



Purpose

This policy ensures that Clinton Institute meets its legal and ethical requirements in regard to the collection, storage and disclosure of the personal information it holds in regards to individuals.

This policy and procedure contributes to compliance with 8.5 of the Standards for Registered Training Organisations 2015, Standard 3.3(6) of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 and Standard 8.1 of the ELICOS Standards 2018.

Definitions

ASQA: Australian Skills Quality Authority

ELICOS Standards: English Language Intensive Courses for Overseas Students (ELICOS) Standards 2018

National Code: National Code of Practice for Providers of Education and Training to Overseas Students 2018

RTO: Registered Training Organisation

RTO Standards: Standards for Registered Training Organisations (RTOs) 2015 from the VET Quality Framework which can be accessed at www.asqa.gov.au

Personal information: Information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- *Whether the information or opinion is true or not; and*
- *Whether the information or opinion is recorded in a material form or not.*

Sensitive information: Information is information or an opinion about an individual's: racial or ethnic origin; or political opinions; or membership of a political association; or religious beliefs or affiliations; or philosophical beliefs; or membership of a professional or trade association; or membership of a trade union; or sexual orientation or practices; or criminal record; that is also personal information; or health information about an individual; or genetic information about an individual that is not otherwise health information; or biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or biometric templates.

Unique Student Identifier (USI): Is a unique reference number issued to an individual by the Australian Government. It is made up of numbers and letters and enables an individual to look up and track their training achievements in an online database.



Policy

1. Privacy Principles

- In collecting personal information, Clinton Institute complies with the requirements set out in the Privacy Act 1988, including Australian Privacy Principles.
- Personal information, including sensitive information, is collected from individuals in order that Clinton Institute can carry out its business functions. Clinton Institute only collects and stores information that is directly related to its business purposes and legal requirements of providing nationally recognised training and assessment.
- Clinton Institute ensures each individual:
 - Knows why their information is being collected, how it will be used and who it will be disclosed to.
 - Is made aware of any legal requirement for Clinton Institute to collect the information.
 - Is able to access their personal information upon request.
 - Does not receive unwanted direct marketing.
 - Can ask for personal information that is incorrect to be corrected.
 - Can make a complaint about Clinton Institute if they consider that their personal information has been mishandled.
 - Is made aware of any consequences for not providing the information requested.
- Clinton Institute retains evidence that the student has acknowledged the following Privacy Notice and Student Declaration as part of their enrolment process.

2. Collection of information

- Under the *Data Provision Requirements 2012*, Clinton Institute is required to collect personal information about students undertaking nationally recognised training and disclose that personal information to the National Centre for Vocational Education Research Ltd (NCVER). NCVER will collect, hold, use and disclose personal information in accordance with the Privacy Act 1988 (Cth), the VET Data Policy and all NCVER policies and protocols (including those published on NCVER's website at www.ncver.edu.au).
- In general, personal information will be collected through course application and/or enrolment forms, training records, assessment records and online forms and submissions.
- The types of personal information collected include:
 - personal and contact details
 - employment information, where relevant
 - academic history
 - background information collected for statistical purposes about prior education, schooling, place of birth, disabilities and so on
 - training, participation and assessment information
 - fees and payment information
 - information required for the issuance of a USI
 - for international students:



- current course information including CRICOS code, agreed starting date, expected completion date if the student did not start on the agreed date
- Information about any terminations for change to identity and duration of the course
- English language proficiency including the name of the test and the score received
- visa information, including the Department of Home Affairs office where the visa application was made and current local DoHA office
- passport information including whether the student was in Australia when they became an accepted student

3. Storage and use of information

- Clinton Institute will store all records containing personal information securely and take all reasonable security measures to protect the information collected from unauthorised access, misuse or disclosure. Personal information will be stored in paper-based files that are kept in a secure location (locked filing cabinets/locked compactor) and electronically in a secure environment to which only authorised staff have access.
- The personal information held about individuals will only be used by Clinton Institute to enable efficient student administration, report data to provide information about training opportunities, issue statements of attainment and qualifications to eligible students, and to maintain accurate and detailed records of student course participation, progress and outcomes. Information about international students may also be shared to promote compliance with the conditions of student visas and the monitoring and control of visas.
- Clinton Institute may use the personal information provided by an individual to market other internal products and services to them. An individual may opt out of being contacted for marketing purposes at any time by contacting our office. Information will not be passed onto any third party marketing companies without the prior written consent of the individual.

4. Disclosure of information

- Clinton Institute will not disclose an individual's personal information to another person or organisation unless:
 - They are aware that information of that kind is usually passed to that person or organisation.
 - The individual has given written consent.
 - Clinton Institute believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious threat to the life or health of the individual concerned or another person.
 - The disclosure is required or authorised by, or under, law.
 - 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 public revenue.
- Any person or organisation to which information is disclosed is not permitted to use or disclose the information for a purpose other than for which the information was supplied to them.
 - Personal information may be used or disclosed by Clinton Institute for statistical, regulatory and research purposes. Clinton Institute may disclose personal information for these purposes to third parties, including:
 - Commonwealth and State or Territory government departments and authorised agencies; such as the Australian Skills Quality Authority (ASQA), Department of Education and Training (DET), the Department of Home Affairs (DHA) and the Tuition Protection Service (TPS)



- NCVER
- Organisations conducting student surveys
- Researchers.
- Personal information disclosed to NCVER may be used or disclosed for the following purposes:
 - Issuing a VET Statement of Attainment or VET Qualification, and populating Authenticated VET Transcripts
 - Facilitating statistics and research relating to education, including surveys
 - Understanding how the VET market operates, for policy, workforce planning and consumer information
 - Administering VET, including program administration, regulation, monitoring and evaluation.

5. Access to and correction of records

- Individuals have the right to access or obtain a copy of the information that Clinton Institute holds about them including personal details, contact details and information relating to course participation, progress and AQF certification and statements of attainment issued.
- Requests to access or obtain a copy of the records held about an individual must be made by contacting our office using the Request to Access Records Form. The individual must prove their identity to be able to access their records.
- There is no charge for an individual to access the records that Clinton Institute holds about them; however, there may be a charge for any copies made. Arrangements will be made within ten (10) working days for the individual to access their records.

6. Complaints about privacy

- Any individual wishing to make a complaint or appeal about the way information has been handled within Clinton Institute can do so by following Clinton Institute's Complaints and Appeals Policy and Procedure.