# Privacy Policy

Effective date: 01 July 2026

victorian institute of teaching

### Purpose

This policy describes how the Victorian Institute of Teaching (VIT) collects, uses and discloses personal information to enable it to perform its statutory and business functions. Where the term "personal information" is used, it includes both health information and sensitive information. Where "health information" or "sensitive information" is expressly referred to, those references apply only to those specific types of information.

The VIT is committed to protecting personal information through compliance with the

- *Privacy and Data Protection Act 2014* (PDP Act)
- *Health Records Act 2001* (HR Act)
- *Education and Training Reform Act 2006* (the Act)
- *Freedom of Information Act 1982* (FOI Act)
- any other relevant legislation or schemes.

### Scope

The VIT collects, uses and discloses personal information about individuals

- that we regulate, including teachers, early childhood teachers and permission to teach holders
- who apply for, are employed by, or otherwise engaged by VIT, including applicants for employment, employees, secondees, labour hire personnel, contractors, subcontractors, work experience participants and volunteers
- who engage with our business or regulatory functions, including users of our services.

### Operational roles and responsibilities

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| Chairperson | Provides strategic oversight to promote a culture of privacy compliance and ensure appropriate resourcing to manage privacy risks. |
| Directors and managers | Ensure privacy practices are implemented within their branches, staff understand their obligations, privacy risks are identified and managed, and incidents are escalated as required. |
| Freedom of Information and Information Privacy Officer | Oversees compliance with privacy legislation, acts as the primary contact for privacy matters, manages external privacy enquiries and complaints, and supports Privacy Impact Assessments. |
| Risk and Regulatory Compliance Manager | Manages privacy investigations and responses to privacy incidents, ensures compliance with OVIC guidelines, coordinates notification of notifiable breaches, and supports post-incident review and improvement. |
| All Staff and Contractors | Must comply with this policy and familiarise themselves with the Information Privacy Principles set out in Schedule 1 of the PDP Act and the Health Privacy Principles in Schedule 1 of the HR Act, and ensure their ongoing compliance with these principles. They must also complete all required privacy training and report any actual or suspected privacy breaches as soon as they become aware of them. |

# 1. Policy statement

1.1 The VIT respects the privacy of everyone's personal information.

1.2 We will ensure that

- a. the collection, use and disclosure of personal information is responsible, transparent, and secure
- b. individuals are given information about their rights to access and (if necessary) to correct information that we, and any other organisations that provide services to us, hold about them.

1.3 Personal information received or obtained by VIT will be kept confidential, except where it is necessary or appropriate to disclose the information in the performance of our statutory or business functions, or as otherwise authorised or required by law.

1.4 Any personal information collected by VIT will be handled in accordance with this policy.

1.5 The principles that guide this policy are

| | |
|---|---|
| **Principle 1:** Lawful, necessary and transparent handling of information | The VIT collects, uses and discloses personal information lawfully, fairly and only where necessary to perform its statutory or business functions. Individuals are informed about how and why their information is handled, and what rights they have in relation to it. |
| **Principle 2:** Respect for individual rights and privacy | The VIT respects the privacy of individuals and supports their rights to access, correct and understand how their personal information is managed. Wherever lawful and practicable, individuals are given control, choice and clarity in their dealings with VIT. |
| **Principle 3:** Accuracy, security and responsible stewardship | The VIT takes reasonable steps to ensure that information it holds is accurate, up to date and securely protected from misuse, loss or unauthorised access. Information is retained, disclosed, destroyed or de-identified responsibly and in accordance with legislative requirements. |

# 2. How VIT manages information

2.1 The VIT collects, uses and discloses different types of information about individuals to fulfill our functions and powers under the Act. Other individuals or bodies may also provide personal information about individuals to us.

2.2 All personal information is only used or disclosed in accordance with law, for example

- a. where it is required to fulfill a function under the Act
- b. with consent
- c. where it is authorised by law.

### Collection

**IPP 1 / HPP 1**

2.3 The VIT only collects personal information that is reasonably necessary to perform its statutory and business functions. The types of personal information collected vary depending on the function being undertaken.

2.4 The specific types of personal information collected and the purposes for which it is collected for each function are set out in the relevant collection notices, available on the VIT Privacy webpage.

2.5 Where applicable, individuals will be informed of the relevant legislative authority for the collection of their personal information at the time of collection.

2.6 We will only collect personal information by lawful and fair means and not in an unreasonably intrusive way.

2.7 If it is reasonable and practicable to do so, we will collect personal information directly from the individual. Given the nature of VIT's functions as a regulator, it is often not reasonable or practicable to collect information directly, so we may collect personal information indirectly from other parties.

2.8 At or before the time of collection (or as soon as practicable after) when collecting information about an individual, VIT will take reasonable steps to notify the individual of the collection and to ensure that they are aware of

- a. why the information is being collected (including the purposes for the collection and any relevant laws requiring the collection)
- b. how the information is used
- c. who it may be disclosed to and the purposes of the disclosure
- d. the main consequences if the individual does not provide the information
- e. how the individual may contact VIT and gain access to the personal information we hold about the individual.

2.9 The VIT may be exempt from notifying an individual in certain circumstances, for example where doing so would pose a serious threat to the life or health of any individual or would breach another person's confidentiality.

### Sensitive Information

**IPP 10**

2.10 The VIT may collect sensitive information where

- a. the individual has consented to the collection
- b. the collection is required or authorised by law
- c. the collection is necessary to prevent or lessen a serious threat to the life or health of any individual, where the relevant person
  - i. is physically or legally incapable of giving consent to the collection; or
  - ii. physically cannot communicate consent to the collection.
- d. the collection is necessary for the establishment, exercise or defence of a legal or equitable claim.

2.11 We may also collect sensitive information about an individual if

- a. the collection is necessary for research or the compilation or analysis of statistics relevant to government funded targeted welfare or educational services; or
- b. the information being collected relates to an individual's racial or ethnic origin and the purpose of the collection is to provide government funded targeted welfare or educational services; and
- c. there is no reasonably practicable alternative to collecting the information for either purpose; and

d. it is impracticable for VIT to seek the individual's consent to the collection.

## Use and disclosure

**IPP 2 / HPP 2**

2.12 The VIT only uses and discloses personal information for the primary purpose for which it was collected or a secondary purpose if an exception applies.

2.13 The exceptions include

a. the secondary purpose relates to the primary purpose of collection (or directly relates to the primary purpose in the case of sensitive or heath information) and the individual would reasonably expect VIT to use or disclose it in this way;

b. an individual has given consent for the use or disclosure; and/or

c. VIT is required, authorised or permitted by law to use or disclose the information.

2.14 Information collected may be shared within VIT across different branches, provided that such sharing is undertaken in compliance with applicable law.

2.15 Information may also be shared with other regulators, government departments, municipal councils, public authorities, and the current or former employers of a registered teacher, where reasonably necessary for VIT to perform its functions or as authorised or required by law.

2.16 The VIT may also share information with other persons or bodies where there is a relevant legislative basis for doing so, including where such sharing is authorised, permitted or required under applicable law.

2.17 Additionally, where consent is provided by the individual, that we may use and disclose information to other persons or bodies, including Initial Teacher Education Providers or overseas bodies.

2.18 The specific purposes for which VIT uses and discloses personal information for each function are set out in the relevant collection notices, available on the VIT Privacy webpage.

2.19 Generally, VIT uses and discloses personal information for purposes including, but not limited to

a. performing its functions, duties, and powers

b. regulating or registering schools, early childhood services, or other services related to children

c. regulating or registering teachers, early childhood teachers or permission to teach holders

d. screening persons who work, or intend to work, with children or vulnerable people

e. regulating disability services

f. promoting the safety and wellbeing of one or more children

g. supporting research or policy development relating to the regulation and registration of teachers

h. any other prescribed purpose.

2.20 Unless we require the personal information for our functions or as permitted under a relevant law, we will take reasonable steps to permanently remove identifying details (de-identify) the information.

## Data Quality

**IPP 3 / HPP 3**

2.21 The VIT takes reasonable steps to ensure the personal information we collect and use is accurate, complete, and up-to-date. Where possible, we check the accuracy of personal information before we use it.

## Data Security

**IPP 4 / HPP 4**

2.22 The VIT uses a range of security measures to protect personal information from misuse, loss, and unauthorised access, modification, or disclosure.

2.23 The VIT takes reasonable steps to destroy or permanently de-identify personal information when it is no longer required, in accordance with the *Public Records Act 1974* and the PDP Act.

2.24 In relation to health information, VIT takes reasonable steps to destroy or permanently de-identify such information when it is no longer required for the purpose for which it was collected, or any other purpose authorised by the HR Act or other applicable laws. The VIT will make a written record of any destruction of health information or transfer of that information to another organisation where it no longer retains the information.

2.25 The VIT also takes reasonable steps to ensure that any personal and health information it collects, uses, and discloses is accurate, complete, up to date, and relevant to its regulatory functions.

## Openness

**IPP 5 / HPP 5**

2.26 This Policy outlines how VIT manages personal and sensitive information.

2.27 It is publicly available on VIT's website or a copy can be obtained

- a. in person at Level 12, 717 Bourke Street, Docklands
- b. in writing at PO Box 531, Collins Street West, Victoria 8007
- c. by phone on 1300 888 067
- d. via email to vit@vit.vic.edu.au.

## Access and Correction

**IPP 6 / HPP 6**

2.28 The VIT relies on individuals to ensure that any personal information provided is accurate, current, complete, and relevant, and to notify VIT of any changes. Teachers may update their details via the teacher portal.

2.29 Individuals may request access to, or correction of, their personal information by contacting VIT. Requests must be made in writing to the Freedom of Information Officer at privacy@vit.vic.edu.au.

2.30 Upon receiving a request, VIT will confirm whether it holds personal information about the individual and advise of any steps required to access that information.

2.31 Requests for access to documents containing personal information and in the control of VIT are handled in accordance with the *Freedom of Information Act 1982* or Information Privacy Principle 6.

2.32 The VIT may refuse access to certain case-related personal information in accordance with the applicable legislation, including the Act and the *Freedom of Information Act 1982*. Where

access is refused, VIT will provide reasons. For example, access may be refused where it would unreasonably impact the privacy of a third party.

### Unique Identifiers

**IPP 7 / HPP 7**

2.33 The VIT adopts a unique identifier for teachers in the form of a registration number.

2.34 The use of unique identifiers is necessary to enable VIT to perform its legislative functions efficiently, including the registration of teachers. The VIT also allocates case numbers to enquiries and matters to support the effective management of information, notifications, and responses.

### Anonymity

**IPP 8 / HPP 8**

2.35 Where lawful and practicable, individuals may choose not to identify themselves or to use a pseudonym when dealing with VIT.

2.36 However, all registered teachers are required to undergo periodic identity verification and therefore cannot remain anonymous in relation to their registration obligations.

### Trans-border data flows

**IPP 9 / HPP 9**

2.37 The VIT may transfer personal information outside Victoria only where the individual has consented, the recipient is subject to substantially similar privacy obligations (IPP 9 or HPP 9), or the transfer is otherwise authorised by law.

2.38 The VIT may also transfer personal information about a teacher whose home jurisdiction is outside Victoria to the relevant regulatory authority, where permitted by law.

2.39 The VIT uses cloud services and digital service providers that store or process information 'in the cloud' in data centres located interstate. The VIT has taken reasonable steps to ensure information transferred to the cloud provider will not be held, used or disclosed inconsistently with the IPPs.

### Public registers

2.40 The VIT is required to maintain and publish a Register of registered teachers and a Register of Disciplinary Action, each of which is available on VIT's website, in accordance with applicable legislative requirements.

2.41 Information contained in these registers is public and may be collected, used, and disclosed by VIT to support the effective regulation of the teaching profession, protect the public by enabling verification of registration status, and provide relevant information about registered teachers and disciplinary outcomes.

## 3. Complaints

3.1 The VIT treats privacy complaints seriously and aims to resolve them promptly, fairly, and efficiently. The VIT will work with you to address your complaint and keep you informed of its progress.

3.2 Individuals wishing to make a complaint about a potential breach of privacy should first contact VIT's Privacy Officer. Complaints should be made in writing and include the complainant's name and contact details, details of the privacy concern, and (where applicable) any suggested remedy.

**3.3** The VIT's Freedom of Information and Privacy Officer can be contacted at privacy@vit.vic.edu.au.

**3.4** Within 21 days of receiving a complaint, VIT will acknowledge receipt, confirm that an investigation will be undertaken, and aim to provide a response as soon as practicable (and within 45 days of receipt where possible).

**3.5** Following an investigation, VIT may take appropriate action, including taking no further action, issuing an apology, implementing remedial or administrative measures, or providing undertakings to prevent recurrence.

**3.6** If you are not satisfied with the outcome, you may refer your complaint to the relevant external body

- **a.** The Office of the Victorian Information Commissioner may be contacted by telephone on 1300 006 842, by email at enquiries@ovic.vic.gov.au, or by post at PO Box 24274, Melbourne VIC 3001.
- **b.** The Victorian Health Complaints Commissioner may be contacted by telephone on 1300 582 113, via the HCC Online Complaint Form, or in person at Level 26, 570 Bourke Street, Melbourne VIC 3000.

## Definitions

| Term | Definition |
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| Personal information | Personal information is defined in the PDP Act as information or an opinion (including information or an opinion forming part of a database), recorded in any form and whether true or not, about an individual whose identity is apparent or can reasonably be ascertained from that information or opinion. It does not include health information to which the HR Act applies. For the purposes of this Policy, unless otherwise stated, references to "personal information" include both sensitive information and health information. |
| Sensitive information | Sensitive information is a subset of personal information subject to higher protections. It includes information about an individual's racial or ethnic origin, political opinions or associations, religious or philosophical beliefs, membership of a professional or trade association or trade union, sexual orientation or practices, or criminal record. |
| Health information | Health information is defined in the *HR Act* and includes personal information about an individual's physical, mental, or psychological health or disability, health services provided or to be provided, and other personal information collected in relation to the provision of a health service, organ donation, or genetic information. |
| Interpretation | Where "health information" or "sensitive information" is expressly referred to in this Policy, those references apply only to those specific categories of information. |

## Relevant legislation and policy

- Information Sharing Framework
- *Education and Training Reform Act 2006*
- *Freedom of Information Act 1982*
- *Health Records Act 2001*
- *Public Records Act* 1973
- *Privacy and Data Protection Act 2014*
- *Victorian Data Sharing Act 2017*
- Charter of Human Rights and Responsibilities Act 2006
- *Child Wellbeing and* Safety *Act 2005*
- *Disability Act 2006*

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