and are used to ensure clubs are complying with their obligations of affiliation, and for insurance purposes.

Records Management – file retention and disposal

Consistent with the University's Records Retention and Disposal Authority (0700/7500/1) all records are classified as temporary and are to be destroyed no earlier than six years after the last action was completed. These records are stored securely in the C & S office until they are due for destruction. Personal details collected from camp participants are stored securely in the C & S office and then held in the Finance vault for seven years.

Hard copy records will be destroyed by being placed in a secure destruction bin for shredding. Electronic records will be permanently deleted.

Schedule D – Rowden White Library Privacy Protocol

1 COLLECTION OF PERSONAL INFORMATION

- 1.1 The Rowden White Library collects personal information about patrons wishing to borrow from the Library.
- 1.2 This information consists of name, contact details including: full name, address, student and/or staff number and barcode. The Library may also ask for telephone numbers, workplace contact details, alternative address details if the patron is not usually a Melbourne resident, email addresses and, in the case of the purchase of goods or services from the Library, credit card and/or bank details.
- 1.3 In the first instance the Library collects this information directly from the individuals concerned. It also relies, in the first instance, on the individuals concerned to assist the Library in maintaining the accuracy of these records.
- 1.4 However, should the Library, in an attempt to contact a patron within the normal course of business, find that the patron has changed address without informing the Library, other sources for locating the patron's new contact details may be investigated: eg. The University of Melbourne, University of Melbourne Student Union (UMSU), MU Student Union Ltd. (MUSUL), Trinity Foundation Year Studies Program or any other affiliated body of the above.
- 1.5 Library staff may ask anyone using the Library to provide their student card, staff card or other identity documentation (such as driver's licence or passport) at any time.

2 PURPOSE OF THE INFORMATION COLLECTED

- 2.1 The Rowden White Library uses the personal information it collects from patrons so that those patrons may participate in the range of services the Library offers.
- 2.2 Credit card and/or banking information may be collected to facilitate the purchase of goods or services from the Library or to facilitate the settling of item replacement costs that may have been charged by the Library.
- 2.3 In the case of 1.5 (above), this request for information is to ascertain whether a person has a right to use the Library's facilities and/or, in the case of suspected or demonstrated breach of the Student Union's or the Library's Rules, the University Statutes, or the Law, in order to refer the situation to the relevant authority (eg. the MUSUL CEO, the University's Academic Registrar, MUSUL and/or University Security, the Police).

3 CONSEQUENCES OF NOT PROVIDING INFORMATION

- 3.1 A patron has the right of not providing the Library with any personal information. The consequence of not providing this information, as specified above in 1.2, is that the Rowden White Library will not be able to offer its services to that patron.

- 3.2 A patron also has the right to have their personal information deleted from the Library's records. With this deletion the patron forfeits her or his rights to use the Library. However, deletion will not take place while any outstanding loans or issues associated with them are unresolved.
- 3.3 In the case of purchasing goods or services or the payment of item replacement charges from the Library, credit card and/or banking details may not be taken if another form of payment is made (i.e. a cash payment). If another form of payment is not possible and the patron does not wish to provide her/his credit card and/or banking details, that patron cannot purchase any goods or services from the Library and any item replacement charges made by the Library will remain outstanding.
- 3.4 In the case of 1.5 and 2.3 (above) anyone not giving their personal information freely to Library staff may have their situation handed on to the relevant authority as described in 2.3 (above).

4 PROTECTION OF DATA

- 4.1 Except for the situations outlined below in 5.2 – 5.4, Library staff will not disclose any personal patron information or data to anyone beyond what may be necessary for computer support. The Rowden White Library patron database is password protected and only directly available to Library staff, MU Student Union Ltd. IT staff, and the computer support staff of the Library's computer supplier, SirsiDynix.

5 SHARING OF DATA

- 5.1 Except for the situations outlined below in 5.2 – 5.6, the Rowden White Library does not disclose the personal information it holds with anyone at any time.
- 5.2 As specified above in 1.4, the Library may seek to maintain the accuracy of its records by requesting a patron's personal information from The University of Melbourne, MUSUL, UMSU, Trinity Foundation Year Studies Program or any other affiliated body thereof. In this situation, the Library will forward all the personal information it holds on that patron so that the outside organisation may be able to properly identify the patron and forward the correct contact information to the Library.
- 5.3 However, instead of providing the Library with the information itself, any of these organisations may offer to act as the Library's agent in so much as in the forwarding or redirection of the Library's mail or email to the patron. In this situation, the Library will forward all the personal information it holds on that patron so that the outside organisation may be able to properly identify the patron and facilitate the contact correctly. The Library may also, in the course of this process provide any of these organisations with the title, author, format and value of any and/or all outstanding items listed on the patron's Library account. NB. The Rowden White Library is not responsible for how any other organisation or individual abides by the Privacy Act.
- 5.4 In situations where an overdue loan has become outstanding for a period exceeding 14 days, the Library will attempt to resolve the issue by handing the matter on to the MUSUL

Finance Department and, if the situation remains unresolved, MUSUL's debt collection agency and/or the University of Melbourne's Student Administration department whereupon a student's ability to graduate, receive their results and/or re-enrol may be affected. In such a case, a patron's personal information will be given, as well as the title, author, format and value of each outstanding item listed on the patron's Library account.

5.5 Any credit card and/or banking details given as part of a transaction conducted with the Library, will, along with all personal details necessary, be shared and used in the normal manner through which such a transaction takes place (ie. with a bank, the MUSUL Finance Department, etc.)

5.6 In the situations outlined in 1.5, 2.3 and 3.4 (above) any information available to the Library about the person concerned may be given to the relevant authority/ies (see 2.3 above) in order to assist them to resolve the situation.

6 DISPOSAL OF DATA

6.1 At the beginning of each calendar year, The Rowden White Library purges its database of patron accounts that have been inactive for five years. However, patron accounts with overdue/outstanding items or unresolved issues relating to such items are not purged until all such issues within an account have been resolved.

6.2 If a subscription membership lapses and remains inactive for more than twelve months, that particular member's original application form will be destroyed and their account will be deleted from the Library's database, provided that there are no overdues or outstanding issues related to their account, in which case the procedures outlined in 5.2 - 5.4, above, will apply.

6.3 Any personal information given by the Library to other organisations/departments becomes the responsibility of that organisation/department. The Rowden White Library is not responsible for how any other organisation/department or individual abides by the Privacy Act.

7 ACCESS

6.1 A patron has the right to access, examine and correct any information the Library holds on her/him.

8 COMPLAINTS

8.1 If a patron is unhappy with this Policy or the Library's practice/s in regard to his/her personal information, she/he may first approach the Library Coordinator in order to resolve the situation.

8.2 However, a patron is entitled to make a complaint to the Federal Commissioner for Privacy at any time. Adjudications made by the Commissioner are enforceable through the Federal Court.
