

P08 – Privacy Policy and Procedure



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Purpose

The purpose of this policy and procedure is to outline the framework of privacy and personal information, to promote the provision for protection of personal information and ensure responsible and transparent handling.

Scope

This policy and procedure is applicable to and shall be enforced by:

- i) ASMI,
- ii) it's employees; and
- iii) all associated stakeholders both internal and external.

Collection and Use of Personal Information

Australian Skills Management Institute (ASMI) ensures that it manages personal information in an open and transparent manner. ASMI will only collect personal information by fair and lawful means which are necessary for its functions. ASMI is committed to ensuring the confidentiality and security of the information provided to it, in accordance with Privacy Act 1988 and Australian Privacy Principles (APPs).

Information is collected at various points during the student lifecycle for administrative and academic purposes to meet legislative requirements including the requirements for international learners.

Where personal information is required, ASMI will advise why the information is being collected and who it may be disclosed to. This shall be executed by way of privacy disclaimer, in written or verbal form.

1. How ASMI collects personal information

ASMI may request a student to supply information through various methods including but not limited to email, electronic or hard copy forms, phone or face to face conversations.

At the time information is collected, students shall be advised that their personal information will not be disclosed unless ASMI is required by a specific law to supply the information requested.

Personal information shall be collected directly from students, except in special circumstances where information about them may be obtained from third parties. If students are under 18 years old, ASMI may obtain information from a parent or legal guardian.

2. How ASMI uses personal information

Personal information supplied by individuals to ASMI may be used to provide information about study opportunities, course administration, academic information and to maintain proper academic records. ASMI reserves the right to refuse enrolment into a course of study where a student refuses to provide information that is required under a law or is necessary for academic progression.

In collecting personal information, ASMI will comply with the privacy requirements of the Education Services for Overseas Students Act 2000 and the APPs set out in the Privacy Act 1988.

Disclosure of Personal Information

Information collected about students may be provided, in certain circumstances, to the Australian Government and designated authorities and, if relevant, ACPET's Australian Students Tuition Assistance Scheme or the Tuition Protection Service. In other instances, information collected may be disclosed without consent where authorised or required by law.

This information includes personal and contact details, course enrolment details and changes, and the circumstance of any suspected breach of a student visa condition. ASMI will not disclose an individual's personal information to another person or organisation unless:

- i) the individual concerned is reasonably likely to have been aware, or made aware that information of that kind is usually passed to that person or organisation
- ii) the individual concerned has given written consent to the disclosure
- iii) ASMI 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 individual concerned or of another person
- iv) the disclosure is required or authorised by or under law
- v) the disclosure is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of the public revenue

Where personal information is disclosed for the purposes of enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the purpose of the protection of the public revenue, ASMI shall include in the record containing that information a note of the disclosure.

Any person or organisation to whom personal information is disclosed as described in this procedure will be required to not use or disclose the information for a purpose other than the purpose for which the information was supplied.

Before ASMI discloses personal information to an overseas recipient, it will take reasonable steps to ensure that the overseas recipient does not breach the APPs (other than APP 1) in relation to that information.

Security of Personal Information

ASMI shall take all reasonable steps to ensure that any personal information collected is relevant to the purpose for which it was collected, and accurate, up-to-date, complete, and not misleading.

ASMI shall store securely all records containing personal information and take all reasonable security measures to protect, personal information collected from unauthorised access, misuse or disclosure.

Right to Access and Correct Records

Individuals have the right to access or obtain a copy of the personal information that ASMI holds about them. Requests to access or obtain a copy of personal information must be made in writing. There is no charge for a student to access personal information that ASMI holds about him/her; however ASMI may charge a fee to make a copy. Individuals will be advised of how they may access or obtain a copy of their personal information and any applicable fees within 10 days of receiving their written request.

If an individual considers his/her personal information to be incorrect, incomplete, out of date or misleading, he/she can request that the information be amended. Where a record is found to be inaccurate, a correction shall be made. Where a student requests that a record be amended because it is inaccurate but the record is found to be accurate, or for any reason is unable to be amended by ASMI the details of the request for amendment will be noted on the record.

Written requests for access to or to obtain a copy of personal information held by ASMI should be sent to:

Administration Office
Level 5, 269 Wickham Street,
FORTITUDE VALLEY, QLD, 4006

Publication

This Privacy Policy and Procedure shall be made available to students and prospective students by publication on ASMI's website. In order to ensure that students have given their informed consent for their personal information to be disclosed to certain third parties as outlined in this procedure, ASMI will advise students on enrolment about these procedures and where they are located.

Complaints and Appeals

If a student has a complaint or an appeal regarding privacy and personal information, the Complaints and Appeals Policy shall apply.

Related Documents

Policy and Procedures	
P06	Complaints and Appeals Policy and Procedure

Document Amendments

Details	Version	Date
Initial document creation	1.0	13 th March 2015
Updated to meet legislative requirements	2.0	14 th May 2015
Procedure review and update to conform to new template	3.0	15 th May 2018