



## Privacy Policy and Procedure

### 1. Privacy

Policy Version Details			
Version Identifier	Last Updated	Author	Approved By
v1.0 December 2016	10 December 2016	Training Manager	CEO

#### Statutory and regulatory compliance

- Standards for RTOs 2015
  - Clause 8.4
  - Clause 8.5
- National Code 2007 Standard 3.1(d)
- Commonwealth Privacy Act 1988
- Australian Privacy Principles

#### Related Policies

- Learner Support and Welfare Services
- Enrolment Offer and Acceptance Agreement
- Records Management
- Record Retention
- Fees and Charges
- Applications, Offers and Enrolments
- Education Agents
- Welfare of Younger Students
- Complaints and Appeals
- Deferment, Suspension or Cancellation of Enrolment
- Critical Incidents
- Student Safety and Security

#### Policy

OSAN is committed to ensuring the privacy of all students and staff. OSAN will collect personal information, manage and use it, and disclose it in a way that complies with relevant legislation.

The Australian Privacy Principles of the Commonwealth Privacy Act (1988) underpin all aspects of OSAN's dealings with personal information.

#### Procedures

##### Collection and Use of Personal Information

OSAN ensures that it manages personal information in an open and transparent manner. OSAN will only collect personal information by fair and lawful means which are necessary for it to perform its functions. OSAN is committed to ensuring the confidentiality and security of the information provided to it, in accordance with Privacy Act 1988 (Cth) and Australian Privacy Principles (APPs).



For Overseas Students, information is collected on the application form and during student enrolment in order for OSAN to meet its obligations under the ESOS Act 2000 and the National Code 2007 and to ensure student compliance with the conditions of their visas and their obligations under Australian immigration laws generally. The authority to collect this information is contained in the Education Services for Overseas Students Act 2000, the Education Services for Overseas Students Regulations 2001 and the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007.

For domestic students, information is collected on the application form and during student enrolment in order for OSAN to meet its obligations under the VET Quality Framework. The authority to collect this information is contained in the National Vocational Education and Training Regulator Act 2011.

### **How OSAN collects personal information**

Students are asked to supply information to OSAN 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, citizenship, ethnic origin, religion, passport details, academic and English language attainments, disabilities, health information, including illnesses, allergies and dietary information.

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

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

In collecting personal information, OSAN will comply with the privacy requirements of the National Vocational Education and Training Regulator Act 2011 and the APPs set out in the Privacy Act 1988 (Cth).

### **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, the Tuition Protection Service. In other instances information collected on the enrolment application form and during enrolment can 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.

OSAN 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;
- OSAN 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, OSAN shall include in the record containing that information a note of the disclosure.



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Any person or organisation 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 supplied to them.

### **Cross-border disclosures**

Before OSAN 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.

### **Security of Personal Information**

OSAN will 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.

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

### **Right to Access and Correct Records**

Individuals have the right to access or obtain a copy of the personal information that OSAN holds about them. 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 OSAN holds about them; however we 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 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.

Written requests for access to or to obtain a copy of personal information held by OSAN should be sent to the CEO at the address in the footer of this document.

### **Publication**

These Privacy and Personal Information Procedures will be made available to students and prospective students by publication on OSAN's websites. 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, OSAN 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 will apply



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