

Personal Information Protection Policy

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PERSONAL INFORMATION PROTECTION POLICY

1. Introduction

The Department of Education (the Department) manages personal information in accordance with the requirements of the *Personal Information Protection Act 2004* (the PIP Act).

Schedule 1 of the PIP Act outlines the Personal Information Protection Principles that apply in Tasmania. These are the standards by which the Department collects and handles personal information as the custodian of that information.

Personal information is defined under section 3 of the PIP Act as:

personal information means any information or opinion in any recorded format about an individual –

- (a) whose identity is apparent or is reasonably ascertainable from the information or opinion; and
- (b) who is alive or has not been dead for more than 25 years;

Personal information can be almost any information linked to an individual, including name, address, sex, age, or health information.

2. What personal information is collected?

The type of personal information the Department collects includes name, address and other contact details, sex or age together with any specific sensitive information about a person that may be required for the purpose of providing effective education and training for both our students and staff.

This information is also collected to ensure the Department complies with our role as a public information service.

The Department takes reasonable steps to ensure that the personal information we hold is accurate, complete and up to date. Where practicable, the Department will check the accuracy of your personal information before we use it.

3. Why this information is collected

The Department is responsible for providing public education, vocational education and training, library and archive services throughout Tasmania.

The services of the Department are focused in three main areas:

- Pre-Compulsory and Compulsory Education.
- Post-Compulsory Education and Training.
- Public Information Services.

Personal information is collected, stored and used as required by the relevant legislation including but not limited to *Archives Act 1983* and *Education Act 2016*.

The Department is also responsible for the provision of Adult Education and online access centres.

4. Sensitive information and why the Department collects it

Sensitive information is information which may directly or indirectly impact on your or another's education, training or use of the facilities of the Department, such as computers in a library.

Sensitive information can include information such as health information, criminal record, racial or ethnic origin and sexual preferences or practices.

Information of a sensitive nature is collected to ensure that you or others within the Department, such as students and employees are kept safe, and have access to the best available educational opportunities.

Generally, the Department will only collect sensitive information with your consent if it is necessary to achieve this goal, or if the collection of that information is required by law.

5. Can your information be identified?

The Department does not assign 'unique identifiers' to people unless it is necessary for us to carry out our functions efficiently or it is required by law. Unique identifiers are data about you which are specific to you, and differentiate you from others within the system. Even if another organisation has provided the Department with your personal information, we do not use any 'unique identifiers' of another organisation. In certain circumstances, we may collect unique identifiers assigned to you by another organisation, but we will not disclose these without lawful authority.

6. How to access or correct your personal information

You can access your personal information that is held by the Department.

- All requests for personal information must come through the Department's Legal Services.
- Requests for personal information should be completed by filling in the form [Request for Release of Personal Information](#)
- Please forward the completed form to Legal Services by:
 - » email: legal.services@education.tas.gov.au; or
 - » post: Department of Education, Legal Services, GPO Box 169, Hobart TAS 7001.

If you consider your personal information to be incorrect, incomplete, out of date or misleading, you can request that the information be corrected.

- Requests to correct or update your personal information can be provided by completing the form [Request to Correct or Update Personal Information](#)
- Please forward the completed form to Legal Services by:
 - » email: legal.services@education.tas.gov.au; or
 - » post: Department of Education, Legal Services, GPO Box 169, Hobart TAS 7001.

If you are not satisfied with the handling of your matter or the outcome of your request you can lodge a further request in writing to Legal Services by:

- » email: legal.services@education.tas.gov.au; or
- » post: Department of Education, Legal Services, GPO Box 169, Hobart TAS 7001.

If the Department refuses your request, you may make an Application for Assessed Disclosure under the *Right to Information Act 2009*. Information is available at <https://www.education.tas.gov.au/about-us/legislation/rti/>

If you remain dissatisfied with the Department's handling of your matter or the outcome of your request you can contact the Ombudsman Tasmania. The Ombudsman Tasmania is contactable by:

- » telephone: 1800 001 170 (free call from a landline nationally); or
- » email: ombudsman@ombudsman.tas.gov.au; or
- » post: Ombudsman Tasmania, GPO Box 960, Hobart TAS 7001.

7. How the Department may use or disclose your personal information

All staff of the Department are bound by the confidentiality requirements specified in the *State Service Act 2000*. Staff are restricted in their access to information to that which is required to carry out their functions within the Department.

Personal information will be used only for the purpose described in section 3 of this policy 'why this information is collected'. Otherwise, your personal information will only be disclosed with your consent, or if it is required or authorised by law.

For example, there may be a need or requirement to disclose some or all information we collect to contractors and agents of the Department, law enforcement agencies, courts, other public sector bodies, or other authorised organisations under legislation administered by the Department and other relevant State and Commonwealth Acts including but not limited to the *Social Security Act 1991* and the *Education Services for Overseas Students Act 2000*.

The PIP Act permits the disclosure of "basic personal information" (that is, name, address, date of birth and gender) that is collected in conjunction with the provision of a service to other public sector bodies for data quality purposes.

Some de-identified personal information the Department has collected may be used in research, statistical analysis, state or national reporting, awareness programs, public statements or training, but not in a way to compromise the protection of personal information.

Personal information in written submissions on policy matters or matters of public consultation may be disclosed in reports that are made public, unless the submission was submitted and/or accepted on a confidential basis.

8. How the Department keeps your personal information safe

The Department uses a number of procedural, physical, and technical safeguards including access controls, secure methods of communication and back-up and recovery systems to protect information from misuse and loss, unauthorised access, modification and disclosure.

Generally, there is an intention that information is destroyed or permanently de-identified when it is no longer required, but this can only be done in accordance with processes approved by the State Archivist under the *Archives Act 1983*.

9. Related information

- <https://www.education.tas.gov.au/about-us/legislation/personal-information/>
- <https://www.education.tas.gov.au/about-us/legislation/rti/>

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