



Privacy Policy

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Contact Officer	Registrar
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Related Documents	Records Management Policy Records Management Procedure Privacy Procedure Critical Incident Management Plan Staff Code of Conduct Student Complaint and Appeal Policy Student Complaint and Appeal Procedure Staff Grievance Policy Staff Grievance Procedure
HESF (Threshold Standards) 2021	7.3.3

1. Purpose

It is the intent of this Policy to ensure that the Australian Institute of Higher Education ('the Institute') complies with the Australian Privacy Principles (APPs) set out in the Privacy Act 1988 (Cth) as amended by the Privacy Amendment (Enhancing Privacy Protection) Act 2012.

2. Principles

The key principles informing this Policy are:

- that the Institute will only collect personal information from individuals by fair and lawful means as is necessary for the functions of the Institute;
- that the Institute is committed to ensuring the confidentiality, security and integrity of the personal information it collects, uses and discloses;
- that individuals have the right to access or obtain a copy of the personal information that the Institute holds about them.

3. Context

This Policy has been developed to ensure personal information on individuals is managed lawfully, and with both integrity and sensitivity.

4. Scope

The Policy applies to all staff and students of the Institute.

5. Definitions

See the AIH Glossary of Terms for definitions.

6. Policy Details

In the course of its business, the Institute may collect information from students or persons seeking to enrol. This information may be electronic or in hard copy format, and includes information that personally identifies individual users. The Institute may also record various communications between individuals and the Institute. In collecting personal information, the Institute will comply with the requirements of the Australian Privacy Principles (APPs) set out in the Privacy Act 1988 (Cth) as amended by the Privacy Amendment (Enhancing Privacy Protection) Act 2012.

6.2 Collection and Use of Personal Information

The Institute will only collect sensitive information with the consent of the individual, and if that information is reasonably necessary for the functions of the Institute.

Students:

The information requested from individuals by the Institute will only be used to provide details of study opportunities, to enable efficient course administration, to maintain proper academic records, to assess an individual's entitlement to FEE-HELP assistance, to allocate a Commonwealth Higher Education Student Support Number (CHESSN), and to report to government agencies as required by law. If an individual chooses not to give the Institute certain information then the Institute may be unable to enrol that person in a course or supply them with appropriate information.

The Institute may collect personal information from other educational institutions where necessary to verify qualifications and course credits for enrolment and assessment purposes. This personal information may include but is not limited to:

- Student full name, gender, passport details, date and country of birth and nationality, contact details (e.g. phone, email), marital status, visa details, drivers license emergency contact details, Australian residential address and contact details once arrive in country;
- Photograph, video recordings and audio recordings;
- Information about your financial details (e.g. payment details, bank account details
- Information about educational background (e.g. qualifications, English proficiency score);
- Government identifiers such as Tax File number;

- Information on health insurance, payment for Overseas Student Health Cover (OSHC); and
- Information on any breaches of student visa conditions relating to attendance or satisfactory academic performance.

Staff and potential employees:

When making an enquiry or applying for a position as a staff member with the Institute the following information may be collected: name, home address, educational and work history and contact details such as mobile telephone number and personal email address.

Information may be collected from third parties such as referees. When providing contact details of referees, consent is being given to the Institute to collect personal information from the named referees.

When the Institute is proposing to offer an employment position, additional personal information may be collected, such as date of birth, tax file number, emergency contact details, ABN (if relevant), bank account, superannuation information, visa, passport and licence details (if relevant), qualification information, awards, publications, copies of transcripts and details relating to working with children and police checks.

6.2 Disclosure of Personal Information

Personal information about students studying with the Institute may be shared with the Australian Government and designated authorities, including the Tertiary Education Quality Standards Agency (TEQSA), the Commonwealth Department with responsibility for administering the Higher Education Support Act 2003, the Tuition Assurance Scheme manager, the Tuition Protection Service for international students, those administering the Quality Indicators for Teaching and Learning (QILT) surveys and organisations that run courses in conjunction with the Institute.

Personal information about the Institutes staff may be shared with Employment Hero.

This information includes personal and contact details, and course and unit enrolment details and changes.

The Institute will not disclose an individual's personal information to another person or organisation unless:

- 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;
- the individual concerned has given written consent to the disclosure;
- the Institute 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;
- the disclosure is required or authorised by or under law; or
- 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, the Institute shall include in the record containing that information a note of the disclosure.

Any person or organisation that collects information on behalf of the Institute or to whom personal information is disclosed as described in this policy will be required to not use or disclose the information for a purpose other than that for which the information was originally collected by them or supplied to them.

6.3 Right to Access and Correct Records

Individuals have the right to access or obtain a copy of the personal information that the Institute holds about them.

If an individual considers their personal information to be incorrect, incomplete, out of date or misleading, they can request that the information be amended.

6.4 Complaints about an Alleged Breach of Privacy

Where an individual believes that the Institute has breached a Privacy Principle in relation to that individual they may lodge a complaint using the Institute's Student Complaint and Appeal Policy and associated procedure, which enable students and prospective students to lodge complaints of a non-academic nature, including complaints about handling of personal information and access to personal records.

Where a staff member believes that the Institute has breached a Privacy Principle, they may lodge a complaint using the Institute's Staff Grievance Policy and associated procedure.

If the Institute's response to a complaint is unsatisfactory or it is believed that the Institute may have breached the Australian Privacy Principles or the Privacy Act, a complaint can be made to the Office of the Australian Information Commissioner. The Office of the Australian Information Commissioner can be contacted by telephone on 1300 363 992. Full contact details for the Office of the Australian Information Commissioner can be found online at www.oaic.gov.au.

6.5 Security of Information

The Institute collects and holds personal information in paper-based and electronic records and systems. Personal information may be collected in paper-based documents and converted to electronic form for storage (with the paper-based document either being archived or securely destroyed). The Institute uses physical security, password protection and other measures to ensure that all personal information is protected.

The Institute takes all reasonable steps to protect the personal information held in its' possession against loss, unauthorised access, use, modification, disclosure or misuse. Access

to personal information is restricted to authorised persons who are the Institute’s employees or contractors, on a need to know basis.

Under its obligations with the Education Services for Overseas Students Act 2012 and the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018, the Institute may provide personal information collected during the enrolment process to Commonwealth and State agencies and the Tuition Protection Service (TPS).

7. Legislation

Legislation pertaining to this Policy and the associated Procedure includes The Australian Privacy Principles (APPs) set out in the Privacy Act 1988 (Cth) as amended by the Privacy Amendment (Enhancing Privacy Protection) Act 2012.

In addition, this Policy and the associated Procedure comply with Higher Education Standards Framework standard 7.3.3 (Information Management), which specifies that:

“Information systems and records are maintained, securely and confidentially as necessary to:

- maintain accurate and up-to-date records of enrolments, progression, completions and award of qualifications,
- prevent unauthorized or fraudulent access to private or sensitive information, including information where unauthorized access may compromise academic or research integrity”.

Additionally, under the ESOS Act, National Code D, Standard 3.1.d identifies that a registered provider must identify the circumstances in which the Institute will share information.

“3.1.d set out the circumstances in which personal information about the student may be shared between the registered provider and the Australian Government and designated authorities, and, if relevant, the Tuition Protection Service. This information includes personal and contact details, course enrolment details and changes, and the circumstances of any suspected breach by the student of a student visa condition.”

8. Version Control

This Policy has been endorsed by the Australia Institute of Higher Education Board of Directors as at February 2023 and is reviewed every 3 years. The Policy is published and available on the Australia Institute of Higher Education website <http://www.aih.nsw.edu.au/> under ‘Policies and Procedures’.

Change and Version Control				
Version	Authored by	Brief Description of the changes	Date Approved:	Effective Date:
2016-2	Registrar	New template.	6 July 2016	6 August 2016
2017-1	Ms. McCoy	Revised content.	1 March 2017	6 March 2017

2019-1	Principal	Minor Update: Title Changes from Executive Dean to Principal.	20 November 2019	21 November 2019
2020.1	Chief Executive Officer	Revised content to include Data Security, Staffing personal information, Complaints	24 September 2020	25 September 2020
2021.1	Chief Executive Officer	Review of Policy; Inclusion of personal information available to be accessed; Inclusion of statement on who private information can be provided to; Legislation – inclusion of ESOS Act National Code D Standard 3.1.4.	22 April 2021	22 April 2021
2022.1	Registrar	Updated Higher Education Standards Framework [Threshold Standard] 2021	25 May 2022	26 May 2022
2023.1	Registrar	Reviewed content to be in line with three-year policy review cycle. Minor adjustments	23 February 2023	24 February 2024