

## Privacy Policy

Policy statement	
<b>Purpose and Intent</b>	The MIECAT Institute collects and holds personal information about all of its students. Privacy of student information is a vital part of the institute's relationship with students, and is supported by legislative responsibilities to maintain confidentiality.
<b>Application</b>	This policy covers all staff and students of the MIECAT Institute.
<b>Objectives</b>	The MIECAT Institute recognises its responsibility to collect, manage, use and disclose personal information in accordance with legislative requirements and prevailing community expectations of best practice.
Policy Provisions	
<b>1. Guiding principles and legislative requirements</b>	
<p>The best interests of the student and the preservation of their privacy and confidentiality are paramount in interpreting this policy. Students' personal information will not be used or disclosed except in accordance with this policy. In all areas of academic and administrative practice the principle of minimal disclosure will be applied.</p> <p>The Institute upholds a student's right to know how their personal information will be managed, used, stored and disposed.</p> <p>The Institute will take all reasonable steps to ensure responsible handling of student personal information.</p> <p>Certain types of information may be subject to confidentiality standards beyond this policy, for example other Institute policies or additional legislative requirements.</p> <p>In certain cases, the confidentiality requirements in this policy will be overridden by legal or legislative obligations of disclosure.</p>	
<b>2. Collection of personal information</b>	
<p>The Institute collects and holds a range of personal information about all of its students. This includes:</p> <ol style="list-style-type: none"><li>personal details: name, student ID number, contact information, age, enrolment status, digital images, etc</li><li>academic records: transcripts, current course and enrolment details, assessment results, academic standing</li><li>sensitive information: including personal health and welfare information:</li></ol>	

emergency contacts, medical reports, information related to current health status, membership of professional organisations etc

Information collected is used for a variety of purposes, including:

- a. admission to a program
- b. enrolment and academic progress
- c. program and course administration
- d. communication with students
- e. statistical purposes, such as Institute planning
- f. provision of student services and teaching and learning support
- g. financial management
- h. mandatory reporting to external agencies, as explained in clause 10.1 below
- i. discretionary reporting to external bodies, as explained in clause 10.2 below
- j. promotion of the Institute.

The Institute will collect personal information only where it is necessary for one or more legitimate functions or activities. Where personal information is collected, all reasonable steps will be taken to inform students of:

- a. the purpose for which the information is collected
- b. any person, body or agency to which the Institute usually discloses information of that kind
- c. any law that requires or authorises particular information to be collected.

The Institute will take all reasonable steps to ensure that personal information collected is accurate, relevant, up-to-date, complete, and not misleading. To this end, the Institute will take reasonable steps to allow individual students to correct inaccurate information as appropriate.

### **3. Storage of personal information**

The Institute will take all reasonable steps to protect records of personal information from misuse, loss, unauthorised access, modification or disclosure.

Staff access to records of personal information will be restricted to staff members who need the information in order to carry out their duties and responsibilities in the personal and/or academic interests of students.

Staff who are granted access to records of personal information will be made aware of the strict conditions set out under the Higher Education Support Act 2003 for access to records of personal information that have been collected for the purposes of administering Commonwealth contributions and loans programs. Staff will be made aware that the following are all serious offences under the Higher Education Support Act 2003:

- a. disclosing such personal information outside of the requirements of official duties
- b. copying a record of such personal information outside of the requirements of official duties, and
- c. causing unauthorised access to such personal information held in a computer system

Where personal information is no longer needed for any legitimate purpose it will be destroyed using a confidential method of disposal.

#### **4. Use and disclosure of personal information**

Personal information will be used only for the purpose for which it is required. Where information has been obtained for a particular purpose, it will not be used for any other purpose, unless:

- a. the individual concerned has consented to its use
- b. use of the information is required by law
- c. the Institute believes it is necessary in order to prevent or lessen a serious and imminent threat to the life or health of the individual concerned, or another person.

The Institute will not disclose personal information about students to people, bodies or agencies outside the Institute including parents, spouses or other relatives or friends of the student, or to staff who have no need of the information, unless:

- a. the student has given written permission for the Institute to disclose the information
- b. the Institute is required by law or by Commonwealth or State funding bodies to disclose the information (as explained in clause 10.1)
- c. the Institute has taken reasonable steps to inform the student that information of that kind is usually passed on to those people, bodies or agencies (as explained in clause 10.2)
- d. the Institute believes the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned, or another person.

Staff must obtain written consent from students to use their images for promotional purposes using the appropriate form.

#### **5. Sensitive information**

The Institute will only collect sensitive information relevant to the Institute activities or required by law, and with the student's consent.

#### **6. Individual's right of access to personal records**

The Institute will take reasonable steps to allow individual students to view the personal information the Institute holds about them.

Where the Institute collects and holds personal information for the purposes of

administering Commonwealth contributions and loans programs, students have a legislative right to view their individual personal information, except where the Institute is required or authorised by Commonwealth legislation to refuse to provide the student with access.

## Procedures

### **7. Access to personal information records**

Any student may view and correct their personal information, including enrolment details and details of deferred payment options, at the Institute's administration office.

Students who want to view any additional personal information kept about them by the Institute may apply to do so through the Institute's administration office.

Students who want to correct a record of personal information kept by the Institute, which they believe to be incorrect, may do so via the Institute's administration office. Written requests for correction will be kept on the student's file.

In circumstances where the Institute is unwilling to amend a record of personal information following a request from a student (for example, if the Institute believes that the record is correct, or that the correction sought by the student is unwarranted), the student may request that the Institute keep a record of the request being denied.

### **8. Maintenance of a public record**

The Institute is obliged, under the Higher Education Support Act 2003 and the Privacy Act 1988, to maintain a public record, detailing:

- a. the nature of the records of students' personal information that are kept by the Institute for the purposes of administering Commonwealth contributions and loans programs
- b. the period for which each type of record is kept
- c. the persons who are entitled to have access to personal information contained in such records and the conditions under which they are entitled to that access, and
- d. the steps that should be taken by persons wishing to obtain access to that information.

### **9. Complaints regarding personal information records**

Complaints regarding any aspect of the Institute's collection, storage, use and disclosure of students' personal information should be made in accordance with the Grievance Policy

### **10. Disclosure of personal information records**

The Institute will regularly provide personal information about students to the following:

- a. The Commonwealth department responsible for tertiary student support

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funding and programs, as required for administrative purposes. This will include information about all students regarding:

- i. enrolments and student load, including demographic information
  - ii. academic programs being undertaken
  - iii. student liabilities under Commonwealth higher education loans and contribution schemes, and payment options declarations
  - iv. completion of academic programs and courses
- b. Centrelink: as required to enable verification of entitlement to Centrelink payments. This will include information on all students regarding enrolment and work load.
- c. The Australian Taxation Office (ATO): on the individual liabilities of all enrolled students who have elected to defer and repay through the taxation system liabilities accrued under the range of Commonwealth loans and contribution programs.

The Institute will release information about individual students under certain circumstances to the following:

- a. **recognised education providers and tertiary admission centres:** providing information on students who have applied for admission
- b. **the police:** the Institute is not obliged to provide information about a student to the police unless there is a court order in place, or there is potential for a student to be at risk. Approval must be sought from the Director or authorised nominee before any information is released.
- c. **the courts:** the Institute may be required to provide information related to a civil action
- d. **professional bodies:** providing information only to the extent needed to meet requirements for establishing the entitlement of students and graduates to practice in a profession
- e. **other agencies as required and approved by the Director:** Student and Academic Services

<b>Related legislation</b>	Freedom of Information Act 1982 Health Records Act 2001 Higher Education Support Act 2003 Privacy Act 1988 Privacy and Data Protection Act 2014
<b>Supporting procedures</b>	Nil
<b>Related documents</b>	Personal History Form Application to view and or change information on

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	<p>record</p> <p>Course Application Form</p> <p>Grievance Policy</p>
<b>Accountabilities</b>	
<b>Policy owner</b>	Executive Management Committee
<b>Approval authority</b>	MIECAT Council
<b>Responsibility for implementation</b>	All MIECAT staff, Council and Committee members
<b>Responsibility for monitoring implementation and compliance</b>	Executive Management Committee and Academic Board are responsible for monitoring and reporting to the MIECAT Council.
<b>Definitions</b>	<p><b>Student:</b> any current or former student of the Institute and its precedent institutions.</p> <p><b>Personal Information:</b> information or an opinion, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion (as defined in the Privacy Act 1988 and the Higher Education Support Act 2003).</p> <p>For the purpose of this policy 'personal information' means student personal information and includes assignments, examinations, individual student results, student results collated in a list with identification by student number, and practicum details.</p> <p><b>Sensitive Information:</b> personal information about an individual's physical or mental health status, disability, philosophical beliefs, membership of a professional association, or criminal record.</p> <p>Record includes:</p> <ul style="list-style-type: none"> <li>• a document</li> <li>• any form of database</li> <li>• a photograph or other pictorial representation of a person</li> </ul> <p>but does not include:</p>

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	<ul style="list-style-type: none"><li>• a generally available publication, for example an award conferral</li><li>• anything kept in a library, art gallery or museum for the purposes of reference, study or exhibition</li><li>• letters or other articles in transit by post</li></ul>
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