



## Student Privacy Policy

### 1. Policy Statement and Purpose

ACPE Limited (ACPE) is committed to upholding privacy and ensuring the confidentiality and security of information provided. ACPE will only collect personal information by fair and lawful means, which is necessary for the functions of ACPE

In collecting personal information, ACPE will comply with the privacy requirements of the *Higher Education Support Act 2003* and the Australian Privacy Principles (APPs) set out in the *Commonwealth Privacy Act 1988* and the *Privacy Amendment (Enhancing Privacy Protection) Act 2012*.

### 2. Scope

This policy applies to the personal information of students and people making enquiries about services.

### 3. Definitions and Abbreviations

**Personal Information** - The Privacy Act defines personal information as information or an opinion, whether true or not and whether recorded in a material form or not, about an identified individual, or an individual who is reasonably identifiable.

**Sensitive Information** - Information or opinion about an individual's: racial or ethnic origin; political opinions; membership of a political association; religious beliefs or affiliations; philosophical beliefs; membership of a professional or trade association; membership of a trade union; sexual preferences or practices; or criminal record that is also personal information.

**Australian Privacy Principles (APPs)** - A set of 13 principles governing the collection, management, use, disclosure and transfer of personal information by organisations such as the ACPE.

### 4. Policy Provisions and Procedures

#### 4.1 Collection and Use of Personal Information

Information is collected on the enrolment application form and during student enrolment in order for ACPE to meet its obligations under the *Higher Education Support Act 2003* (Domestic students), *ESOS Act 2000* and the *National Code 2007* (Overseas students). Furthermore, to ensure student compliance with the conditions of their visas and obligations under Australian immigration laws generally.

The authority to collect this information is contained in the:

- *Education Services for Overseas Students Act 2000*
- *Education Services for Overseas Students Regulations 2001*
- *National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007*

At the time information is collected, students will be advised if they are required by a specific law to supply the information requested.



#### 4.2 How ACPE Collects Personal Information

Students are asked to supply information to ACPE when applying for enrolment, at orientation sessions and during the periods of study. Generally this information includes name, address, telephone number(s), email addresses(s), date of birth, gender, country of birth, nationality, citizenship country, passport details, academic and English language attainments, disabilities, health information, including illnesses, allergies and dietary Information. ACPE may also collect information regarding payment of fees.

Personal information is collected directly from students, except in special circumstances where information about them may be obtained from third parties, such as homestay providers. If students are under 18 years old, ACPE may obtain information from a parent.

Personal information supplied by individuals will be used to provide information about study opportunities, course administration, academic information and to maintain academic records. If an individual chooses not to give ACPE certain information then ACPE may be unable to enrol the individual in a course or supply them with appropriate information.

#### 4.3 Disclosure of Personal Information

Information collected about students on the enrolment application form and during enrolment can be provided, in certain circumstances, to the Australian Government and designated authorities and, if relevant, ACPE's domestic student tuition assurance scheme or the Tuition Protection Service. This information includes personal and contact details, course enrolment details and changes, and the circumstance of any suspected breach of a student visa condition.

ACPE 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) ACPE 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; or
- 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.

In such circumstances, ACPE will include in the records containing that information a note of the disclosure.

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



#### 4.4 Cross-border disclosures

Before ACPE 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.

#### 4.5 Commonwealth Assistance

Personal information may also be collected to assess an individual's entitlement to Commonwealth assistance under the *Higher Education Support Act 2003* and to allocate a Commonwealth Higher Education Student Support Number (CHESSN). ACPE will disclose this information to the Department of Education and Training (DOET) for these purposes.

DOET will store the information securely and may disclose information to the Australian Taxation Office. Personal information gathered for these purposes will not otherwise be disclosed without the individual's consent unless required or authorised by law.

#### 4.6 Security of Personal Information

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

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

#### 4.7 Right to Access and Correct Records

Individuals have the right to access or obtain a copy of the personal information that ACPE 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.

Where a record is found to be inaccurate, a correction will be made. Where a student 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.

Requests to access or obtain a copy of personal information must be made in writing and should be sent to:

Compliance Manager  
399 Lonsdale Street  
MELBOURNE VIC 3000

Students may be required to verify their identity when requesting access to information. ACPE may charge a fee to cover the cost of verifying the request and locating, retrieving, reviewing and copying any material requested. ACPE will advise the likely cost in advance.



#### 4.8 Publication

The Privacy Policy and Procedures will be made available to students and prospective students by publication on ACPE's websites. In order to ensure students have given informed consent for their personal information to be disclosed to certain third parties as outlined in this policy, ACPE will advise students on enrolment about these procedures and where they are located.

#### 4.9 Complaints and Appeals

If a student has a complaint or an appeal regarding privacy and personal information, the ACPE Student Non Academic Grievance and Appeals Policy will apply.

### 5. Roles and Responsibilities

The Compliance Manger is responsible for responding to requests for personal information.

### 6. Supporting Documents

- *Commonwealth Privacy Act 1988*
- *Privacy Amendment (Private Sector) Act 2000*
- *Privacy Amendment (Enhancing Privacy Protection) Act 2012.*
- *Education Services for Overseas Students Act 2000*
- *Education Services for Overseas Students Regulations 2001*
- *National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007*
- *Higher Education Support Act 2003*
- *ACPE Complaints and Appeals Policy*

### Approval and Review

| <b>ACPE STUDENT PRIVACY POLICY</b> |                       |
|------------------------------------|-----------------------|
| <b>ELT Custodian</b>               | IT Services Director  |
| <b>Policy owner</b>                | HE Compliance Manager |
| <b>Version Number</b>              | Version 2             |
| <b>Approval Authority</b>          | Managing Director     |
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