



Information Privacy Policy

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1	10/03/2016	ERLC Board
2	24/08/2017	ERLC Board

Policy Review Date	December 2019
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Preamble

Eastern Regional Libraries Corporation (ERLC) is committed to protecting an individual's right to privacy and accordingly adhering to its obligations under the *Privacy and Data Protection Act 2014* (Vic) and the *Health Records Act 2001* (Vic) (the Acts).

Purpose

ERLC has the function and purpose of delivering library services, activities and initiatives on behalf of the Knox City, Maroondah City and Yarra Ranges Councils.

This policy outlines how ERLC will endeavour to comply with the *Privacy and Data Protection Act 2014* and the *Health Records Act 2001* in meeting those functions and purposes, and in particular how it will comply with the Information Privacy Principles (IPPs) and Health Privacy Principles (HPPs).

All employees and volunteers working for the ERLC are required, and contractors/agents to the ERLC are requested, to comply with the ERLC Information Privacy Policy.

Definitions and Types of Information Maintained

The Acts regulate how organisations such as the ERLC handle personal, sensitive and health information.

Personal Information

Personal information is information or opinions (including those on a database), recorded in any form and whether true or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion. Examples of personal information include a person's name, sex, date of birth, address, financial details, marital status, and education and employment history. *Sensitive information* is a subset of personal information including information such as an individual's racial or ethnic origin, political opinions, trade union membership, philosophical or religious belief, sexual preferences or criminal record.

Health Information

Health Information is information or opinions about the physical, mental or psychological health of an individual, the disability of an individual or a health service provided or to be provided to an individual.

Closed Circuit Television (CCTV)

CCTV is a surveillance system in which a number of cameras are connected through a closed circuit. The footage taken by the cameras is sent to a television monitor or recorder. CCTV systems consist of cameras, monitors, recorders, interconnecting hardware and support infrastructure.

Technology Resources

Technology Resources include (amongst others) software applications; third party social networking and eResources platforms; and computer hardware resources.

Information Handled by ERLC

Personal information handled by the ERLC may include:

- a membership or employee number,
- name and address,
- telephone number(s),
- email address (es)
- postal address,
- date of birth.

Personal information such as these are required for membership of the ERLC, which cannot be granted unless the information is provided.

A library record may include personal information about a member, such as:

- any library items borrowed,
- fines or lost/damaged book accounts,
- holds/reservations placed,
- appropriate parent or guardian details in the case of child members,
- suspensions/cancellations of membership and reasons thereof.

ERLC may:

- Capture and/or retain the images of individuals through its use of Closed Circuit Television (CCTV) systems (refer Close Circuit Television Policy).
- Monitor, access and retain the internet browsing history of a library services user (refer Technology Resources Terms & Conditions of Use Policy).

ERLC uses personal information collected from/about members of the public to provide library services and activities to the public in a safe and secure environment. It only uses health information for the purpose for which that health information was provided, for example to provide advice on library services that could be provided to a person during illness or, in relation to staff, for employment purposes, such as processing leave applications.

Collection of Information

ERLC collects personal information that is necessary for its administration, functions and activities. In some instances, ERLC is required by law to collect personal information. When the ERLC collects personal, sensitive or health information it will do so only by fair and reasonable ways and by lawful means.

If it is reasonable and practicable to do so, ERLC will collect personal information and health information about individuals directly from those individuals.

ERLC takes reasonable steps to explain why personal or health information is collected, what is done with it and whether any law requires it.

ERLC will only access, monitor or retain CCTV recorded images or internet browsing history where it reasonably believes there is a breach of its policies or guidelines, or is in receipt of a lawful request to disclose the information (See Use and Disclosure).

USE and DISCLOSURE

ERLC will only use personal information and health information internally, or disclose it outside the ERLC:

- for the purpose for which it was collected;
- where the ERLC is required or authorised to do so by law or other regulation, such as where Victoria Police requests information for the purpose of an investigation; or
- where the Corporation believes there is a serious and imminent threat to an individual's or the public's health, welfare or safety.

Occasionally, ERLC may be authorised by law to provide personal or health information to others for other purposes, such as to the Australian Taxation Office for employment purposes. In other cases an individual's consent may be sought to use or provide personal information to others.

ERLC uses membership details to create statistics, which allow for planning to improve or extend library services, and to meet changes in demand for services. Individuals are not identified by name or address when compiling this statistical information.

ERLC may make individual information available to contractors/agents to the ERLC, such as a debt collection agency to recover outstanding library materials and/or outstanding fees and charges.

ERLC directly, or through its contractors/agents, will not sell, rent, trade or transfer personal information to third parties e.g. credit agencies, third party information aggregators, advertisers.

Personal information may be used to inform members of selected activities or events, or special offers made to our members by our partners and sponsors. Any such information will always come via ERLC.

Where members have provided an email address they will receive an electronic newsletter about library materials, activities and events in accordance with our Membership Access & Use Policy, unless the member opts out.

ERLC may transfer personal information outside of Victoria where ERLC reasonably believes that the recipient of the information is subject to a law, binding scheme or contract which effectively upholds principles for fair handling of information that are substantially similar to the IPPs.

Data Quality

While the ERLC takes reasonable steps to ensure that personal and health information held is accurate, complete and up-to-date, such as confirming membership information with members, it relies on individuals to provide accurate and current information to the ERLC in the first instance, and to notify ERLC when circumstances or details change.

STORAGE and PROTECTION OF INFORMATION

ERLC has security measures aimed at protecting personal and health information from misuse, loss, unauthorized access or disclosure. These security measures include taking reasonable steps to protect our data bases and hard copy records of members and staff personal information.

ERLC will take reasonable steps to lawfully and responsibly destroy or permanently de-identify personal information when it is no longer needed for any purpose, subject to compliance with any applicable Act or Regulation.

Individual Access to Information

It is ERLC's policy that where appropriate an individual may ask for access to their personal or health information, without having to make a formal request under the *Freedom of Information Act 1982* (FOI Act).

In some situations, providing access to personal or health information outside the FOI Act will not be appropriate, and an individual will instead have to make a formal FOI request. (For example, if a third party's privacy is involved). More information about FOI is available from www.erl.vic.gov.au on where or from whom a person can gain FOI information.

Individuals can access information held about them by ERLC by:

- directly contacting the ERLC Privacy Officer (details below).
- under the *Freedom of Information Act 1982* where appropriate.

If any persons believe that personal or health information relating to them is inaccurate, incomplete or out of date, they may request ERLC to correct the information. Every request will be dealt with in accordance with the respective Acts.

Complaint Procedures

ERLC undertakes to resolve privacy complaints in a timely, fair and reasoned way.

If any persons feel aggrieved by the Corporation's handling of personal information about themselves, they may make a complaint in writing to the Chief Executive Officer.

If a person remains dissatisfied with the response by ERLC, that person may make a complaint to the Commissioner for Privacy and Data Protection about misuse of personal information or the Health Services Commissioner about health information.

Regular Review

This policy will be reviewed at the earlier of: two years; following significant incidents if they occur; after any legislative changes.

Disclaimer

The Corporation strives to provide information as accurately as possible. The information provided in this Policy is intended as general information only. The Corporation makes no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the contents of this Policy, and expressly disclaims liability for errors and omissions in the contents of this Policy.

USEFUL CONTACT DETAILS

ERLC Privacy Officer

Eastern Regional Libraries Corporation
1350 Ferntree Gully Road
Scoresby VIC 3179
Tel: 1300 737 277
Email: privacy.officer@erlc.vic.gov.au

Commissioner for Privacy and Data Protection

Level 6, 121 Exhibition Street
PO Box 24014
Melbourne Victoria 3001
Tel: 1300 666 444
Email: privacy@cpdp.vic.gov.au

Health Services Commissioner

Level 26, 570 Bourke Street
Melbourne Victoria 3000
Tel: 1300 582 113
Email: hsc@dhhs.vic.gov.au

OTHER RELEVANT POLICIES & GUIDELINES

- Information Collection Statement
- Membership, Access & Use Policy
- Code of Conduct ~ Patrons
- Closed Circuit Television (CCTV) Policy
- Technology Resources ~ Terms & Conditions Of Use Policy