

## PP49 Personal Information Policy and Procedure

### PURPOSE

This policy is a statement of the requirements relating to personal information of students eligible for VET Student Loans.

This policy will apply equally to students and potential and eligible students for Loans approved place through SCEI.

### SCOPE

The policy applies to all SCEI staff handling personal information of students applying for or accessing VET Student Loans assistance through SCEI.

### DEFINITIONS

|                                  |  |
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| <b>The Act</b>                   | VET Student Loans Act 2016   |
| <b>Student</b>                   | A person being trained and/or assessed by SCEI for the purpose of issuing AQF or non-AQF certification documentation.  |
| <b>Census Date</b>               | A published date, set by the provider, no earlier than 20% of the way through a VET Unit of Study  |
| <b>Tuition Fees</b>              | Fees paid for a VET Unit of Study that is approved for Vet Student Loans and applies to students who are, or would be entitled to Vet Student Loans assistance under clause 43 of Schedule 1A of the Act.  |
| <b>Unit or VET Unit of Study</b> | A VET unit of study approved for Vet Student Loans that a student may undertake with Southern Cross Education Institute, for which the student may access Vet Student Loans assistance to pay for all or part of their tuition fees.                       |
| <b>Course of Study</b>           | An extended period of organised study, often leading to a qualification  |
| <b>Qualification</b>             | Formal certification, issued by SCEI, in recognition that a student has achieved the learning outcomes or competencies relevant to course of study.  |
| <b>Potential Student</b>         | All persons seeking to enroll in a VET or higher education unit of study that meets the course requirements under subclasses 45(1) of Schedule 1A of the Act and who are, or would be, entitled to VET Student Loans or FEE-HELP assistance under the Act. |
| <b>Personal Information</b>      | Part 5, Division 2, defines information relevant to VET Student Loans as "Dealing with Personal Information"   |

### PROCEDURE

1. **Southern Cross Education Institute understands** and seeks to comply with the requirements of Clause 23 of Schedule 1A of the Act and the Information Privacy Principles set out in Section 14 of the Privacy Act 1988 in relation to the collection of information relating to all students.
2. **Southern Cross Education Institute** will allow a Student to apply for and receive a copy of the VET personal information that the provider holds in relation to that Student.
3. **Collection of information**
  - 3.1. Personal information will not be collected unless:
    - 3.1.1. the information is collected for a purpose directly related to Students; and
    - 3.1.2. the collection of the information is necessary for or directly related to that purpose

- 3.2. Personal information will not be collected by unlawful or unfair means.
- 3.3. If requested, provide access to students own personal information and when identified, provide opportunities for students to correct any incorrect information
- 3.4. SCEI will verify, as is appropriate, all personal information collected from the student to meet legislative requirements, including, but not limited to, VET Student Loans
- 3.5. Where personal information is collected for inclusion in a record or in a generally available publication Southern Cross Education Institute will take reasonable steps to ensure that, before the information is collected or, if that is not practicable, as soon as practicable after the information is collected, the Student concerned is generally aware of:
  - 3.5.1. the purpose for which the information is being collected;
  - 3.5.2. if the collection of the information is authorised or required by or under law the fact that the collection of the information is so authorised or required; and
  - 3.5.3. with whom the information may be shared (such as the Australian Government or Tuition Assurance Scheme)
- 3.6. Where Southern Cross Education Institute solicits and collects personal information for inclusion in a record or in a generally available publication it will take reasonable steps to ensure that:
  - 3.6.1. the information collected is relevant to that purpose and is up to date and complete; and
  - 3.6.2. the collection of the information does not intrude to an unreasonable extent upon the personal affairs of the Student

#### 4. **Storage and security of personal information**

- 4.1. Southern Cross Education Institute will ensure:
  - 4.1.1. that the record is protected, by such security safeguards as it is reasonable in the circumstances to take, against loss, against unauthorised access, use, modification or disclosure, and against other misuse; and
  - 4.1.2. that if it is necessary for the record to be given to a person in connection with the provision of a service to the VET Provider, everything reasonably within the power of the VET Provider will be done to prevent unauthorised use or disclosure of information contained in the record
- 4.2. Southern Cross Education Institute will maintain a record setting out:
  - 4.2.1. the nature of the records of personal information kept by or on behalf of the record-keeper;
  - 4.2.2. the purpose for which each type of record is kept;
  - 4.2.3. the classes of individuals about whom records are kept;
  - 4.2.4. the period for which each type of record is kept;
  - 4.2.5. the persons who are entitled to have access to personal information contained in the records and the conditions under which they are entitled to have that access; and
  - 4.2.6. the steps that should be taken by persons wishing to obtain access to that information
- 4.3. Southern Cross Education Institute will not use the information without taking reasonable steps to ensure that, having regard to the purpose for which the information is proposed to be used, the information is accurate, up to date and complete. The VET Provider will not use the information except for a purpose to which the information is relevant.

#### 5. **Disclosure**

- 5.1. Southern Cross Education Institute will not disclose the information to a person, body or agency (other than the individual concerned) unless:
  - 5.1.1. the individual concerned is reasonably likely to have been aware that information of that kind is usually passed to that person, body or agency;
  - 5.1.2. the individual concerned has consented to the disclosure;
  - 5.1.3. The VET Provider 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 student or of another person;
  - 5.1.4. the disclosure is required or authorised by or under law; or
  - 5.1.5. 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

- 5.2. 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 record-keeper shall include in the record containing that information a note of the disclosure.
- 5.3. A person, body or agency (eg: the Commonwealth and tuition assurance scheme operators) to whom personal information is disclosed will not use or disclose the information for a purpose other than the purpose for which the information was given to the person, body or agency.

#### RELATED DOCUMENTS

- PP45 VET Student Loans Review Requirements
- PP47 VET Student Loans Academic Grievance Policy and Procedure
- PP48 VET Student Loans Refund Policy and Procedures

#### LEGISLATIVE CONTEXT

- VET Student Loans Act 2016 <https://www.legislation.gov.au/Details/C2018C00402>
- VET Student Loans Rules 2016 (section 85 and 94) <https://www.legislation.gov.au/Details/F2017C00602>
- Privacy Act 1988
- Freedom of Information Act 1991

#### RESPONSIBILITIES

Responsibility for implementation of the policy and procedure are:

- Chief Executive Officer
- Campus Manager
- Training Manager
- Compliance Manager
- Administration Manager
- Business Development Manager
- Administration Staff
- Compliance Staff

Responsibility for monitoring the implementation and compliance of this policy and procedure are:

- Chief Executive Officer
- Campus Manager
- Compliance Manager

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| <b>Author</b>         | Compliance Manager      |
| <b>Approved by</b>    | Chief Executive Officer |
| <b>Effective date</b> | 15/06/2019              |
| <b>Version</b>        | V3.1                    |
| <b>Review date</b>    | June 2021               |