
Privacy Policy

07.05.04.B

Introduction

The Australian Pharmacy Council complies with the requirements of *the Privacy Amendment Act (Private Sector) Act 2000*. The Act imposes specific obligations such as the National Privacy Principles (NPP) in regard to handling information. Copies of the relevant Privacy Acts may be found at <http://www.comlaw.gov.au>

Collection of Personal Information

The Australian Pharmacy Council collects and handles a range of personal information to enable it to carry out its core functions. The Australian Pharmacy Council core functions may be found at www.pharmacycouncil.org.au. It may also use some personal information for planning e.g. objective measure of outcomes of education and monitoring but in such cases identifying details are removed from information collected. The Australian Pharmacy Council does not collect information that is not relevant for the purpose of meeting its core functions. The Australian Pharmacy Council recognises that the nature of its role is such that much of the information it collects may be particularly sensitive.

In carrying out its work, the Australian Pharmacy Council collects information from two main groups of individuals:

- Council and committee members, examiners, external evaluators and Australian Pharmacy Council staff;
- Applicants and candidates undertaking the skills recognition and examinations process; and
- Other regulatory bodies.

The Australian Pharmacy Council has adopted the respective NPPs contained in the Act as minimum standards in relation to handling personal information. In broad terms this means that the Australian Pharmacy Council:

- Collects only information needed for a specified primary purpose;
- Makes it clear to individuals why personal information is collected and how it will be handled;
- Uses and discloses personal information only for the stated purpose, or for another purpose with the person's consent (unless otherwise authorised by law);
- Stores it securely and protects it from unauthorised access; and
- Retains it for the period authorised by the Public Records Act 1973; and
- Provides persons with access to their own information, and the right to seek its correction where it is shown to be incorrect.

Use and Disclosure

The Australian Pharmacy Council may disclose an individual's personal information on a confidential basis to its agents, contractors or third party service providers who provide examination, financial, technical, or other services for the purposes only of the Australian Pharmacy Council's functions. Information may also be disclosed where the law requires the Australian Pharmacy Council to do so, or where the individual provides written consent.

The Australian Pharmacy Council is authorised by the applicant (at the eligibility assessment phase) to advise Pharmacy Registering Authorities if there has been removal, withholding or a condition has been placed on their registration /licensure.

Data Quality

The Australian Pharmacy Council will take all reasonable steps to ensure that the personal information it collects, uses, or discloses is accurate, complete and up to date.

Data Security

The Australian Pharmacy Council will take all reasonable steps to protect the personal information it holds from misuse, loss, and unauthorised access, modification and disclosure. The Australian Pharmacy Council keeps some information for a number of years to comply with legal requirements. Any personal information that is no longer required is disposed of in a secure manner or permanently de-identified.

Openness

The Australian Pharmacy Council will maintain this Privacy Policy on its management of personal information and make it readily available. On written request it will advise generally the kind of personal information the organisation holds, what it is used for, and how it collects, holds, uses and discloses that information.

Access and Correction

The Australian Pharmacy Council recognises the essential right of individuals to have their information handled in ways which they would reasonably expect – protected on the one hand, and made accessible to them on the other. Some circumstances where the Australian Pharmacy Council would not provide applicants with their personal information may include those where access:

- would pose a serious and imminent threat to the life or health of a person;
- would have an unreasonable impact on the privacy of others;
- is frivolous or vexatious;
- would be unlawful or denial of access is allowed by law;
- relates to existing or anticipated legal proceedings and would not be accessible through discovery
- may prejudice investigation, prosecution or other action in respect of any possible unlawful activity;
- may reveal the Australian Pharmacy Council 's intentions and prejudice negotiations with the individual; or,
- may damage national security.

If a request for access is declined, the Australian Pharmacy Council will provide its reasons for doing so.

Access to personal information is available as follows:

- Council and committee members, staff members and active applicants or candidates may have access to their personal file and the personal information about them held on the records maintained by the Australian Pharmacy Council.

- Sub-committee members, external evaluators and examiners may have access to the personal information about them held on the records maintained by the Australian Pharmacy Council.

Any requests for access should be made in writing to the Australian Pharmacy Council. The Australian Pharmacy Council will not charge a fee for an access request, but individuals may be charged any reasonable expenses incurred by the Australian Pharmacy Council in facilitating a request, such as search and photocopying costs where applicable.

The Australian Pharmacy Council aims to ensure that the information it holds on individuals is accurate, up to date and complete. If an individual indicates to the Australian Pharmacy Council that the information held is not accurate or complete, they may seek to have that information corrected by advising the Australian Pharmacy Council in writing of the relevant corrections. However, the Australian Pharmacy Council may refuse to change the information held, and will explain its reasons for this decision. In these circumstances, if an individual asks it to do so, the Australian Pharmacy Council will keep a statement with the record that shows its disagreement and that the individual regards the information as inaccurate or out of date.

Any changes to information held in the Australian Pharmacy Council's records (such as details of identity or qualifications) must be accompanied by documentary evidence to support the corrections. Such documents must be copies of the original documents clearly authorised as a true copy of the original by a Justice of the Peace (JP) legal practitioner, public notary or other appropriate person as determined by the Australian Pharmacy Council.

All changes of personal information must be in writing and signed by the applicant, candidate or other individual concerned.

Identifiers

The Australian Pharmacy Council will use its own identifiers and not those assigned by government unless it is required to do so.

Anonymity

Where it is lawful and practicable, individuals may deal with the Australian Pharmacy Council anonymously, however, applicants and candidates choosing to do this should be aware that the Australian Pharmacy Council may not always be able to fully assist them.

Transborder Data Flows

The Australian Pharmacy Council will only transfer personal information about an individual to a person in another country if that transfer is necessary for the performance of the Australian Pharmacy Council activities.

Complaints

An individual who believes that a breach of privacy may have occurred in relation to their personal information held by the Australian Pharmacy Council should make a statement to that effect in writing to the Australian Pharmacy Council CEO that will be followed up.

Contact details

Chief Executive Officer
The Australian Pharmacy Council
PO Box 269
Civic Square ACT 2608

Phone: (02) 6262 9628

Fax: (02) 6247 9611

E-mail: admin@pharmacycouncil.org.au

Access to Council Records

The Australian Pharmacy Council Inc is not bound by, or subject to, the *Freedom of Information Act 1989* (ACT) or the *Freedom of Information Act 1982* (Cth).

The Australian Pharmacy Council is committed to the principles of transparency and consistency and therefore has determined that, within the framework of this policy, the Australian Pharmacy Council will allow access to information held by it, on the proviso that the information requested:

- Relates to that applicant's personal affairs **and** its release would not breach any obligation the Australian Pharmacy Council has to another party.
- The information is publicly available and is not *Commercial-in-Confidence* or otherwise confidential.
- The request is in writing and contains sufficient details to enable the Australian Pharmacy Council to accurately identify the information required.

All requests will be acknowledged within ten (10) working days.

The \$50.00 application fee is payable at the time of submitting the request. All other charges are payable in advance prior to the release of the information requested.

A member of the staff of the Australian Pharmacy Council will be nominated by the CEO to assess and process applications.

All applicants will be notified of the decision with regards to their application as soon as practicable and within thirty (30) days of the Australian Pharmacy Council receiving the request. An invoice will be forwarded at this time for any fees and charges. Approved information will be forwarded **only** after the receipt of the fees and charges.

Applicants may request a review of the decision made in relation to their request pursuant to this policy in the following circumstances:

- The applicant considers a material fact in the original application was not considered.
- The applicant considers his/her application has not been considered fairly or objectively.

The Council will appoint a person to conduct any reviews into decisions made pursuant to this policy. The outcome of the review is final and will be communicated to the applicant in writing.

The following charges apply to any requests made pursuant to this policy.

- Application fee - \$50.00
- Processing fee - \$50 per hour
- Maximum fee - \$500.00
- Copying fee - \$1.00 per page copied