

Purpose

This policy outlines how we, at Lady Gowrie Tasmania (LGT) handle personal information about you and/or your child. This policy outlines our [commitment](#) and provides an overview of our personal information management practices, including:

- the types of information we collect and hold; and
- why we collect this information; and
- how we do this; and
- how we use and manage this information; and
- when we may disclose information; and
- how you can access and seek correction if information is incorrect; and
- how you may complain about privacy matters.

Scope

This policy applies to the personal information of persons who are a prospective, current, or past clients of LGT, including:

- RTO students; or
- clients of customised professional support; and
- children and families accessing our Education and Care programs; and
- children and families accessing our In-Home Care Support Agency and Family Support Services; and
- children whom our Inclusion Service supports.

This policy also relates to any personal information collected about children's parents or guardians.

This policy also outlines how LGT manage personal information about employees.

Our commitment

We, at Lady Gowrie Tasmania (LGT) are committed to protecting the privacy of personal information which we permitted to collect, use, store or disclose. We have complied with the Privacy Act 1988 (Cth) and the [Australian Privacy Principles](#) in our information management practices.

We also comply with the requirements of the:

- *Personal Information Protection Act 2004* (Tas) in relation to our Registered Training Organisation (RTO) and other programs; and
- *Education and Care Services National Regulations* (2011) in relation to our long day care (LDC), outside school hours care (OSHC) and vacation care programs; and
- various commonwealth and state funding agreements.

We keep employee's records private. We manage information employee records in accordance with the *Fair Work Act 2009* (Cth).

Our commitment to information privacy reflects our vision and purpose.

Information collection

What information do we collect and hold?

The nature and extent of information we might collect, and hold varies depends on our relationship

with you. In most cases we collect '[personal information](#)' (see definitions) about you and/or your child. Personal information' is information or an opinion about an identified individual or one who is reasonably identifiable. Personal information might include.

- names
- addresses
- phone numbers
- email addresses
- photos
- bank account details.

In the case of employee records, and depending upon the program it may also include:

- the employee's personal and emergency contact details
- banking details for payment
- tax file numbers
- records of pay and of hours worked
- super fund information
- police record checks
- personal insolvency Index check
- working with vulnerable people registration status
- drivers licence details
- academic records
- records of engagement, resignation, or termination of employment
- information about training, performance, and conduct
- professional membership information
- interview records and reference details.

We may also need to collect '[sensitive information](#)' (see definitions) about children that are enrolled in our services. Sensitive information is a specific subset of personal information and might include information about a person's health, racial or ethnic origin, political opinions, association memberships, religious beliefs, sexual orientation, criminal history, genetic or biometric information. Occasionally, we may also have to collect sensitive information about employees to support injury management and return to work arrangements.

We collect this sensitive information only if it is necessary and we will seek your [consent](#) (see definitions) unless it is required or authorised by or under an Australian law or a court/tribunal order or otherwise is permitted under the Privacy Act 1988.

Why do we collect this information?

We request and collect personal information that is necessary to carry out a range of functions or activities including, but not limited to:

- responding to general enquiries
- managing enrolments and bookings
- managing employees
- providing services and programs
- undertaking assessments and planning
- managing risk
- managing incidents or complaints.

We have published a range of privacy notices that provides the rationale for collecting information across our various services. Refer below to the section '[Finding out more.](#)'

We believe that the collection of this information is essential, and in some cases it may be impossible to

provide care or other services if this is not provided.

How do we collect information?

We only collect personal information that we need, and we only ever collect information by fair and lawful means. This means that we will notify you that we intend to collect information about you and/or your child, and we will explain the purposes for this collection.

We will only collect information directly from you and not from third parties unless you have previously nominated these and provided your [consent](#) (see definitions). If we need to collect [sensitive information](#) (see definitions) we will ask you or your parent or guardian to confirm this in a signed agreement or by recording your agreement by another appropriate means.

Should we receive unsolicited or unauthorised information from a third party, we will destroy the information or ensure that it is de-identified, except where required by law to retain the information.

We will always strive to ensure that all information collected is accurate, complete, and up to date is not excessive and does not intrude into your personal affairs.

Anonymity

Where practicable, participants you may choose to interact with us anonymously, or use a pseudonym. In some circumstances however, this may mean this may have some effort on the provision of a service or complaints handling.

How we use and manage information

We only use personal information about you and/or your child for the primary purposes in which we collected it. In most cases this will be for enrolment, billing and to provide a service. We will require your [consent](#) (see definitions) outside of the primary purpose, unless this is permitted under the Privacy Act 1988 (Cth).

We ensure that any information we hold is an accurate, up-to-date, and complete.

Security of information

We hold information securely.

Access to personal information is restricted to authorised staff via secure passwords and role-based access permission structures. We employ contemporary digital information security practices to manage the access and disclosure of information.

We store physical records in secure manner. We augment our information management practices with sound procedures, and with induction and training for our staff. These measures allow us to protect personal information against loss, unauthorised access, use, modification, or disclosure and against other misuse.

Retention and disposal

We will keep information about you a minimum of 7 years following the last occasion of service provision. In keeping with relevant laws, any records retaining to children under 18 years will be held until the person is 25 years old. We securely dispose of information after the time has elapsed in accordance with relevant laws or transfer it to relevant funders as demanded by contract.

We retain records of employment for 7 years. Records relating to employment applications are disposed of within 3 months, after the position has been filled.

Disclosure of information

We recognise the trust you have placed in us when you tell us about yourself. But there may be times when we have to share information about you to other entities. We will not disclose transfer or release

any information about you and/or your child to other entities without your informed [consent](#) (see definitions) unless this is deemed necessary to ensure your or another person's safety or it is required by law. Some common examples of legal requirements are explained below.

There may be occasions when we may need to speak about with other providers or external professionals about you or your child. You will be asked to select these entities and nominate the information you would like to disclose and the purpose for this disclosure. We will ask that you formally confirm these arrangements in an agreement which will be valid for 12 months. We will ensure that any information that you want us to share is accurate, current, and complete.

Court orders and warrants

Whilst it is rare, we may disclose personal information relating to a client or employee where it is necessary for a law enforcement purpose or it required to aid an investigation into unlawful activity. In such cases, we may be required to release information about a client or employee under a subpoena issued by a state or Commonwealth court/tribunal or by a warrant issued by an enforcement body (e.g., police).

Disclosure relating to safety concerns.

We have legal obligations under the under the *Children, Young Persons and Their Families Act 1997 (Tas)* to disclose personal information that relates to child safety concerns. We may also disclose personal information about a child or employee if it is necessary to meet our obligations under the *Child and Youth Safe Organisations Act 2023 (Tas)*.

Under the Reportable Conduct Scheme, we must report any concern that constitutes a reportable allegation or a reportable conviction against an employee.

Disclosure of RTO related information.

We are required under the regulatory requirements to disclose the personal information we collect about you to the National Centre for Vocational Education Research Ltd (NCVER) and Skills Tasmania. The NCVER is responsible for collecting, managing, analysing, and communicating research and statistics about the Australian VET sector. The following requirements apply to this:

- *Standards for Registered Training Organisations (RTOs) 2015*
- *National Vocational Education and Training Regulator Act 2011 (Cth)*
- *National Vocational Education and Training Regulator (Data Provision Requirements) Instrument 2020*

This includes AVETMISS data as required under the National VET Provider Collection Data Requirements Policy. You can read more about how NCVER use this information and manage your privacy in the [NVCER Privacy Policy](#) and our RTO Policy.

The RTO may disclose information to Services Australia (Centrelink) where it is requested relating to qualification progression and confirmation of student - when they are in receipt of a government payment.

Access to records by regulatory agencies

We have obligations under the *Education and Care Services National Regulations 2011* and are required to allow representatives from the [Education and Care Unit](#) (ECU) of the Department for Education, Children and Young People to access personal information relating to children for quality and compliance arrangements.

Officers from the [Australian Skills Quality Authority \(ASQA\)](#) may also access personal information relating to students for audits. When this may occur, any representatives from the accrediting body will sign a confidentiality agreement, not to disclose or share any personal information they may come across.

Disclosure of employee records

Inspectors from the [Fair Work Ombudsman](#) can request access to information about our employees to verify that we are meeting our employment obligations. We are legally required to provide requested employment records to these officers.

Government agencies such as Australian Taxation Office (ATO) and Services Australia (Centrelink) may also request the disclosure of provide personal information about our employees. We may be obliged to comply with these requests unless it conflicts with a person's privacy rights.

Accidental or unauthorised disclosure

We take every effort to ensure that any information we collect is not disclosed accidentally or in an unauthorised manner. We assess and respond to any suspected [data breach](#) in compliance with the Notifiable Data Breach (NDB) Scheme established under Part IIIC of the *Privacy Act 1988 (Cth)*. We have developed a Data Breach Response Plan (DBR Plan) and a process to manage such events. We will notify the [Office of The Australian Information Commission](#) (OAIC) and affected individuals if we are unable to prevent a data breach from resulting in serious harm. We will also notify relevant funders and regulatory entities if there is a data breach under related laws and contracts.

Overseas hosting

One of our systems and applications are hosted by a company based in the United States of America. This company have committed to meeting the APPs. We have taken reasonable steps to ensure that ensure that overseas based hosts handle personal information in accordance with the APPs. This companies data management commitments are described [here](#).

Accessing information, we hold about you.

Client right to access information.

You have a right to request access to the information we hold about you and/or child. You can request access this information at any time.

Before we show you the information, we will ask you to provide evidence to verify your identity.

We will respond to such request in a timely fashion. However, there are many instances under the Act where may have to refuse your request.

We will write to you to you regarding the outcome of your application and will provide a written justification if we refusal your request along with.

We may have to levy a small fee retrieve this information if significant amounts are in storage.

Please contact us on info@gowrie-tas.com.au if you wish to exercise this right.

Amending incorrect information

You can tell us if you think any information on your record is inaccurate, misleading, incomplete, or out of date. You have the right to request that we correct your record if this is the case. Where practical we will act on your request and take steps to notify relevant parties of the correction.

However, under certain circumstances you may be denied access to some records, for example, where this infringes the privacy rights or safety of another individual or if this permitted under the Privacy Act 1988 or related law. We will provide a full explanation and rationale if we believe we cannot enable you to access information about yourself or your child. Likewise, we may have to refuse a request to correct or delete a record because it impracticable or impossible to do so. If so, we will provide you with an explanation and we will make a record that indicates the information is no longer valid.

Employee right to access information.

The handling of employee records is exempt from the Privacy Act if it is related to your current or

former employment relationship. This means that we are not obliged to give you access to your employment record if you work with us now or have done so in the past.

However, the APPs will cover records relating to prospective employment. This means that if you applied to work with us, you can ask to see any relevant information that relates to the evaluation of their candidature. We will consider and approve an application if they do not conflict with our obligations under the Privacy Act 1988.

Direct marketing

We will not use or disclose personal information for the purpose of direct marketing. We may access third party online services to assist in hosting of websites, communication with clients, completion of surveys and organising events. Some online services invite individual users to save their information for ease of future use or they may share information with direct marketing agencies. While we will seek to use reputable services, clients are encouraged to read all information before agreeing to any offers these third-party services may provide.

We do not collect or store personal information on our [website](#).

Research

We engage a range of research activities that are aimed continuous improvement to the quality of our programs. We sometime partner with academic institutions to undertake this research. Where this occurs, these arrangements comply with research guidelines approved under Section 95A of the *Privacy Act 2018*.

We will obtain the informed consent of any participants prior to any external research is carried out. The principles of informed consent must be upheld by researchers as an integral part of planning any data collection process. Within this context, it is expected that in the majority of cases, written consent will be obtained from parents/carers of children and young people under the age of 18 and from employees 18 years or over prior to commencement of a research project.

Complaints

You have a right to complain to us about how we have handled personal information about you or your child.

You can direct these complaints to info@gowrie-tas.com.au or by calling us on (03) 62306800.

We promptly acknowledge complaints and investigate these thoroughly. We will aim to complete our investigations in a timely fashion and will advise you of the outcome as soon as it is complete. However, anonymous complaints may take much longer to investigate.

We can provide you with progress reports on any actions being undertaken to address your concern.

If you are not satisfied with the outcome of your complaint, you can take your concern to the [Australian Information Commissioner \(OAIC\)](#) or the relevant regulator. The OAIC have the power to investigate complaints and act where we have failed to meet your privacy rights and/or breached the APPs.

You can raise [Australian Skills Quality Authority \(ASQA\)](#) if the complaint relates to the management of information in our Registered Training Organisation (RTO). You may also wish to raise a complaint to the [Education and Care Unit](#) of the Department for Education, Children and Young People if this issue relates to our Education and Care services.

Communicating this policy

We will communicate our Privacy Policy through our website and we will ensure it is on display in our offices. We will also provide a copy of this policy, wherever it is requested. We will also provide this policy in accessible formats and means wherever this is required.

Any questions about this policy can be directed to our Privacy officer at info@gowrie-tas.com.au.

Finding out more

You can find out more about our privacy practices across our various programs through these links:

- [IHC Privacy Notice](#)
- [RTO Privacy Notice](#)

Definitions

This section explains the meaning of some of the terms used in the policy. There are links to these definitions throughout the policy wherever these terms appear.

Term	Definition
Personal information	<p>Personal information (that is not sensitive information) can include, but is not limited to:</p> <ul style="list-style-type: none">• your name and pronoun• your date of birth• your contact details (such as address, telephone number, email)• your bank account details• your signature
Sensitive information	<p>Sensitive information is defined under section 6(1) of the Privacy Act. This is a subset of personal information. Sensitive information may include, but is not limited to:</p> <ul style="list-style-type: none">• your racial, ethnic, or cultural identity• your political opinions and activity• your religious and spiritual beliefs• your sexual orientation and behaviours• your gender identity and the name and pronoun you go by• your criminal record (if you have one)• information about your physical or mental health• information about your disability and diagnosis• information about any treatments and medication you require or have had. <p>Sensitive information is given the higher level of protection.</p>
Data breach	<p>A data breach may occur when personal information held by Lady Gowrie Tasmania is lost or subjected to unauthorised access or disclosure.</p> <p>Lady Gowrie Tasmania has an obligation to make a notification if:</p> <ul style="list-style-type: none">• a data breach is believed to have occurred, and• it is likely to result in serious harm to the individual(s) whose personal information is involved in the breach, and• remedial action has not been able prevent the risk of serious harm.
Consent	<p>We make sure your consent is informed. We make sure of this by explaining how your information will be used and disclosed and by ensuring that you understand and agree to these arrangements.</p> <p>Consent must be given voluntarily by an individual with the capacity to communicate their agreement.</p>

Related Organisational Documents

- [Confidentiality and Privacy Policy \(E&C\)](#)
- [NVCER Privacy Policy](#)

Policy Governance

Version and status	Version: 1.0: Approved
Approval date	27/07/2023
Approved by	Mat Rowell, CEO
Review date	27/07/2025

References

Child Care Subsidy Minister's Rules (2017).

Education and Care Services National Regulations (2011).

Fair Work Act 2009 (2009).

Guidelines approved under Section 95A of the Act (2014).

Privacy (Tax File Number) Rule (2015).

Privacy Act (Cth) (1988).

Standards for Registered Training Organisations (RTOs) (2015).