Privacy Policy

Policy Category	Management		
Document Owner	Chief Executive Officer		
Responsible Officer	Chief Executive Officer		
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Related Documents	*Business Continuity Plan* *Equity and Diversity Framework* *Legislative and Regulatory Compliance* *National Code Compliance* *Records Management Policy* *Records Management Procedure* *Risk Management Plan*		
Version	**Authorised by**	**Approved**	**Effective Date**
1.1	Executive Management Committee	17/07/2018	17/07/2018

1. Context

This Policy supports AIBI Higher Education (AIBI HE)'s commitment to the protection of personal information.

2. Definitions

Affiliate: any person appointed or engaged by AIBI HE to perform duties or functions for the institution other than students and staff, and includes members of advisory committees and governing bodies, contractors, consultants, and agency staff.

Personal Information: any information or opinion, recorded or not, about an identifiable individual; it includes health information and sensitive information (e.g. related to an individual's racial or ethnic origin or religious beliefs).

3. Scope

This Policy applies to AIBI HE students, staff and affiliates.

4. Policy Principles

The key principles informing this Policy are:

- fair and lawful methods for collecting personal information;
- reasonable and proper purpose for collecting personal information;
- confidential and secure handling of personal information;
- due and timely notification of collection of personal information;
- right of individuals to access to personal information held by AIBI HE; and
- consented disclosure of personal information to third parties.

5. Policy Details

AIBI HE complies with the *Privacy Act* 1988, and applies the Australian Privacy Principles (AAPs) to the whole lifecycle of student and staff personal information. The APPs are the cornerstone of the privacy protection framework in the *Privacy Act 1988*.

AIBI HE staff members are made aware of AIBI HE's privacy obligations during induction and receive updates, reminders, and training as required.

5.1. Collection of Personal Information

AIBI HE will collect information from students, persons seeking to enrol as part of its normal business activities, staff or persons seeking employment with the organisation. Such information will often necessarily personally identify individuals.

5.1.1. Nature of personal information collected

Information requested from students will be related to admission, enrolment, progression, and other matters pertaining directly to their studies. Information requested from staff will be related to their terms of employment, conditions, and responsibilities.

If a student or prospective refuses to provide requested information, or provides inaccurate, out-of-date or incomplete information, AIBI HE may not be able to complete the student's enrolment or provide appropriate information.

5.1.2. Use of personal information collected

AIBI HE will only use the information requested from individuals to:

- provide details of study opportunities;
- enable efficient program administration;
- maintain proper academic records;
- report to government agencies as required by law; and
- facilitate payment, taxation, leave, and other processes related to employment.

AIBI HE will use de-identified data for quality monitoring and improvement purposes.

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

5.2. Storage and Security of Personal Information

AIBI HE will securely store all records containing personal information and take appropriate measures to secure and protect personal information from loss, unauthorised access, modification, interference or other misuse.

5.3. Integrity of Personal Information

Any personal information collected should be relevant for the purpose for which it was collected, accurate, current, and complete.

5.3.1. Right to access personal information

The only people permitted to access personal information are the individual concerned or staff members who require access to the information in the normal of their duties.

Requests by students and staff to access or obtain a copy of their personal information must be made in writing to the Registrar or the hiring manager, respectively. While there is no charge for accessing such information, AIBI HE 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 ten days of receipt of their written request.

5.3.2. Right to correct personal information

If the personal information held by AIBI HE is considered by the individual concerned to be incorrect, outdated, incomplete, or misleading, they can request that the information be amended. Such requests should be made in writing and directed to the Registrar or hiring manager, as appropriate.

If a record is found to be inaccurate, a correction will be made as soon as practicable. There is no charge for making a request to correct personal information.

5.4. Disclosure

Personal information about students studying with AIBI HE may be shared with the Australian Government and designated authorities, including the Tertiary Education Quality Standards Agency, the Australian Department of Education and Training, the Department of Home Affairs, the Tuition Assurance Scheme manager, or the Tuition Protection Service for international students.

This information includes personal and contact details, as well as course and unit enrolment details and changes.

In most cases, AIBI HE will not disclose an individual's personal information to another person or organisation unless the individual concerned has given their consent to the disclosure or is reasonably likely to have been aware or made aware that information of that nature is usually disclosed to certain individuals, authorities or organisations.

Instances where an individual may not be specifically notified include:

- where AIBI HE 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;
- where the disclosure is required or authorised by law; and
- where the disclosure is reasonably necessary for the enforcement of the criminal law, of a law imposing a pecuniary penalty, or for the protection of the public revenue.

In cases where personal information is disclosed for law enforcement or for the protection of the public revenue, AIBI HE shall keep a record of the disclosure.

6. Breaches

If a staff member is found to be in breach of this Policy, she or he may be subject to disciplinary action in accordance with the *Staff Code of Conduct* and *Staff Misconduct Procedure*.

7. Appeals

Appeals or disputes concerning any decision taken in relation to this Policy should be made under the relevant *Complaints and Appeals Procedure*. Overseas students may lodge an appeal with the Overseas Students Ombudsman.

Students or staff members who feel have been treated unfairly under this Policy may lodge a complaint or appeal with the Tertiary Education Quality and Standards Agency or the Office of the Australian Information Commissioner.

8. References

Privacy Act 1998 (Cth)

International Covenant on Civil and Political Rights

9. Acknowledgements

In developing this Policy, AIBI HE acknowledges:

- *Office of the Australian Information Commissioner, Privacy business resource 18: Privacy and start-up businesses;*
- *Office of the Australian Information Commissioner, Guide to developing an APP privacy policy;*
- *Office of the Australian Information Commissioner, Guide: What is Personal Information.*

Document History:

Version	Date	Author	Reason	Sections
0.1	24/4/2017	Leanne McCoy	Revision after review by Management Committee	All
0.2	26/4/2017		Approved by Management Committee	All
0.3	10/07/2018	Julien Marechal	Amendments requested by the Executive Management Committee at its 3/07/18 meetings	All
1.0	17/7/2018	Julien Marechal	Approved by Executive Management Committee.	All
1.1	21/11/2019	Stephen Andrews	Amendment in response to FEE-HELP requirements.	5 (opening paragraph)
1.2	09/05/2022	Chaido Kiourkou	Amended to reflect new corporate name Australian Institute of Business Intelligence; abbreviated to the Institute and new logo	All