



## Disclosure of Personal Information Procedures

### 1. COMPLIANCE OBLIGATION SUPPORTED

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

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

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

### 2. PROCEDURAL DETAILS

2.1 The purpose of these procedures is to:

- (a) ensure the privacy of personal information held by the University;
- (b) ensure that personal information is handled in accordance with the University's obligations and the [Privacy Statement](#); and
- (c) clarify circumstances where personal information may be disclosed.

#### 2.2 Verification of identity and authority

Before any personal information is disclosed, staff receiving any request for the release of personal information will:

- (a) undertake a verification process with the requestor and assure themselves of the requestor's identity. This will be done at the discretion of the staff member to a reasonable level and may be completed by sighting and confirming identifying information; and
- (b) where the request is made by a third party (that is, by someone who is not the person who owns the personal information), obtain evidence of the requestor's authority to seek information, unless otherwise authorised pursuant to these procedures.

#### 2.3 Requests will be made in writing and through appropriate channels

- 2.3.1 Requests for personal information will be in writing and provided to the University by hand delivery, post or email.
- 2.3.2 The University will not accept requests for personal information nor provide any response to a request for personal information by social media.

#### 2.4 Access to and disclosure of personal information for research

The University will manage personal information collected, used or accessible within research data in accordance with the approved Data Management Plan and the [Privacy Statement](#).

#### 2.5 Assistance with responding to requests for release of personal information

Staff who receive any request for the release of personal information, or who are planning any project, research or task that involves the use of personal information, should seek assistance from the Information Disclosure Compliance Officer or the Manager, Research Integrity (for research matters).

#### 2.6 Third parties

##### 2.6.1 Requests to disclose personal information to a third party

Where a student or staff member requests the University disclose personal information to a third party, the request should be accompanied by either the [Disclosure of Information and Proxy Authorisation Form](#) or [Communication Authorisation](#).

##### 2.6.2 Requests to disclose personal information from a third party

The following table sets out the Curtin organisational unit or staff member responsible for responding to requests for personal information from specific third parties. Staff may appoint a nominee to respond to queries in their absence.

<i>Individual who is the subject matter of the request</i>	<i>Requestor</i>	<i>Curtin organisational unit / Staff member or nominee</i>
Student	Commonwealth Department responsible for Centrelink	Student Services
Student	Commonwealth or State Department responsible for Education	Student Services
Student	Australian Taxation Office	Student Services
Student	Another university	Student Services
Student / Staff	Commonwealth Department responsible for immigration	Curtin Global
Student	Any other Commonwealth or State department	Student Services
Student / Staff	Any third party pursuant to a legal process including but not limited to subpoena; search warrant; court order; notice to produce or notice to comply; for purpose of alternative dispute resolution process	Legal Services
Student / Staff	(a) A third party seeking health records related to workers' compensation, injury, illness or disability	(a) Director, People and Culture
	(b) A third party seeking health records related to travel or insurance	(b) Director Risk, Compliance & Audit
	(c) A third party seeking all other health records	(c) Medical Director, Health Services
Student / Staff	Counselling records	Head of Services, Counselling, AccessAbility and Wellbeing Services
Student / Staff / Third Party	Any other requestor not specified in this table	Information Disclosure Compliance Officer

## 2.7 Emergency or a serious threat to University community

2.7.1 The University may disclose personal information under the following conditions:

- (a) if it is unreasonable or impracticable for the University to obtain the individual's consent to the use or disclosure and the University reasonably believes that the 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;
- (b) if 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 use or disclosure is necessary in order for the University to take appropriate action in relation to the matter; or
- (c) if the University reasonably believes that the 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 use or disclosure is necessary in order for the University to take appropriate action in relation to the matter.

- 2.7.2 During a situation described in section 2.7.1, staff receiving a request for the release of personal information or the nominated emergency contact for any student or staff will forward the request to:

<i>Individual who is the subject matter of the request</i>	<i>Nominated staff member or nominee</i>
Student	(a) Academic Registrar; or (b) Director Risk, Compliance and Audit; or (c) Information Disclosure Compliance Officer; or (d) Manager, Transport, Parking and Security
Staff	(a) Director, People and Culture; or (b) Director Risk, Compliance and Audit; or (c) Information Disclosure Compliance Officer; or (d) Manager, Transport, Parking and Security

### 3. RESPONSIBILITIES

In addition to any responsibilities set out in section 2:

- 3.1. 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.
- 3.2. Managers will advise their staff who have personal information in their control of their responsibility to keep that information confidential in accordance with these procedures. This may occur pre-employment or at induction.
- 3.3. Managers are responsible for training and advising staff on handling and disclosure of personal information in accordance with these procedures.

### 4. SCOPE OF PROCEDURES

This procedure applies to the University community, including Council members, students, staff, University Associates, Curtin controlled entities and all persons participating in University business or activities, including whether as a visitor, adjunct appointee, service provider, contractor or volunteer.

### 5. DEFINITIONS

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

#### **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.

### 6. SCHEDULES

Nil

### 7. RELATED DOCUMENTS/LINKS/FORMS

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

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

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

[Curtin Privacy Statement](#)

<b>Policy Compliance Officer</b>	<a href="#">Annette Rooke</a> , Information Disclosure Compliance Officer
<b>Policy Manager</b>	Chief Legal Officer
<b>Approval Authority</b>	Chief Legal Officer
<b>Review Date</b>	1 April 2027

## 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
	Approved	03/03/2015	Vice President, Corporate Services	EM1501	Documented Updated
	Administratively Updated	20/04/2015	Director, Legal and Compliance Services		Director Human Resources changed to Director, People and Culture
	Approved	02/07/2018	Chief Operating Officer	EM1810	Unconditional
	Approved	11/09/2023	Chief Legal Officer	EM2326	Unconditional