PRIVACY MANAGEMENT PLAN AND PROCEDURE

Approved by: Director Legal and Governance
Date: 10 March 2014

Date Effective: 10 March 2014
Date of Next Review: March 2015

Document No: PR-LGL-01.1
Revision: 4

Custodian: Policy Officer and Law Clerk

Supporting Documents, Procedures & Forms:
- Privacy Policy
- Privacy Complaint Form (also attached to this Plan and Procedure)

References & Legislation:
- Privacy and Personal Information Protection Act, 1998 (NSW)(PPIPA)
- Health Records and Information Privacy Act 2002 (HRIPA)
- Privacy Act 1988 (Cth)
- Australian Privacy Principles (APP)
- NSW Information and Privacy Commission
- Government Information (Public Access) Act 2009 (NSW)
- Independent Commission Against Corruption Act 1988 (NSW)
- Protected Disclosure Act 1994 (NSW)
- State Records Act 1998 (NSW)
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1 Purpose of Procedure

1.1 UOW Enterprises (UOWE) is a controlled entity of the University of Wollongong. UOWE includes UOWD Ltd and UOWC Ltd and their related entities.

1.2 UOWE has produced this Privacy Management Procedure to comply with 33 of the Privacy and Personal Information Protection Act, 1998 (NSW)(PPIPA) and the Australian Privacy Principles (APP).

2 Scope of Procedure

2.1 This Procedure is to be read in conjunction with the Privacy Policy, including all definitions contained in the Privacy Policy.

2.2 UOWE collects, uses, discloses and otherwise handles Information in accordance with the PPIPA, the Health Records and Information Privacy Act 2002 (HRIPA), Privacy Act 1988 (Cth) and the Australian Privacy Principles (APP).

3 Access and Alterations to Information

3.1 UOWE must, at the request of the individual to whom the Information relates, and without excessive delay or expense, provide the individual with access to the Information.

3.2 UOWE must, at the request of the individual to whom the Information relates, make appropriate amendments (whether by way of corrections, deletions, or additions) to ensure that the Information:

a. is accurate; and

b. having regard to the purpose for which the Information was collected (or is to be used) and to any purpose that is directly related to that purpose, is relevant, up to date, complete and not misleading.

3.3 If UOWE is not legally able to amend Information in accordance with a request by the individual to whom the Information relates, UOWE must, if requested by the individual concerned, take such steps as are reasonable, to attach a statement of the amendment sought by the individual to the Information.

3.4 If Information is amended, UOWE will, where practicable, have recipients of that information notified of the amendment.
4 **Retention and Security of Information**

4.1 If UOWE holds Information it must ensure that:

a. The Information is kept for no longer than is necessary for the purposes for which the Information may lawfully be used;

b. The Information is disposed of securely and in accordance with any requirements for the retention and disposal of Information;

c. The Information is protected, by taking such security safeguards as are reasonable in the circumstances, against loss, unauthorised access, use, modification or disclosure, and against all other misuse; and

d. If it is necessary for the Information to be given to a person in connection with the provision of a service to UOWE, everything reasonably within the power of UOWE is done to prevent unauthorised use or disclosure of the Information.

5 **Internal Review**

5.1 Individuals have the right to apply to UOWE for a formal internal review of conduct, which they believe, contravenes the Privacy Policy or relevant privacy legislation.

5.2 Before making an application for internal review, individuals are encouraged to first direct in writing to the UOWE Privacy Officer any questions or concerns which an individual has in relation to privacy, so that privacy related issues can be resolved in an effective and timely manner.

**Internal Review Application**

5.3 An application for internal review should:

a. Be in writing, using the Privacy Complaint Form, which is attached to this document;

b. Set out in detail the conduct, which the applicant believes, contravenes the Privacy Policy or relevant legislation;

c. Be addressed to the Privacy Officer (details set out in the Privacy Complaint Form);

d. Specify a return address in Australia; and

e. Be lodged with the Privacy Officer within six (6) months of the date the applicant first became aware of the conduct.
Internal Review Process

5.4 Any Internal Review with UOWE will be conducted by the UOWE Privacy Officer, providing there is no conflict of interest.

5.5 On receiving an application for an internal review, the Privacy Officer must inform the NSW Privacy Commissioner as soon as practicable.

5.6 The Privacy Officer must consider any relevant material submitted by the applicant or by the NSW Privacy Commissioner.

5.7 The Privacy Officer will complete the internal review within 60 days of receipt of the internal review application, failing which the applicant may apply to the NSW Civil and Administrative Tribunal (NCAT).

5.8 Once the internal review has been completed, the Privacy officer may do one or more of the following:
   a. Make no further action on the matter; or
   b. Make a formal apology; or
   c. Take such remedial action as it thinks appropriate; or
   d. Provide undertakings that the conduct will not occur again; or
   e. Implement administrative measures to ensure that the conduct will not occur again.

5.9 Within 14 days of the completion of the internal review, the Privacy Officer will notify the applicant in writing of:
   a. The findings of the internal review (and the reasons for those findings);
   b. The action proposed to be taken by UOWE (and the reasons for taking them); and
   c. The right of the person to have those findings, and the proposed action, reviewed by NCAT.

6 Roles and Responsibilities

6.1 The Privacy Officer will be responsible for control and maintenance of the Privacy Policy and Privacy Management Plan and Procedure. Specifically the Privacy Officer will:
a. Investigate complaints concerning a contravention of the Privacy Policy or relevant privacy legislation;

b. Conduct an ongoing review of practices and procedures to ensure that they comply with the Privacy Policy, current legislation, and best practice; and

c. Inform and assist staff with respect to privacy issues.

6.2 The Human Resources division conducts a staff induction program for all new staff which covers staff member’s privacy obligations.

6.3 The induction and ongoing training aims to ensure that staff members have sufficient understanding of their privacy obligations to feel confident in handling Information so as to meet their requirements at work, while at the same time complying with the Privacy Policy and relevant privacy legislation.

6.4 The Compliance Committee maintains a Compliance Matrix which includes privacy obligations. The Compliance Committee receives bi-monthly compliance reports from each division, which includes reporting of non-compliances with privacy legislation. The Compliance Committee tracks remedial action to be taken and reports incidents of high risk to the CEO and the Audit and Risk Committee.

6.5 For further information in relation to this Plan and Procedure, please contact the Privacy Officer at the following address:

The Privacy Officer
UOW Enterprises
Locked Bag 8812
Wollongong NSW 2500

Email: itc.privacy@uow.edu.au
# Privacy Complaint Form

<table>
<thead>
<tr>
<th>Personal Details</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Title:</strong></td>
</tr>
<tr>
<td><strong>Name:</strong></td>
</tr>
<tr>
<td><strong>Address:</strong></td>
</tr>
<tr>
<td><strong>Email:</strong></td>
</tr>
<tr>
<td><strong>Contact Ph:</strong></td>
</tr>
</tbody>
</table>

*Please advise our office as soon as possible if any of your contact details change.*

<table>
<thead>
<tr>
<th>Complaint Details</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Division:</strong></td>
</tr>
<tr>
<td><strong>Individuals Involved (if known):</strong></td>
</tr>
<tr>
<td><strong>Location:</strong></td>
</tr>
</tbody>
</table>

Please provide the same information on an extra page if there are more people/Divisions you are complaining about.

<table>
<thead>
<tr>
<th>Have you complained to the Individual?</th>
<th>(Y/N)</th>
</tr>
</thead>
</table>

If Yes, please describe any action they took in responding to your complaint. Where possible give dates. Please attach a copy (not the original) of your complaint to the area and any letter of reply you received.
If No, is there any reason you cannot do so now?

<table>
<thead>
<tr>
<th>Please give up all the information that you think is relevant to your complaint. The Privacy Officer is available during office hours to help you decide what is relevant to your complaint.</th>
</tr>
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</table>

**How do you believe your privacy has been breached?**

<table>
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<tr>
<th>How has this affected you?</th>
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</table>

<table>
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<tr>
<th>Have you taken this complaint to another agency, e.g. an adviser, the police, the University? If so, which agency? <em>Please give details and provide copies of relevant documents.</em></th>
</tr>
</thead>
</table>
Please provide copies (not the original) of any documents that may help us investigate your complaint. This includes any correspondence or records of conversations you have had with the relevant area, including their letter of reply.

Please sign and date this form:

| Signature: |  |
| Date: |  |

Please mail this form, together with any attachments to:

The Privacy Officer  
UOW Enterprises  
Locked Bag 8812  
Wollongong NSW 2500

Email: itc-privacy@uow.edu.au

### 8 Version Control Table

<table>
<thead>
<tr>
<th>Version Control</th>
<th>Approved By</th>
<th>Date Approved</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Vince Lendrum</td>
<td>02/05/11</td>
<td>New Plan and Procedure</td>
</tr>
<tr>
<td>2</td>
<td>ITC Quality Manager</td>
<td>08/06/11</td>
<td>Address in section 5 updated</td>
</tr>
<tr>
<td>3</td>
<td>Director Legal and Governance</td>
<td>10/3/14</td>
<td>Changes to reflect branding and legislative requirements.</td>
</tr>
<tr>
<td>4</td>
<td>Executive Director Legal &amp; Governance</td>
<td></td>
<td>Minor changes only – College branding and document formatting updated.</td>
</tr>
</tbody>
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