P08 – Privacy Policy and Procedure

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Approval Authority:	CEO

Purpose

The purpose of this policy and procedure is to outline ASMI's framework for managing privacy and personal information, ensuring responsible and transparent handling and the protection of personal information relating to students, staff, contractors, and other stakeholders.

Scope

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

i) ASMI,

ii) its employees; and

iii) all associated internal and external stakeholders.

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 that are necessary for its functions. ASMI is committed to ensuring the confidentiality and security of the information provided us, in accordance with Privacy Act 1988, the Australian Privacy Principles (APPs), the Student Identifiers Act 2014, and the Standards for RTOs 2025.

Personal information is collected at various stages of the student and staff lifecycle for administrative, academic, and compliance purposes. This includes meeting legislative requirements for domestic and international students, funding bodies, and government reporting obligations. For example, under Section 21 of the ESOS Act, ASMI must confirm or amend international student details every 6 months.

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**

In order to meet RTO registration, Unique Student Identifier, Government Funding and CRICOS requirements. ASMI may request a student to supply information through various methods including but not limited to

- Online forms, emails, or learning platforms
- In-person conversations or telephone calls
- Enrolment forms (electronic or hard copy)
- Government data systems or funding portals

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.

ASMI complies with the privacy and data requirements set out in the Student Identifiers Act 2014, including restrictions on the collection, storage, use, and disclosure of USIs

2. How ASMI uses personal information

Personal information supplied by individuals to ASMI may be used to provide information about

- Delivery of training and assessment services
- Communication of academic progress
- Confirmation of eligibility for government funding
- Meeting legislative, regulatory, and contractual reporting obligations
- Promoting available study opportunities (with consent)

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 Privacy Act 1988, Australian Privacy Principles (APPs), and the Standards for Registered Training Organisations (RTOs) 2025.

Disclosure of Personal Information

Information collected about students may be disclosed, in certain circumstances, to

- Australian Government departments and designated authorities
- The Tuition Protection Service (TPS) or ITECA's Australian Student Tuition Assurance Scheme
- Regulatory and funding bodies
- Law enforcement or emergency services when legally authorised

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 refrain from using or disclosing 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 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 this from unauthorised access, misuse or disclosure.

Retention and Destruction

ASMI will retain personal information for the period required to fulfil legal, regulatory, and business requirements. Once no longer needed, it is securely destroyed or de-identified in accordance with the Records Retention and Disposal Schedule and relevant State and Commonwealth legislation.

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. All 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
Australian Skills Management Institute
Level 8, 269 Wickham Street,
FORTITUDE VALLEY, QLD, 4006

Publication

This Privacy Policy 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	13th March 2015
Updated to meet legislative requirements	2.0	14th May 2015
Procedure review and update to conform to new template	3.0	15th May 2018
Procedure review and minor update	4.0	24th February 2020
Minor amendment to conform with 2025 Standards of RTO	5.0	24th May 2025