The University of Sydney

Donor and Alumni Information: Guidelines for Confidentiality and Privacy

Guidelines for the Confidentiality and Privacy of Donor and Alumni Information

Approved by: Vice-Chancellor on 16 October 2000

Date of effect: 16 October 2000

1. The University retains various information in connection with donors to the University and alumni of the University. This information is official University documentation and may be held on paper records or on computer systems. Donor information in particular is highly sensitive and must be maintained in strict confidence.

2. The disclosure of any donor and alumni information by the University to employees and affiliates shall usually be strictly limited to those with a legitimate need to know and who agree in writing to comply with the confidentiality and privacy obligations contained in these Guidelines. Further, the disclosure of such information shall be in accordance with the University's Privacy Policy. Circumstances giving rise to disclosure may include:

(i) where access to such information is required by employees of the University to perform the normal duties of their employment. Information which is not directly related to the performance of such duties should not be accessed or viewed;

(ii) in connection with an approved University fundraising campaign where prospects have been identified and relationships established. Full details of individual donor records will not usually be disclosed.

The scope and extent of disclosure shall be authorised by the Vice-Principal, Office of University Relations.

3. The University of Sydney Code of Conduct for Employees, and Corruption Prevention Strategy include requirements for the use and security of official University documentation. All employees of the University are expected to be mindful of these requirements and act in accordance with them.

The relevant provisions of the Code of Conduct for Employees are extracted as follows. These provisions should be observed by all employees of the University who have access to donor and alumni information retained by the University. In particular, such information should not be discussed with or disclosed to any other person (either internal or external to the University) except as permitted under the Code of Conduct:

Staff members must take care to maintain the integrity, confidentiality and privacy of official University documentation and information to which they have access in order to protect the privacy of individuals concerned. In general, staff members must disclose official information only when required to do so by law, when the need arises as part of their normal duties, when they are called upon to give evidence in court, or where the information has been officially approved for release.

Staff must access information, including that on information systems and files, only for the purposes for which authorisation has been given. Staff must not allow any unauthorised person access. All reasonable precautions must be taken including password and file protection measures, to prevent unauthorised access or misuse.

4. The University's Privacy Management Plan and Privacy Policy set out the requirements of the Information Protection Principles which are applicable to the University under NSW legislation (*Privacy and Personal Information Protection Act*). Donor and alumni information retained by the University will usually be classified as personal information. The definition of personal information under the legislation is very broad and covers most information which can identify an individual. Collection, management, use and disclosure of personal information by University employees must be in accordance with the legislation.

5. Relevant extracts from the University's Privacy Policy are set out below in connection with use and disclosure of personal information.

The University will:

- *Protect personal information from loss, unauthorised access, use, modification or disclosure or other misuse;*
- *Ensure that all reasonable steps are taken to ensure that personal information is not used or disclosed without authorisation by external service providers;*
- *Not disclose personal information outside the University or its affiliated student bodies except where*
  - ***(i)*** *the subject of the information has consented to the disclosure, or has been notified of the likelihood of the disclosure; or*
  - ***(ii)*** *the University is required by legislation, court order or other legally enforceable instrument and the request is in an appropriate written form; or*
  - ***(iii)*** *disclosure is reasonably believed to be necessary to prevent or lessen a serious and imminent threat to the life or health of any person;*
- *Only collect personal information for lawful purposes;*
- *When reasonably possible only collect personal information from the individual to whom it relates;*
- *Only collect such information as is reasonably necessary.*

6. The impact of the Policy on the collection, management, use and disclosure of donor and alumni information includes, but is not limited to, the following areas:

- When collecting personal information University employees must take reasonable steps to ensure that the individual to whom the information relates is aware:
  - **(i)** that the information is being collected;
  - **(ii)** of the purpose for which the information is being collected;
  - **(iii)** of the intended recipients of the information (eg. if collected by an

individual Alumni Association or Foundation, whether the information will be passed to other parts of the University such as the Alumni Relations Office or the Development Office);

(iv) whether the supply of information is required by law or is voluntary and consequences (if any) for the individual if information is not provided;

(v) of the existence of any right of access to and correction of the information;

(vi) of the name and address of the agency collecting and holding the information.

- No information should be provided to external service providers (for example selling mailing or contact lists to third parties outside the University) unless an appropriate confidentiality agreement is in place. Appendix 2 of the Privacy Management Plan contains a template agreement approved by the University Solicitor.

7. Use of University computer systems in connection with donor and alumni information must be in accordance with the University's procedures for Administrative Systems Access and Privacy Policy.

8. The Privacy legislation and *Crimes Act* create criminal offences relating to unauthorised access to and disclosure of information.

Inquiries may be directed to:

The Vice-Principal, Office of University Relations
Telephone: (02) 9351 7638
Fax: (02) 9351 7640

Acknowledgment and Agreement by Individual Employees and Affiliates of the University

I acknowledge receipt of the University's Guidelines for the Confidentiality and Privacy of Donor and Alumni Information and related documentation including the Code of Conduct for Employees, Privacy Policy, Corruption Prevention Strategy and procedures for Administrative Systems Access.

1. I understand my responsibilities as indicated in these Guidelines and related documentation.

2. I have read the related documents attached to these Guidelines.

3. I agree to act in accordance with the obligations contained in these Guidelines and related documentation.

4. I understand that if I do not comply with my obligations specified in these Guidelines and related documentation, that the University reserves the right to take appropriate disciplinary action.

Signature:_____

Name:_____

Department/Affiliation:_____

Date:_____