

1. Organisational

1.3 Confidentiality and Privacy

This policy must be read in conjunction with Riverina Conservatorium of Music (RCM) Organisational Policies General Outline, Definitions and Relevant Legislations.

1. Purpose

- a. The purpose of this policy is to establish guidelines to ensure the staff of the Riverina Conservatorium of Music Ltd (RCM) have a clear understanding of the legal and moral requirements of the confidentiality around information held by the RCM and the privacy rights of all staff members, clients, students and patrons.
- b. The RCM is committed to fair and responsible collection and handling of personal information. The information that is obtained by the RCM is primarily for the purpose of providing a high quality service to our clients and students. Only non-identifying information shall be utilised for the purpose of planning, evaluating, and developing our services.

2. Additional Definitions

- a. **Personal Information:** information or an opinion, whether true or not, about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion.
- b. **Sensitive Information:**
 - i. Information or an opinion about an individual's:
 1. racial or ethnic origin; or
 2. political opinions; or
 3. membership of a political association; or
 4. religious beliefs or affiliations; or
 5. philosophical beliefs; or
 6. membership of a professional or trade association; or
 7. membership of a trade union; or
 8. sexual orientation or practices; or
 9. criminal record;
 - ii. medical and health information about an individual.
- c. **Confidential Information:**
 - i. Any confidential information relating to, or belonging to the RCM, including any such information relating to:
 1. Customers or clients
 2. Customer lists or requirements
 3. Suppliers

4. Terms of trade
 5. Pricing lists or pricing structures
 6. Marketing information and plans
 7. Intellectual Property
 8. Business plan or dealings
 9. Plans, designs, product lines
 10. Any document identified as being confidential by the RCM
 11. Inventions / Compositions
 12. Research activities and
 13. Software and the source code of any such software
- ii. Confidential Information does not include information that:
1. is generally available in the public domain or
 2. where it is stated as being known prior to the disclosure by the RCM, its employees, representatives or associates.

3. Application of Policy

3.1 Roles and Responsibilities

a. RCM Personnel

All RCM personnel will keep all confidential information confidential. They agree not to use, disclose or make public any confidential information without the prior written approval of the RCM. A breach of these obligations of confidentiality by any employee of the RCM shall be regarded as serious misconduct and the RCM reserves the right to commence disciplinary action or termination of employment without notice.

b. RCM Director (CEO)

The RCM Director (CEO) will:

- i. Ensure personal information is protected in accordance with the laws governing privacy in New South Wales (NSW) and the Commonwealth of Australia.
- ii. Ensure all records and documents are maintained and stored in accordance with the RCM Records Management Policy and State Records Act 1998 (NSW).

c. RCM Associate Director

The RCM Associate Director will oversee and/or delegate the management and update of details within these policies when the RCM Director (CEO) is absent.

4. Details

4.1 Confidentiality

- a. No RCM staff member may reveal a student's private and personal information to any person.

- b. No RCM staff member may reveal the private and personal information of another personnel member to any person.
- c. With the exception of the Director (CEO), Associate Director, Deputy Director Finance and Administration or Staff Services Officer, no individual is entitled to access information regarding complaints or discipline of an RCM staff member.
- d. No person is entitled to access or view the private personnel files of another employee of the RCM except where access to the file is required as part of the performance of his/her duties.
- e. No RCM staff member, past or present may use confidential information including, but not restricted to, student contact information or RCM proprietary information to facilitate non-RCM business. To do so may result in immediate dismissal from the RCM and/or legal action.

4.2 Privacy of Information

a. Collection of information:

Personal information will only be collected to the extent necessary by lawful and fair means and not in an unreasonably intrusive way for one or more of the RCM's functions or activities.

b. Types of Personal information that may be collected and held:

- i. name, address and contact details (e.g. phone, email, residential or business address)
- ii. photographs, video recordings and audio recordings
- iii. information about your personal circumstances where relevant (e.g. age, gender)
- iv. information about your financial affairs (e.g. payment details, bank account details)
- v. any information collected with bursary applications
- vi. information about your identity (e.g. date of birth)

c. Use of information:

The RCM will use or disclose personal information for the primary purpose for which it was collected.

The RCM will use personal information for another purpose (secondary purpose) if:

- i. the NSW Government Department of Educational requires such information
- ii. the individual has consented; or
- iii. the individual would reasonably expect the RCM to use or disclose the information for the secondary purpose.

5. Variations

- a. If a worker is unsure about any matter covered by this Policy, they should seek the assistance of the Executive Team Member(s).

- b. *The RCM reserves the right to vary, replace or terminate this policy from time to time.*

Policy version and revision information

Policy drafted by: Amanda Gibson
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