

Privacy Policy and Procedure

Purpose

This policy is a statement of the privacy requirements relating to the student's personal information at the Kingston Institute Australia. The collected information will be either in electronic or hard copy format. Implementing the policy applies to all the Institute staff handling the personal information of students studying at the Institute.

Responsibility

The PEO is responsible for implementing this policy and ensuring that staff and students know its application.

Policy

The Institute takes privacy very seriously and is committed to protecting the privacy of individuals. This includes personal, health, financial and other confidential information necessary for the Institute to carry out its functions. The Institute will take all reasonable steps to protect individual information from loss, misuse, unauthorised disclosure, or destruction. The right to privacy is a value that is highly regarded.

The Institute students' personal information will be collected fairly and legally, which is necessary for enrolment. The institute's function is committed to ensuring the confidentiality and security of the information provided. This policy is issued by:

- The Higher Education support ACT 2003 (HESA)
- Privacy Act (2000)
- Australian Privacy Principles (APPs) (2014)
- Freedom of Information Act (1982).

Managing personal information

When managing a student's personal information, the Institute must comply with Government legislation and policy as mentioned above.

The Institute endeavours to balance the rights of privacy with the need to be accountable and transparent in its dealings. The Institute manages students' personal information and will not be available under freedom of information laws. This includes private information relating to another individual. The Institute's internal working documents and materials were obtained confidentially. In addition, The Institute's Document and Record Register provides a framework and instructions to staff regarding how and why the Institute collects, stores and uses students' personal information and how an individual may access the personal data held by the Institute. It consists of a procedure for making complaints about the Institute's breaches of the APPs and how the Institute will deal with a complaint.

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Collecting and Use of Information:

The Institute will not collect personal information unless the information is reasonably necessary for one or more of the Institute's functions or activities. Any personal information supplied by individuals to the Institute will only be used to provide information about study opportunities, to enable efficient administration, and to maintain proper academic records. Only authorised managers and other authorised persons have access to this information. All the data collected is governed by the APPs (2014).

The Institute collects personal information for:

- Statistical purposes for use by State and Commonwealth Administration
- Teaching purposes by the Institute
- General student administration

Personal information will not be collected by unlawful or unfair means.

The Institute may use personal information for the following purposes: planning, reporting, communicating, research, evaluation, financial administration (including debt recovery), auditing, marketing, and other purposes where the individual has consented to such use.

The Institute will only use the information after taking reasonable steps to ensure that, regarding the purpose for which the information is proposed, the information is accurate, up-to-date and complete.

At or before the time or, if that is not practicable, as soon as practicable after the Institute collects personal information about an individual, the Institute will take steps to notify the individual about the personal information. The Institute will not use or disclose the information for marketing without prior written student consent.

Storage and Security of Personal Information

The Institute will act lawfully and in a fair and non-intrusive way. The Institute ensures that the personal information it collects is accurate, up-to-date, complete and relevant. Wherever possible, it will collect information directly from its students rather than from third parties. The members and staff will do their best to tell students if the Institute collects information about them from a third party. When the Institute gathers information, it will advise why it is being collected and the law requiring it to be collected. The Institute will take all reasonable steps to protect individual information from misuse, interference and loss and unauthorised access, modification or disclosure. If (a) the Institute holds personal information about an individual; and (b) the Institute no longer needs the information for any purpose for which the information may be used or disclosed by the Institute, and (c) the information is not contained in a Commonwealth record; and (d) the Institute is not required by or under Australian law, or a court/tribunal order, to retain the

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information, then the Institute will take reasonable steps in the circumstances to destroy the information or to ensure that the information is de-identified.

Disclosure of Personal Information:

Personal information about the student(s) studying with the Institute may be shared with the Australian Government and designated authorities, including the ASQA, TPS, ATO, DIICCSRTE and the DEWR. This information includes personal and contacts details, course enrolment details and changes in the circumstances of any suspected breaches of ASQA and DIBP conditions.

The Institute will not disclose a student's personal information except as permitted under these policies. The Institute will not disclose personal information to a person, body or agency (other than the individual concerned) unless:

- The individual concerned has expressly or implicitly consented to the disclosure in writing; or
- The person disclosing the information believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the student or of another person; or
- The disclosure is required or authorised by or under the law; or
- The disclosure is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, for the protection of the public revenue, or the protection of the interests of the government, statutory authority or statutory officeholder as an employer.

The Institute will disclose information for the protection of public revenue. The Institute will include a note of the disclosure in the record containing that information. Personal information may be shared with other institutes where students enroll or apply to enroll. For students who are under the age of 18 years, personal information, attendance details, progress and results may be disclosed to respective parent(s)/guardian(s). Except if the information is released to a parent or guardian when the Institute releases information to a third party, it will advise the third party that they should not use the information for any purposes other than the purposes for which it was disclosed.

Correction and Update of Personal Information

The Freedom of information Act 1982 and APPs Policy (2014) provide for persons (including the Institute students) to make an application for access to information (including personal information) held by the Institute.

The Institute will make all reasonable efforts to ensure that personal information recorded by the Institute is kept up to date. Suppose a student believes that the personal information retained by the Institute is out of date or otherwise misleading

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or inaccurate. In that case, the student has to request the Institute to amend their personal information.

Suppose the Institute corrects and updates personal information about an individual that the Institute previously disclosed to another education provider, and the individual requests the Institute to notify the other provider of the correction. In that case, the Institute will take reasonable steps unless it is impractical or unlawful.

Suppose the Institute refuses to correct the information as requested by the individual. In that case, the Institute will give the individual a written notice that sets out: (a) the reasons for the refusal, (b) the mechanisms available to complain about the refusal, and (c) any other matter prescribed by the regulations. In the case of refusal, if an individual requests the Institute to associate with the information a statement that the data is inaccurate, out of date, incomplete, irrelevant or misleading, then the Institute will take reasonable steps in the circumstances to associate the statement in such a way that will make the statement apparent to users of the information.

Suppose a request is made for correction for associating a statement as mentioned above. In that case, the Institute will respond to the request reasonably after the request is made. The Institute will not charge the individual for making the request, correcting the personal information or associating the statement with personal data.

Access to Personal Information:

A student may access their personal information held by the Institute at no charge. Individuals will be advised of how they may access or obtain a copy of their data within ten days of receiving the individual's written request.

The Institute policy allows students to apply for and receive personal information that the Institute holds about students [HESA Schedule 1A c123] according to the above requirements. The request should be lodged in writing, addressed to the PEO, providing complete details of the student's name, ID number and specific details.