

## HEALTH EDUCATION SERVICES AUSTRALIA PRIVACY POLICY

1. **Introduction**
- 1.1 Health Education Services Australia (**HESA**) provides services to advance professional health education and training in Australia and overseas. HESA provides a range of consulting services in health education management and the provision of independent accreditation services in Australia and Internationally.
- 1.2 HESA also operates the National Placement Evaluation Centre (NPEC), which measures and enhances the quality of nursing and midwifery clinical placements through rigorous evaluation and quality improvement processes, including by collecting information, and maintaining a central data repository, regarding student clinical placements of nursing and midwifery students. Further information about the management of personal information in relation to the NPEC can be found in the NPEC privacy policy on the [NPEC website](#).
- 1.3 This privacy policy has been prepared in accordance with the *Privacy Act 1988* (Cth) (the **Privacy Act**), the Australian Privacy Principles (as set out at Schedule 1 to the Privacy Act), and the Office of the Australian Information Commission (**OAIC**) *Guide to developing an APP privacy policy* (May 2014)
- 1.4 In particular, this privacy policy complies with HESA's obligation under APP 1.3 to have a clearly expressed and up-to-date policy about HESA's management of 'personal information'.
- 1.5 'Personal information' is information or an opinion about an identified individual, or an individual who is reasonably identifiable:
  - (a) whether the information or opinion is true or not; and
  - (b) whether the information or opinion is recorded in a material form or not.
- 1.6 HESA's obligations under the Privacy Act also apply to 'sensitive information', which is:
  - (a) information or an opinion about an individual's:
    - (i) racial or ethnic origin; or
    - (ii) political opinions; or
    - (iii) membership of a political association; or
    - (iv) religious beliefs or affiliations; or
    - (v) philosophical beliefs; or
    - (vi) membership of a professional or trade association; or

- (vii) membership of a trade union; or
- (viii) sexual orientation or practices; or
- (ix) criminal record;

that is also personal information; or

- (b) health information about an individual; or
- (c) genetic information about an individual that is not otherwise health information; or
- (d) biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or
- (e) biometric templates.

1.7 As required by APP 1.4, this privacy policy contains the following:

- (a) the kinds of personal information that HESA collects and holds;
- (b) how HESA collects and holds personal information;
- (c) the purposes for which HESA collects, holds, uses and discloses personal information;
- (d) how an individual may access personal information about the individual that is held by HESA and seek the correction of such information; and
- (e) how an individual may complain about a breach of the Australian Privacy Principles and how HESA will deal with such a complaint;

## 2. **Personal information that HESA collects and holds**

### 2.1 Accreditation of education programs

- (a) HESA receives requests for accreditation of education providers. In receiving those requests, HESA may collect the following personal information:
  - (i) Names and titles of individuals;
  - (ii) Ages and dates of birth;
  - (iii) Descriptions of the occupations and/or job titles and/or job descriptions of individuals;
  - (iv) Other employment details;
  - (v) Education qualifications;

- (vi) Email addresses;
  - (vii) Postal addresses;
  - (viii) Telephone numbers; and
  - (ix) Credit card and bank account details.
- (b) HESA may also receive the following sensitive information:
- (i) Health information;
  - (ii) Details of professional memberships;
  - (iii) The nationality, race or ethnic origin of individuals;
  - (iv) Details of criminal convictions.
- (c) Information may be collected by HESA in relation to its accreditation function by the receipt of completed application forms, in person, by email, telephone, and through the HESA website.

## 2.2 National register of accredited education programs

- (a) HESA maintains a register of accredited education programs, which contains the following personal information:
- (i) Names and titles of individuals;
  - (ii) Telephone numbers;
  - (iii) Email addresses; and
  - (iv) Postal addresses.

## 2.3 Handling complaints

- (a) HESA at times receives complaints, and operates a complaints handling scheme to manage any complaints that are made. A complaint may be made anonymously. However, if the identity of the complainant is revealed by the complaint, HESA may collect the following personal information in handling the complaint:
- (i) Name;
  - (ii) Email address; and
  - (iii) Postal address.

## 2.4 Personnel records

- (a) HESA collects personal information of employees and contractors, including:
  - (i) Name;
  - (ii) Date of birth;
  - (iii) Address;
  - (iv) Telephone numbers;
  - (v) Tax file number;
  - (vi) Education and training qualifications;
  - (vii) Bank account details;
  - (viii) Salary and other financial information.
- (b) HESA also collects sensitive information that includes:
  - (i) Memberships of professional and trade organisations;
  - (ii) Memberships of trade unions; and
  - (iii) Health information.

## 2.5 HESA website

- (a) The HESA website invites an individual to submit questions, inquiries, and commendations.
- (b) If an individual submits a question, inquiry or commendation through the HESA website, HESA may collect provide personal information that includes:
  - (i) Name;
  - (ii) Title;
  - (iii) Email address;
  - (iv) Telephone number; and
  - (v) Postal address;
- (c) Information is collected when a person visits the HESA website, including through the use of 'cookies'. The information collected includes:
  - (i) The IP address of the person;
  - (ii) The time of the visit; and

(iii) The pages on the website that are visited.

## 2.6 Marketing

(a) HESA will not use personal information for marketing purposes.

## 3. **How HESA collects and holds personal information**

3.1 HESA will usually collect personal information directly from the individual to whom the information relates. However, HESA may also collect personal information from third parties, including in the following circumstances:

(a) Personal information that is provided by an applicant for accreditation, where, for instance, the personal information relates to a person who is an employee of the person or entity applying for accreditation; and

(b) Personal information that is provided by education providers for the purpose of the inclusion of information on the register of accredited education programs.

3.2 We take reasonable precautions and follow industry best practices to protect your personal information from being inappropriately lost, misused, accessed, disclosed, altered or destroyed.

3.3 If we receive unsolicited personal and sensitive information, we will:

(a) within a reasonable period after receiving the information, determine whether we could have collected the information in accordance with the Australian Privacy Principles, and specifically APP 3, and

(b) if we discover that it could not have been collected in accordance APP 3, we may destroy it or ensure that it is de-identified if it is lawful and reasonable to do so.

3.4 We use a database management system to store personal information that contains security features such as encryption, firewall and anti-virus, to ensure the protection and integrity of our data.

3.5 All email data is stored securely on a server that is password protected and only accessible by authorised ANMAC personnel.

3.6 In circumstances where:

(a) We suspect or are aware that data relating to your personal information has been lost, disclosed without authorisation, or breached by a third party, and

(b) that loss, disclosure or unauthorised access causes or is likely to cause serious harm to you or another person, and

- (c) the harm that may occur is not able to be prevented by HESA; we will fully comply with the applicable provisions of the Notifiable Data Breach Scheme.
- 3.7 If a notifiable breach occurs, we will notify you, the Office of the Australian Information Commissioner and other persons affected with:
  - (a) a description of the breach and how it occurred
  - (b) the kinds of information that were compromised in the breach, and
  - (c) the steps that should be taken to mitigate the harm caused by the breach.
- 4. **The purposes for which HESA collects, holds, uses and discloses personal information**
- 4.1 HESA will only **use** the personal information it collects for the purpose (the primary purpose) for which it was collected, or for a secondary purpose if permitted by the Privacy Act.
- 5. HESA may **disclose** personal information that it holds where the disclosure is consistent with the primary purpose for which the information was collected. HESA may, at times, also disclose personal information for a secondary purpose (as permitted by the Privacy Act).

#### **Access to and correction of personal information held by HESA**

- 5.1 You may request access to your personal information that we hold, and we will:
  - (a) verify your identity;
  - (b) charge you to cover the cost of meeting your request, if any, but not for the request itself; and
  - (c) within a reasonable period, comply with your request.
- 5.2 We may refuse to allow you to access your personal information if we are not required to do so under the Privacy Act, and particularly in circumstances where:
  - (a) providing access would pose a serious and imminent threat to the life or health of any individual,
  - (b) providing access would have an unreasonable impact upon the privacy of other individuals,
  - (c) the request for access is frivolous or vexatious;
  - (d) the information relates to existing or anticipated legal proceedings between you and us, and the information would not be accessible by the process of discovery in those proceedings (i.e. through court order or subpoena);
  - (e) providing access to the information would be unlawful;

- (f) denying access is required or authorised by law;
  - (g) providing access would be likely to prejudice an investigation of possible unlawful activity; or
  - (h) otherwise in accordance with the Privacy Act.
- 5.3 You may request to correct your personal information that we hold, and we will update your personal and sensitive information so that it is up-to-date, accurate, complete, relevant and not misleading.
- 5.4 If you would like to access or correct your personal information, please contact us by email at [privacy@hesa.com.au](mailto:privacy@hesa.com.au).
6. **Complaints**
- (a) If you believe we breached the APPs under the Privacy Act, a registered Australian Privacy Principles Code or the National Law, you may lodge a complaint as follows:
    - (i) firstly, contact us in writing to the email or postal address in clause 11.4 and include the following in your complaint:
      - (A) your contact details;
      - (B) section or provision of the APPs or Code that you believe we breached; and
    - (ii) our practice or policy that you believe breaches the relevant APP or Code, and you must allow us a reasonable time, about 30 days, to reply to your complaint; and
  - (b) secondly, you may complain to the National Health Practitioner Privacy Commissioner if:
    - (i) you are not satisfied with our response; or
    - (ii) we do not respond to you within a reasonable time without enough explanation.