



## PRIVACY AND PERSONAL INFORMATION PROCEDURES

### 1. Overview

In the course of its business, EQUALS International (Aust) Pty Ltd (“the Institute”) may collect information from students or persons seeking to enrol with the Institute, either electronically or in hard copy format, including 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*.

EQUALS reserves the right to refuse to deal with any third parties in relation to matters pertaining to a student’s enrolment at the Institute, except as required by law, and/or as expressly provided in the Institute’s *Complaints and Appeals Policy (VET)* and its *Student Grievance Handling Policy and Procedure (Higher Education)*.

### 2. Collection and use of personal information

EQUALS will only collect personal information from individuals by fair and lawful means which is necessary for the functions of the Institute. 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 Commonwealth assistance, to allocate a Commonwealth Higher Education Student Support Number (CHESSN) (if and when applicable), 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.

### 3. Disclosure of personal information

Personal information about students studying with the Institute may be shared with the Australian Government and designated authorities, including the Australian Skills Quality Authority (ASQA), Tertiary Education Quality and Standards Agency (TEQSA), the Commonwealth Department with responsibility for administering the *Higher Education Support Act 2003*, the Tuition Assurance Scheme manager (ACPET), the ESOS Assurance Fund Manager and the Tuition Protection Service (TPS). This information includes 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.

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.

Overseas agents may collect information on behalf of the Institute where an individual from a foreign country seeks to study in Australia.

Any person or organisation that collects information on behalf of the Institute 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. Security and integrity of personal information**

EQUALS is committed to ensuring the confidentiality, security and integrity of the personal information it collects, uses and discloses.

The Institute 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.

The Institute will store securely 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.



Where the Institute has no further use for personal information for any purpose disclosed by the Institute, or is no longer required to maintain that personal information, all reasonable steps will be taken to destroy or de-identify the information.

## **5. 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. 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 EQUALS holds about them; however EQUALS 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.

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.

Written requests for access to, to obtain a copy of, or correct personal information held by the Institute should be sent to:

EQUALS International  
Attn: Chief Operations Officer  
GPO Box 2443  
Adelaide 5001 SA

## **6. Complaints about an alleged breach of the Australian Privacy Principles**

Where an individual believes that EQUALS has breached a Privacy Principle in relation to that individual, they may lodge a complaint using the Institute's grievance handling procedures which enable students and prospective students to lodge grievances of a non-academic nature, including grievances about handling of personal information and access to personal records.

## **7. Publication**

These *Privacy and Personal Information Procedures* will be made available to students and persons seeking to enrol with the Institute by publication on the Institute's website ([www.equal.edu.au](http://www.equal.edu.au)).



Alternatively, a copy of this policy may be requested by contacting the Chief Operations Officer using the contact details provided above.

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, the Institute will advise students on enrolment about these procedures and where they are located.

## 8. Version history

Version	Approved by	Approval Date	Details
1.0	Executive Management Committee	28.6.17	Document creation
1.1	Executive Management Committee	13.10.17	Update to section 1 relating to third parties.

Document owner: CEO