



Virtu Design Institute Pty Ltd (ABN 31 154 273 757) trading as APC Design School | RTO Code: 40530

PRIVACY OF INFORMATION POLICY - INTERNAL POLICY

PREAMBLE

The Privacy Act generally relates to the protection of an individual's personal information. The personal information of students and in some circumstances staff members of the College are protected and bound by the Privacy Act and the associated Australian Privacy Principles.

This Policy is an internal policy and operates in conjunction with the Privacy Policy on the College's website.

DEFINITIONS AND ACRONYMS

"College" means APC Design School.

"Policy" means this Privacy of Information Policy - Internal Policy.

"Privacy Act" means the Privacy Act 1988 (Cth) and Australian Privacy Principles (APP) (as amended 2012).

POLICY/PROCEDURE

1. IMPLEMENTATION

- 1.1 All managers have primary responsibility for privacy compliance in their department. Managers must ensure that all staff are aware of this Policy as it applies to their department.
- 1.2 Where a Manager is responsible for an information technology system, they are required to ensure that the applicable system complies with privacy legislation.
- 1.3 The College will not acquire or implement information systems that are not privacy compliant.
- 1.4 If a staff member collects, uses, discloses or handles personal information on the College's behalf, the staff member must meet the relevant requirements of the Australian Privacy Principles set out in the relevant Acts as well as the information detailed below. Staff members must only collect, handle, use, disclose and store the information for the agreed purposes only.

2. AUSTRALIAN PRIVACY PRINCIPLES



Virtu Design Institute Pty Ltd (ABN 31 154 273 757) trading as APC Design School | RTO Code: 40530

2.1 Open and transparent management of personal information

- a) This Policy aims to define the parameters for the collection, handling and storage of information while at the same time establishing a procedure for the management of the personal information and any enquiries and/or complaints related to the Policy.
- b) This Policy applies across all sections of the College in relation to all information, electronic and hard copy files and documents.
- c) This Policy will be published on the College website (with restricted access) and a privacy statement is found in the student handbooks, staff handbooks and student offer letters.

2.2 Anonymity and pseudonymity

- a) Students or staff have to the extent reasonable, the option of being anonymous or by using a pseudonym when dealing with the College in relation to a particular matter.
- b) Students or staff who have a concern that this Policy may have been breached should lodge their concern in accordance with the College's Student Complaints and Appeals Policy or the Staff Complaints Handling Policy. Concerns may be made anonymously or using a pseudonym unless the College is required by law to deal with individuals who identify themselves. Persons wishing to raise their concerns anonymously should use the College's online feedback form or send a written letter to the College to the attention of the Student Experience Director.

2.3 Collection of Solicited Personal Information

- a) The main function of the College is to provide teaching and student services, together with ancillary services, which may support students and staff in their study or work at the College. The College will collect personal information that is related to the operation of the College and as required by law. Collection of personal information will be undertaken by lawful means and in such a manner as to be fair and, to the extent reasonable, not intrusive.
- b) Sensitive and health information will only be collected with the consent of the individual or where the sensitive information is reasonably necessary to the operation of the College or where required by law or by the DHA or a permitted general situation exists. Where an individual is incapable of giving consent to the provision of health information,



Virtu Design Institute Pty Ltd (ABN 31 154 273 757) trading as APC Design School | RTO Code: 40530

the College will seek the consent of an authorised representative such as a guardian or next of kin.

- c) Collection of Personal Information from Third Party - While the College generally collects personal or health information directly from the relevant individual, in some cases we may collect it from a third party, such as an education agent. Where the College collects information about an individual from a third party (for example if a student authorises a parent, spouse or partner to register for them on their behalf), the College will still take reasonable steps to ensure that the individual is made aware of the details set out above.

2.4 Dealing with unsolicited personal information

In the event that the College receives unsolicited personal information it will determine whether it could have received the information by soliciting it. If it is determined that the information could not have been collected the College will, as soon as practical but only if it is lawful and reasonable, destroy or de-identify the information.

2.5 Notification of the collection of personal information

- a) When the College collects personal information, it will seek to ensure that the individual is properly notified of the following:
- that the College is collecting the information;
 - why information is being collected about them;
 - who else the information may be collected from or provided to; and any
 - other relevant matters that may be required by law.
- b) This Policy will be published in the following:
- Student and Staff Handbooks;
 - Student offer letters (written agreements); and
 - The College website (with restricted access).
- c) The collection of information from students and staff is a requirement of the Department of Education and the Department of Industry and failure to provide this information could result in sanctions against the College. It is also a student visa condition that students provide their address details to the College.
- d) When the College collects personal information directly from an individual (for example when a student applies for a course or a prospective employee applies for a position), it will take reasonable steps to ensure that the individual:
- is aware the College is collecting the information and from whom the information is collected;



Virtu Design Institute Pty Ltd (ABN 31 154 273 757) trading as APC Design School | RTO Code: 40530

- is aware of the purposes for which the College is collecting the information
 - is aware of the organisations (or types of organisations) to which the College would normally disclose information of that kind;
 - is able to access the information;
 - has accurate contact information for the College; and
 - understands how the personal information is held by the College
- e) Amongst other things personal information is collected for:-
- enrolment in the College courses;
 - provision of access to the College facilities;
 - maintenance of student records and results;
 - communication with previous, current and prospective students in relation to the College activities;
 - communication with an education agent used by the student to enroll in a course;
 - participation in research;
 - maintenance of records of external parties including government departments;
 - other reasons directly related to the activities of the College; and/or
 - matters relating to employment.
- f) Amongst other things personal information that the College collects includes:
- Names;
 - Dates of birth;
 - Student Identification Numbers (where applicable);
 - Tax File Numbers (where applicable);
 - Australian Business Numbers (where applicable);
 - Personal contact information (including but not limited to: addresses, telephone numbers, email addresses, skype addresses);
 - Passport numbers or identification documents;
 - Emergency Contact details;
 - Travel itineraries (where applicable); and/or
 - Photographs for staff and student ID cards.

2.6 Use or disclosure of personal information

- a) The College will not disclose or use personal information other than for the particular purpose it was collected without the consent of the individual, except where the disclosure is permitted under Australian privacy laws.
- b) **Relevant staff**



Virtu Design Institute Pty Ltd (ABN 31 154 273 757) trading as APC Design School | RTO Code: 40530

The College will only disclose personal information that it collects to staff (including our agents) that require access to undertake the College activities. This will generally be the primary purpose of the collection of the personal information.

c) Government bodies

The College will disclose information as required to the Department of Education and the Department of Industry Innovation and Science.

d) Transfer of Health Information to a Health Service Provider

The College will only transfer information to health service providers where requested by the individual or requested by a health service provider that is authorised by the individual.

e) Provision of Information to other external parties

In the event that it is necessary to transfer information to an external organisation or party, the College will only transfer personal information if:

- i) the external party has similar procedures in relation to the collection, storage, use and disclosure of personal or sensitive information; or
- ii) an individual provides consent to the transfer of information; or
- iii) the transfer of information is for the benefit of the individual.

2.7 Direct Marketing

The College will not disclose personal information without permission for direct marketing purposes unless permitted to do so under privacy laws.

2.8 Cross-border disclosure of personal information

Where the College transfers any personal information to a third party, including interstate or overseas campuses or offices, it will seek to ensure that the College's privacy obligations travel with the personal information.

2.9 Adoption, use or disclosure of government related identifiers

- a) Where necessary for College operations, regulatory and legal requirements the College may obtain, use and disclose relevant government identifiers to verify the identity of the individual or where necessary to fulfil its obligations to the government authority or as required by law.
- b) Some examples of government identifiers are USI (Unique Student Identifier), TFN (Tax File Number), ABN (Australian Business Number), passport numbers and Department of Human Services identifiers.



Virtu Design Institute Pty Ltd (ABN 31 154 273 757) trading as APC Design School | RTO Code: 40530

2.10 Quality of personal information

The College will take all reasonable steps to ensure the personal information collected, used or disclosed is accurate, complete and up-to-date. This may require students and staff to correct the information from time to time.

2.11 Security of personal information

- a) The College will take all reasonable steps to protect the personal information held from misuse, interference and loss and from unauthorised access, modification or disclosure. This will include ensuring that all electronic systems are protected through electronic passwords, and departments that hold hard-copy files not stored in the Administration Section are secure. The College will also ensure that electronic back-up copies are safely secured.
- b) While all records will be securely stored until no longer needed, the College will take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for any purpose for which information was provided or it is no longer required to be retained as a Commonwealth record or under any law or Court/Tribunal order. Personal information will only be removed/ destroyed by secure means.

2.12 Access to personal information

- a) The College will provide access to personal information under Freedom of Information legislation and/or legislative obligations. If the College refuses to give access to the personal information it must give written reasons for doing so.
- b) **Staff Access to Personal Information (student and staff)**
Staff will only be provided with access to such personal information as is necessary to carry out their responsibilities. Staff duty statements will indicate the degree of access that a staff member has to amend the personal information.
- c) **Access to Employee Records**
Staff may request access to their employee records from:
 - i) the Student Experience Director or their delegated staff for records held by the Administration Department; or
 - ii) Heads of school or their delegated staff for academic records.
- d) **Access to Student Records**
Students may request access to their student records from the Director of Administration and Student Services or their delegated staff.



Virtu Design Institute Pty Ltd (ABN 31 154 273 757) trading as APC Design School | RTO Code: 40530

2.13 Correction of personal information

- a) Where the College is satisfied that personal information held is inaccurate, the College will take steps to correct the information and will take reasonable steps to correct the information provided to third parties in accordance with this policy. Where the College refuses to correct personal information as requested by an individual the College will give written notice outlining the reasons for refusals, the mechanisms available to complain and the right for individuals to make clear to others that the information is correct.

3. BREACH OF POLICY

3.1 Procedure for dealing with breach of policy

- a) Students or staff who have a concern that the Policy may have been breached should lodge a Complaint in accordance with the College’s Staff Complaints Handling Policy or the Student Complaints and Appeals Policy.
- b) Consequences of Breach of policy Disciplinary action may be instigated against any staff member who breaches this Policy and this may result in the employee being summarily dismissed in circumstances where the College considers there to have been a serious breach.

POLICY REVIEW

This policy will be reviewed by the Learner Experience Enterprise Unit and the Community Engagement Unit as part of the three (3) yearly policy review.

RELEVANT LEGISLATION

This document references the following legislation, regulations, codes and standards:

Relevant Legislation/codes/standards	
Commonwealth	The Privacy Act 1988 (Cth) and Australian Privacy Principles (APP) (as amended 2012). VET Students Loan Act 2016 (Cth) Standards for Registered Training Organisations (RTOs) 2015 Higher Education Support ACT 2003



Virtu Design Institute Pty Ltd (ABN 31 154 273 757) trading as APC Design School | RTO Code: 40530

RELATED POLICIES

This document references the following College policies and/or procedures:

Related Policies and Procedures	
Policies	Staff Complaints Handling Policy v1.0 Student Complaints and Appeals Policy v2.4 Privacy Policy v1.0

KEYWORDS

Keywords	Privacy, Privacy Act, collection of data, storing of data, privacy principles.
-----------------	--

POLICY OWNER

Owner	Learner Experience Enterprise Unit Community Engagement Unit
--------------	---

POLICY HISTORY

Policy History			
Current version	Current version release date	Author	Description of changes
Privacy of Information Policy v3.3R	May 2015	Sharon Luhr	Original Document
Privacy of Information Policy v3.4(draft)	Not yet released	Sara Gaudry	Review in relation to the updated National Code 2018 and changes in relevant legislation.



Virtu Design Institute Pty Ltd (ABN 31 154 273 757) trading as APC Design School | RTO Code: 40530

Privacy of Information Policy v3.4V	29 April 2019	Ron Newman	VDI trading as APC Design School version of standard APC policy created
-------------------------------------	---------------	------------	---