

# Information Privacy Policy

## Commencement Date

1 June 2014

### 1.0 Purpose

This policy provides a framework to inform students in relation to the collection, use storage, security and disclosure of personal information collected about them and the right to access their personal information.

### 2.0 Scope

This policy applies to all members of the Institute's higher education community.

### 3.0 Objectives

As an organisation, the Guild is committed to complying with the Information Privacy Principles as defined in the Commonwealth of Australia Privacy Act 1988.

### 4.0 Implementation

This policy will be made available to students and prospective students by publication on the Guild website ([www.guildmusic.edu.au](http://www.guildmusic.edu.au)). In order to ensure that students have given their informed consent for their personal information to be disclosed to certain third parties as outlined in this procedure, the Guild will advise students on enrolment about these procedures and where they are located.

#### 1. Collection

AGME shall only collect personal information that is necessary to carry out legitimate activities. Information shall be collected in a legal and just method and shall not, where reasonably possible, be intrusive.

If practical, personal information shall be collected from individuals.

When collecting personal information, the Guild shall take reasonable steps to inform the person about:

- The identity of this organisation
- The purpose of collection
- Their rights to access Personal Information held by this organisation

#### 2. Use and Disclosure

AGME shall only use or disclose information for the primary purpose (original reason for information being collected), for which it was collected.

AGME shall not use or disclose information for a secondary purpose (any other purpose than the primary purpose) unless the individual has consented to the use or disclosure.

AGME shall provide reasonable opportunity for an individual to opt-out of any activity that shall make use of their personal information.

**Note:** AGME may be requested to make personal information available to authorised Australian Commonwealth and State agencies when required. For example, personal information about international students studying with the Guild may be shared with the Australian Government and designated authorities, including the Australian Student Tuition Assurance Scheme (ASTAS) and the ESOS Assurance Fund Manager. This information includes personal and contact details, course enrolment details and changes, and the circumstance of any suspected breach of a student visa condition. Personal information may also be collected to assess an individual's entitlement to Commonwealth assistance under the *Higher Education Support Act 2003* and to allocate a Commonwealth Higher Education Student Support Number (CHESSN). AGME will disclose this information to the Department of Education for these purposes. The Department will store the information securely in HEIMS or the FEE-HELP IT System. The Department of Education may disclose information to the Australian Taxation Office. Personal information gathered for these purposes will not otherwise be disclosed without the individual's consent unless required, or authorised by law.

### **3. Data Quality**

AGME shall take all reasonable steps to make sure that personal information is accurate, complete and up-to-date at the time of collection and use and that any personal information collected is not misleading.

### **4. Data Storage and Security**

AGME shall take all reasonable steps to ensure personal information is suitably and securely stored including ensuring that appropriate filing procedures are in place. AGME shall take reasonable steps to ensure the security of physical files, computers, networks and communications are maintained at all times.

AGME shall also ensure personal information is safe from misuse, loss, and unauthorized access, alteration or disclosure. Personal information shall be destroyed or de-identified when it is no longer needed for either the primary, or approved secondary purpose.

### **5. Openness**

AGME shall make available, on request, our Privacy Statement and Policy. We shall also, on request and within reason, inform an individual of:

- The type of personal information we collect and hold
- The purpose for this information
- The method by which it is collected
- How it is used and disclosed.

### **6. Access and Correction**

If requested, the Guild shall give individuals access to and correction of their personal information held by this organisation. If requested, a copy shall also be provided. This information is provided on the condition that none of the following exceptions apply:

- (a) in the case of personal information other than health information -providing access would pose a serious and imminent threat to the life or health of any individual; or

- (b) in the case of health information - providing access would pose a serious threat to the life or health of any individual; or
- (c) providing access would have an unreasonable impact upon the privacy of other individuals; or
- (d) the request for access is frivolous or vexatious; or
- (e) the information relates to existing or anticipated legal proceedings between the organisation and the individual, and the information would not be accessible by the process of discovery in those proceedings; or
- (f) providing access would reveal the intentions of the organisation in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
- (g) providing access would be unlawful; or
- (h) denying access is required or authorised by or under law; or
- (i) providing access would be likely to prejudice an investigation of possible unlawful activity; or
- (j) providing access would be likely to prejudice the prevention, detection, investigation, prosecution or punishment of criminal offences, breaches of a law imposing a penalty or sanction or breaches of a prescribed law; or
- (l) the enforcement of laws relating to the confiscation of the proceeds of crime; or
- (m) the protection of the public revenue; or
- (n) the prevention, detection, investigation or remedying of seriously improper conduct or prescribed conduct; or
- (o) the preparation for, or conduct of, proceedings before any court or tribunal, or implementation of its orders by, or on behalf of, an enforcement body; or
- (k) an enforcement body performing a lawful security function asks the organisation not to provide access to the information on the basis that providing access would be likely to cause damage to the security of Australia.

When requesting access to personal information, individuals shall:

- request to access their personal information formally in writing
- provide two (2) acceptable forms to prove their identity
- advise what format they require the information
- provide data storage, if necessary
- allow 14 working days for processing

AGME will provide individuals access to any personal information held about them free of charge. AGME may choose to charge a fee to make a copy of personal information. Should a fee apply, it will not be excessive.

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. Where a student 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.

### **Identifiers**

AGME shall not assume, as its own identifier of a person, an identifier that has been assigned by:

- A Government agency or agent
  - A contracted service provider for a Commonwealth Contract.
- Please note: A person's name or ABN number is not considered to be an identifier.*

## 1. Trans-border Data Flow

AGME shall only transfer personal information to a foreign company if:

- The foreign recipient has similar compulsory privacy limitations;
- We have obtained the individuals permission; or
- It is necessary to conduct business which involves the individual

## 2. Sensitive and Health Information

AGME shall not collect personal information that is of a sensitive nature unless prior permission has been sought from the individual.

## 5.0 Definitions

Nil

## 6.0 Related policies and procedures

- Records Management Policy

## Associated Documents

*The Privacy Act 1988*

(<http://www.comlaw.gov.au/ComLaw/Management.nsf/current/bytitle/32AA97DFE9AA8326CA256F7100071D25?OpenDocument&mostrecent=1>)

## 6.0 Review

Three years from commencement.

## 7.0 Accountabilities

The Committee of Management is responsible for review and approval of this policy.

The policy is to be implemented via induction and training of staff and distribution to students and the Guild's community via the website and other publications.

## 8.0 Revision History

Date Created: 9 May 2014

Approval Authority	Contact Person	Revision Due Date	Revision Date	Approved Date	Version No.	Revision Description
Committee of Management	Secretary	31/5/2017			v1	Transferred to AGME Policy template with minor revisions.