

HE-BP07 PRIVACY AND PERSONAL INFORMATION POLICY AND PROCEDURE

Abbreviations:

AHE	Apex Australia Higher Education
APPs	Australian Privacy Principles
CEO	Chief Executive Officer
EMC	Executive Management Committee
HR	Human Resources

1. Purpose

- 1.1 The purpose of this Policy and Procedure is to support Apex Australia Higher Education (AHE) commitment to the protection of the privacy of individuals’ personal information, by stating the ways in which AHE may collect, store, use, manage and protect personal information.
- 1.2 It also outlines how individuals can access their personal information to correct or update it and how to raise a complaint to AHE regarding the mishandling of personal information.

2. Scope

- 2.1 This Policy and Procedure applies to all members of the AHE community who access, use, or deal with personal information, or handle questions or complaints about personal information, in the course of their work or study related activities.
- 2.2 Furthermore, this Policy and Procedure is relevant to any individual who discloses personal information to AHE, whether they are a part of the AHE community or a member of the public.

3. Principles

- 3.1 AHE will only collect personal information from individuals by fair and lawful means which is necessary for the functions of AHE.
- 3.2 AHE will only collect sensitive information with the consent of the individual and if that information is reasonable and necessary for the functions of AHE.
- 3.3 When collecting personal information, AHE 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.

4. Policy Statements

4.1 Collection of Information

- 4.1.1 Information requested from individuals by AHE will only be used to provide details of study opportunities, to enable efficient course administration, to maintain proper academic records, and to report to government agencies as required by law. If an individual chooses not to give AHE certain information, AHE may be unable to enrol that person in a course or appropriately assist that person.
- 4.1.2 AHE may collect information from students or persons seeking to enrol with AHE, either electronically or in hard copy format, including information that personally identifies individual users. AHE may also record various communications between individuals and AHE.

4.2 Disclosure of Information

- 4.2.1 Information about students studying with AHE may be shared with the Australian Government and designated authorities including AHE's Tuition Assurance Scheme authority and the Tuition Protection Service (TPS) in accordance with their legal authority to access such data. This information may include personal and contact details, course enrolment details and changes, and in the case of international students, the circumstance of any suspected breach of a student visa condition.
- 4.2.2 AHE will not disclose an individual's personal information to another person or organisation unless:
 - 4.2.2.1 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.
 - 4.2.2.2 The individual concerned has given written consent to the disclosure.
 - 4.2.2.3 AHE 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;
 - 4.2.2.4 The disclosure is required or authorised by law; or
 - 4.2.2.5 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.
- 4.2.3 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 protection of the public revenue, AHE shall note that disclosure in the student's record.

- 4.2.4 International agents may collect information on behalf of AHE where an individual from a foreign country seeks to study in Australia. AHE will take all reasonable steps to ensure that any international agent complies with the Australian Privacy Principles (APPs).
- 4.2.5 Any person or organisation that collects information on behalf of AHE or 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 collected by them or supplied to them.
- 4.3 Security and Integrity of Personal Information Collected
- 4.3.1 AHE is committed to ensuring the confidentiality, security and integrity of the information it collects, uses and discloses.
- 4.3.2 AHE will take all reasonable steps to ensure that any personal information collected is relevant to the purpose for which it was collected, is accurate, up-to-date and complete.
- 4.3.3 AHE will securely store all records containing personal information and take all reasonable security measures to protect personal information it holds from misuse, interference, loss, unauthorised access, modification or disclosure.
- 4.3.4 Where AHE has no further use for personal information for any purpose disclosed by AHE, or is no longer required to maintain that personal information, all reasonable steps will be taken to destroy or de-identify the information.
- 4.4 Right to Access and Correct Information Collected
- 4.4.1 Individuals have the right to access or obtain a copy of the personal information that AHE holds about them. Requests to access or obtain a copy of personal information must be made in writing. There is no charge for an individual to access personal information that AHE holds about them; however, AHE 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. Where it is reasonable to do so, access to the information will be provided in the manner requested by the individual.
- 4.4.2 If an individual considers their personal information to be incorrect, incomplete, out-of-date or misleading, they can request that the information be amended. Where a record is found to be inaccurate, a correction will be made as soon as practical. Where an individual requests that a record be amended because it is inaccurate, but the record is found to be accurate, the details of the request for amendment will be noted on the record. There is no charge for making a request to correct personal information.

4.4.3 Written requests for access to, to obtain a copy of, or to correct personal information held by AHE, should be emailed to The Registrar.

4.5 Complaints about an alleged breach of this Policy and Procedure

4.5.1 Where an individual believes that AHE has breached this Policy and Procedure in relation to that individual, they may lodge a complaint using the Student Grievance, Complaint and Appeal Procedure which enables students and prospective students to lodge grievances of a non-academic nature, including grievances about handling of personal information and access to personal records.

5. Publication

5.1 This Policy will be made available to staff as well as to students and persons seeking to enrol with AHE by publication on AHE Website.

5.2 Alternatively, a copy of this policy may be requested by contacting the Registrar using the contact details provided above.

5.3 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, AHE will advise students on enrolment about these procedures on the AHE website.

6. Dissemination and Publication:

- This Policy will be part of the internal documents of AHE for executive management purposes.

7. Benchmarking Documents

- TEQSA Guidance Note: [Corporate Governance](#)

8. Legislation

- [Australian Privacy Principles](#)
- [Privacy Act 1988 \(Cth\)](#)

Related Documents

- Marketing Information and Practices Policy and Procedure
- Records Management Policy and Procedure

9. Definitions

Refer to:

- Table of Acronyms and Definitions

10. Version Control

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