

## PURPOSE

The *Right to Information Act 2009* (Qld) is the Queensland Government's approach to providing the community with greater access to government information. TAFE Queensland Gold Coast recognises that this right of access is fundamental to openness, transparency and accountability. The *Information Privacy Act 2009* (Qld) applies to the collection, storage, handling, access, amendment, management, transfer, use and disclosure of personal information held by TAFE Queensland Gold Coast.

## SCOPE

TAFE Queensland Gold Coast will provide access to the information it holds, unless on balance it is contrary to the public interest to do so. It aims to make more information available through proactive and routine release of the information it holds thus giving equal access to information across all sectors of the community, while providing appropriate protection for individuals' privacy.

## OBJECTIVES

Customer Group	Objectives (for each Customer Group)
Clients & Staff	<p>Information will be released administratively wherever possible so that applying for information under the <i>Right to Information Act 2009</i> (the RTI Act) becomes the last resort.</p> <p>Members of the public can apply to access and amend their own personal information under the <i>Information Privacy Act 2009</i> (the IP Act).</p> <p>TAFE Queensland Gold Coast is committed to protecting your privacy and includes provisions for individuals to access their personal information.</p>

## POLICY

TAFE Queensland Gold Coast is one of six regions that delivers training under TAFE Queensland, an independent statutory body created on 1 July 2013 and operates in a competitive commercial environment. In line with the Queensland Government's approach for giving the public greater access to information, TAFE Queensland Gold Coast will proactively provide access to information wherever it is in the public interest to do so.

At times, the public interest is best served by maintaining confidentiality on information that has high commercial value for example, however all information, including confidential information will be subject to TAFE Queensland Gold Coast and/or TAFE Queensland approval.

### Right to Information

TAFE Queensland Gold Coast has adopted a culture of compliance to the *Right to Information Act 2009* (Qld). We have established a website where we will release information through a Publication Scheme and Disclosure Log. Information is made available according to the following guidelines:

- Information will be published on our website as a matter of course, unless it is contrary to the public interest.
- TAFE Queensland Gold Coast is taking a proactive approach to ensure that information published is regularly reviewed, kept up to date and accurate.
- If information cannot be provided online or through this Policy, legislative requests may still be made.

We conduct information and training sessions, as a minimum annually, for all staff to inform them of their obligations.

In compliance with legislation and Ministerial Guidelines, the information we provide under the Publication Scheme will be under the following classifications:

- About Us;
- Our Services;
- Our Finances;
- Our Priorities;
- Our Decisions;
- Our Policies; and
- Our Lists.

## Privacy

The *Information Privacy Act 2009* (Qld) (IP Act) applies to the collection, storage, handling accessing, amendment, management, transfer, use and disclosure of personal information held by TAFE Queensland Gold Coast. In accordance with the IP Act, we are required to comply with the Information Privacy Principles (IPPs) contained within the IP Act.

Information Privacy Principles define and promote best practice in the acquisition, development, management, support and use of information systems and technology infrastructure, which support our business process and service delivery.

The IP Act requires TAFE Queensland Gold Coast to inform why personal information needed to effectively perform its obligations and role, is being collected, how it will be stored, handled, used and under what circumstances personal information will be disclosed to third parties. Any personal information collected will not be used or disclosed other than for the purpose which it was collected, unless:

- there is a purpose required or permitted by law;
- it is necessary to prevent a threat to health or life; or
- a purpose authorised by the client.

Normally, requests by students for details of their own records will be covered under an Administrative Access Scheme and Procedures have been developed to verify the identity of individuals where access to documents containing the individual's own personal information is being sought. These measures may vary depending on the information being sought and the extent to which TAFE Queensland Gold Coast has personal contact with applicants.

Under the Information Privacy Act 2009, an agent acting on behalf of an applicant for access to documents containing personal information of the applicant must provide all of the following:

- Written evidence of the agent's authorisation to act for the applicant (agent's authorisation);
- Evidence of the agent's identity and applicant's identity (evidence of identity requirements).

These requirements apply if the application seeks to access documents containing the applicant's personal information. Together, they establish the agent's authority to act for the applicant and they must be provided with the application or within 10 business days after making the application.

The purpose of the evidence of identity requirements is to ensure that any personal information that an agency decides to release is only provided to the applicant or a person authorised by the applicant to act on their behalf. This operates as an additional safeguard on the disclosure or alteration of personal information as prescribed by the Office of the Information Commissioner.

Documents that provide sufficient evidence of identity for a person may include a certified copy of:

- a passport, or
- a copy of a birth certificate or extract, or
- a driver's licence

Individuals who seek access to their own information must also provide sufficient evidence of identity before the release of any personal information

Additional information can be obtained from the Office of the Information Commissioner web site:

<https://www.oic.qld.gov.au/>

## DEFINITIONS

IPP: - Information Privacy Principles: IPPs place strict obligations on an agency when it collects, stores, uses and discloses personal information. However, some exemptions can apply to certain agencies when dealing with particular personal information. The IPPs are set out in schedule 3 of the *Information Privacy Act 2009 (Qld)*;

Information Privacy: relates to access and amendment to your personal information; it can also relate to Third Party access to a client's records (eg: Solicitors, employment agencies);

Right to Information: relates to the release of information that does not include an individual's personal details (eg: details of a tendering process).

## COMPLIANCE REFERENCE

*Right to Information Act 2009 (Qld)*

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/R/RightInfoA09.pdf>

*Information Privacy Act 2009 (Qld)*

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/I/InfoPrivA09.pdf>

*Public Records Act 2002 (Qld)*

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/P/PublicRecA02.pdf>

IS 18 Information Security

IS 40 Recordkeeping

Standards for National VET Regulation (SNR) - SNR 20 Compliance with legislation

Office of the Information Commissioner website: <http://www.oic.qld.gov.au/>

Proof of identity: <http://www.oic.qld.gov.au/guidelines/for-government/access-and-amendment/receiving-and-assessing-applications/evidence-of-authority-and-identity>

Right to Information/Information Privacy Application Form:

<http://www.oic.qld.gov.au/guidelines/for-community-members/information-sheets-access-and-amendment>