



## Management of Personal Information Policy

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<b>Related Documents</b>	Records Management Policy Records Management Procedure Management of Personal Information 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

### 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*.

### 6.1 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.

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.

### 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, and organisations that run courses in conjunction with the Institute.

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:

- a) 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;
- b) the individual concerned has given written consent to the disclosure;
- c) 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;
- d) the disclosure is required or authorised by or under law; or
- e) 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.

## 6.4 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.

## 6.5 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.

## 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:

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

## 8. Version Control

This Policy has been endorsed by the Australia Institute of Higher Education Board of Directors as at March 2017 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