

Policy name:	SP4 Privacy and Personal Information Policy	Version:	2.2
Policy owner:	Head of Governance, Risk and Compliance		
Approved by:	Chief Executive Officer		
Approved date:	May 2017	Review date:	November 2023

SECTION 1 - INTRODUCTION

PURPOSE

This policy outlines Selmar Institute of Education’s approach to collecting information from learners seeking to enrol including information that personally identifies individual users. Selmar may also record various communications between individuals and Selmar.

In collecting personal information Selmar 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.

SCOPE

This policy applies to all employees, partners and associates of the Selmar Institute of Education (121531) in relation to collecting personal information from learners and potential learners.

This policy includes all regulatory requirements that fall under the RTOs obligations as a registered training organisation.

SECTION 2 - POLICY

Overview

In the course of its business, Selmar may collect information from learners seeking to enrol including information that personally identifies individual users. Selmar may also record various communications between individuals and Selmar.

In collecting personal information Selmar 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.

Collection and use of personal information

Selmar will only collect personal information from individuals by fair and lawful means which is necessary for the functions of Selmar. Selmar will only collect sensitive information with the consent of the individual and if that information is reasonably necessary for the functions of Selmar.

VIC - Consent from the individual is obtained via the Application Form where the individual recognises the Victorian Government Student Enrolment Privacy Notice and declares their agreement with its terms.

NSW - Consent from the individual is obtained via the Application Form where the individual signs or electronically accepts (including by ticking a check box) a consent form that includes the wording set out in Schedule 1 of Smart and Skilled Operating Guidelines.

The information requested from individuals by Selmar will only be used to provide details of study opportunities, to enable efficient course administration, to maintain proper academic records, and to report to government agencies as required by law. If an individual chooses not to give Selmar certain information then Selmar may be unable to enrol that person in a course or supply them with appropriate information.

Disclosure of personal information

Personal information about learners studying with Selmar may be shared with the Australian Government and designated authorities, including the Australian Skills Quality Authority (ASQA) and the Tuition Assurance Scheme manager (ACPET). This information includes personal and contact details, course and unit enrolment details and changes.

Selmar will not disclose an individual's personal information to another person or organisation unless:

- 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;
- The individual concerned has given written consent to the disclosure;
- Selmar 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;
- The disclosure is required or authorised by or under law; or
- 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, Selmar shall include in the record containing that information a note of the disclosure.

Any person or organisation that collects information on behalf of Selmar 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.

Security and integrity of personal information

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

Selmar 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.

Selmar will store securely all records containing personal information for a period of up to seven years (unless a lesser period is specified) and take all reasonable security measures to protect personal information it holds from misuse, interference, loss, unauthorised access, modification or disclosure.

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

Right to access and correct records

Individuals have the right to access or obtain a copy of the personal information that Selmar 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 Selmar holds about them; however Selmar 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 Selmar should be sent to:

Head of Governance, Risk and Compliance
Level 2, 80 Dorcas Street
Southbank 3006
VIC

Complaints about an alleged breach of the APPs

Where an individual believes that Selmar has breached a Privacy Principle in relation to that individual they may lodge a complaint using Selmar grievance handling procedures which enables learners and prospective learners to lodge grievances of a non-academic nature, including grievances about handling of personal information and access to personal records.

Publication

These Privacy and Personal Information Procedures will be made available to learners and persons seeking to enrol with Selmar by publication on Selmar website: www.selmar.edu.au. Alternatively, a copy of this policy may be requested by contacting Selmar using the contact details provided above.

In order to ensure that learners have given their informed consent for their personal information to be disclosed to certain third parties as outlined in this procedure, Selmar will advise learners on enrolment about these procedures and where they are located.

Records Management

All documentation from administration and data reporting processes are maintained in accordance with Records Management Policy. (See Records Management Policy).

Monitoring and Improvement

All administration and data reporting practices are monitored by the Chief Executive Officer and the Head of Governance, Risk and Compliance and areas for improvement identified and acted upon. (See Continuous Improvement Policy).

SECTION 3 - LEGISLATIVE CONTEXT

Name	Section
Standards for RTOs 2015	Standard 3.4, Schedule 5 Clause 4 & 8, 3.6 d) Standard 8.1 f)
VET Student Loans	Clause 4.8.6, 4.8.16
Victorian Skills First Program	Clause 12.5 – 12.8
NSW Smart and Skilled Program	Operating Guidelines Schedule 1, Terms and Conditions Section 33
Queensland Skills Assure Program	Skills Assure Agreement Section 17

SECTION 4 - RELATED DOCUMENTS

Name	Document Type
SP2 Record Management Policy	Policy
Application Form	Form

SECTION 5 - VERSION CONTROL

Version #	Approval Date	Approved by	Details
1.1	25 May 2017		Document creation
1.2	26 June 2018	Tash Hartig	Reformatted document
1.3	15 February 2019	Marcus Sellen	Updated Approver

2.0	12 August 2019	Marcus Sellen	Updated address
2.1	11 February 2020	Erin Wilson	Update Policy Owner
2.2	20 April 2022	Aruna Joshi	Updated RTO code Added NSW consent form information Updated GRC department title Updated Legislative Context section