

Disclosure of Personal Information Procedures

1. LEGISLATION/ENTERPRISE AGREEMENT/POLICY SUPPORTED

[Freedom of Information Act 1992 \(WA\)](#)

[Higher Education Support Act 2003 \(Cth\)](#)

[Privacy Act 1988 \(Cth\)](#)

[Australian Privacy Principles](#)

Curtin Recordkeeping Plan 2014

2. IMPLEMENTATION PRINCIPLES

- 2.1. To ensure that personal information held by the University is handled in accordance with applicable legislation, The University is required by the *Higher Education Support Act 2003* (Cth) (HESA) to comply with the Australian Privacy Principles when handling Students' personal information obtained for the purposes of chapters 3 & 4 of the HESA. Apart from this obligation, the University is not subject to the *Privacy Act 1988* (Cth) but it nevertheless voluntarily commits to the Australian Privacy Principles as if it were a "*Commonwealth government organisation*" as defined in the Act.
- 2.2. To ensure the privacy of student, staff, third-party or client personal information held by the University.
- 2.3. To clarify circumstances where student, staff, third-party or client personal information may be disclosed.
- 2.4. These procedures are to be read in conjunction with the University's [Privacy Statement](#) as updated from time to time.

3. PROCEDURAL DETAILS

3.1. Verification of identity

- 3.1.1. Before any personal information is disclosed, staff will assure themselves of the identity of the requestor. This will be done at the discretion of the staff member to a reasonable level, and can be through sighting a photo identification (ID) (e.g. Curtin University Identification (ID) card, driver's licence, passport) or by confirming identifying information (e.g: birth date of the individual).
- 3.1.2. Staff receiving an enquiry from a student or staff in person, by telephone, fax or by email will undertake verification process with the student or staff and assure themselves of that student's or staff member's identity, before any personal information related to the student or staff member is disclosed.

3.2. Requests will be made in writing where possible

- 3.2.1. Where possible, requests for personal information will be made in writing and received through the University's email system.
- 3.2.2. Where possible, requests for personal information will be in writing and be supported by the requestor's authority to seek information. This authority will be sighted before any personal information is disclosed.

3.3. Personal Information not to be released through Social media

Apart from exceptional circumstances where it is otherwise authorised, personal information regarding students or staff will not be disclosed through social media, including but not limited to Facebook, Twitter, Instagram, LinkedIn, Yammer and Pinterest.

3.4. Personal Requests for Information

3.4.1. Personal Requests for personal information

If any student or staff member requests personal information held by the University about them, staff will reasonably assure themselves of the identity of the requestor before disclosing the requested personal information.

3.4.2. Personal Requests to disclose personal information to a third party

If any student or staff member requests personal information to be disclosed to a third party, the student or staff member will complete either of the following forms:

- Disclosure of Information and Proxy Authorisation Form available at <http://students.curtin.edu.au/administration/forms.cfm>; or
- Communication Authorisation available at <http://www.tisc.edu.au/static-fixed/download/authact.pdf>.

3.5. External Requests for Information

All requests from external parties for student or staff personal information are to be forwarded to the Information Disclosure Compliance Officer at Records and Information Management and the appropriate contact persons and areas for further action and clarification as listed below.

Personal information will not be released to a third party without informed and written consent of the student or staff member unless there exists a clear danger to the student or staff or others; or a legal obligation to do so.

3.5.1. Requests from Commonwealth Department responsible for Centrelink; Commonwealth Department responsible for Education; Australian Taxation Office or Other Universities

Staff receiving requests for personal information from Commonwealth Department responsible for Centrelink; Commonwealth Department responsible for Education; Australian Taxation Office or Other Universities will forward requests to Student Services and the Information Disclosure Compliance Officer at Records and Information Management.

3.5.2. Requests from Commonwealth Department responsible for Immigration

Staff receiving requests for personal information from the Commonwealth Department responsible for Education will forward this request to Curtin International Office and the Information Disclosure Compliance Officer at Records and Information Management.

3.5.3. Legal requests (including but not limited to subpoenas, search warrants, court orders)

All legal requests will be forwarded to General Counsel (Legislation and Litigation) in Legal and Compliance Services and the Information Disclosure Compliance Officer at Records and Information Management

3.5.4. Requests for health records

Staff receiving external requests for health records of a student or staff member will forward such requests to Director, Health Services or nominee and the Information Disclosure Compliance Officer at Records and Information Management.

3.5.5. Requests for counselling records

Staff receiving external requests for counselling records of a student or staff member will forward such requests to Head, Counselling and Disability Services or nominee and the Information Disclosure Compliance Officer at Records and Information Management.

3.5.6. Requests for Personal Information in the event of an emergency

Staff receiving requests for personal information or nominated emergency contact for any student or staff in the event of an emergency will forward the request to:

- Academic Registrar or nominee (for Students); or
- Director, People and Culture or nominee (for Staff); or
- Director, Risk Management or nominee (for Students and Staff); and
- Information Disclosure Compliance Officer at Records and Information Management or nominee.

The University will disclose personal information under the following conditions:

- if it is unreasonable or impracticable to obtain the individual's consent to the collection, use or disclosure; and the University reasonably believes that the collection, use or disclosure is necessary to lessen or prevent a serious threat to the life, health or safety of any individual, or to public health or safety; or
- the University has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to the University's functions or activities has been, is being or may be engaged in; and the University reasonably believes that the collection, use or disclosure is necessary in order for the University to take appropriate action in relation to the matter; or
- the University reasonably believes that the collection, use or disclosure is reasonably necessary to assist any agency, organisation, body or person to locate a person who has been reported as missing; and the collection, use or disclosure is necessary in order for the University to take appropriate action in relation to the matter; or
- the collection, use or disclosure is reasonably necessary for the establishment, exercise or defence of a legal or equitable claim; or
- the collection, use or disclosure is reasonably necessary for the purposes of a confidential alternative dispute resolution process.

3.5.7. All other requests

Staff receiving all other external requests for personal information of a student or staff member will forward such requests to the Information Disclosure Compliance Officer at Records and Information Management.

4. RESPONSIBILITIES

In addition to any responsibilities set out in section 3,

4.1. Students and staff

Students and staff are responsible for ensuring that personal information held by the University which is in their possession or control is kept confidential and only disclosed in accordance with these procedures.

All staff who have personal information in their control will be advised of their responsibility to keep that information confidential. They may be advised during pre-employment or at induction.

All staff not otherwise authorised to deal directly with a request for personal information will refer requests of personal information to the appropriate contact person in line with section 3.

4.2. Managers

Managers are responsible for training and advising staff on handling and disclosure of personal information in accordance with these procedures.

5. SCOPE OF PROCEDURES

This procedure applies to all students, staff and University Associates.

6. DEFINITIONS

(Note: Commonly defined terms are located in the [Curtin Common Definitions](#). Any defined terms below are specific to this document)

Client personal information

Any personal information that relates to any current or former client of the University.

Personal information

Information (including information forming part of a database), and whether recorded in a material form or not, about an individual whose identify is apparent, or can reasonably be ascertained, from the information.

Staff personal information

Any personal information that relates to any person employed or previously employed by the University.

Student personal information

Any personal information that relates to any person currently or previously enrolled or graduated from the University.

Third-party personal information

Any personal information that relates to a third person who is not a staff member, student or client of the University.

7. SCHEDULES

Nil

8. RELATED DOCUMENTS/LINKS/FORMS

[Curtin University's Privacy Statement](#)

[Privacy Act 1988 \(Cth\)](#)

[Freedom of Information Act 1992 \(WA\)](#)

[Higher Education Support Act 2003 \(Cth\)](#)

[Research Management Policy](#)

[Centrelink Consent Form](#)

[Curtin University Identification Card](#)

Policy Compliance Officer	Sue Aldenton , Associate Director, Records and Information Management Legal and Compliance Services
Policy Manager	Chief Operating Officer
Approval Authority	Chief Operating Officer
Review Date	1 st April 2018

REVISION HISTORY

Version	Approved/ Amended/ Rescinded	Date	Committee / Board / Executive Manager	Approval / Resolution Number	Key Changes and Notes
P13.1	Approved	07/11/2001	Information Plan Advisory Committee	IPAC 54/01	Attachment 1 to Document No IPAC 49/01
	Administratively Updated	20/03/2008	Director, Legal and Compliance Services		Reformatted and Amended to Reflect Organisational Chart
	Amended	10/12/2008	Council	C 189/08	Attachment B to Confidential Document No 01286/08, Amended Responsibilities to Reflect Organisational Chart
	Amended	02/06/2009	Planning and Management Committee	PMC 47/09	Name Change from Staff Services to Human Resources
	Administratively Updated	17/06/2009	Director, Legal and Compliance Services		Responsibilities Updated
	Administratively Updated	16/10/2012	Director, Legal and Compliance Services		Policy Contact Updated
	Amended	07/04/2014	Vice President, Corporate Services	EM1401	Unconditional (formerly policy and procedures)
	Administratively Updated	18/12/2014	Director, Legal and Compliance Services		Change of Policy Contact
	Amended	03/03/2015	Vice President, Corporate Services	EM1501	Unconditional

	Administratively Updated	20/04/2015	Director, Legal and Compliance Services		Director, Human Resources changed to Director, People and Culture
	Administratively Updated	06/10/2015	Director, Legal and Compliance Services	EC 76/15	Executive Manager Title Changes