

## PRIVACY POLICY

<b>Approving authority</b>	Governing Board
<b>Approval date</b>	19 September 2017
<b>Purpose</b>	This policy outlines how the OIHE collects, uses, discloses and otherwise manages personal information supplied by its students.
<b>Responsibility for implementation</b>	Institute Director
<b>Next scheduled review</b>	October 2019
<b>Document Location</b>	R:\Managers\OIHE\Policies\OIHE Privacy Policy
<b>Associated documents</b>	Student Grievances and Appeals Policy

This policy has been developed with reference to the following institutions' policies:

MIBT Privacy Policy (<http://www1.mibt.vic.edu.au/privacy>) accessed on 31 May 2016

VU Privacy Policy (<https://policy.vu.edu.au/view.current.php?id=00166>) accessed on 30 May 2016

Independent Schools Council of Australia and national Catholic Education Commission Privacy Compliance Manual August 2016

### Principles

Oxford Institute of Higher Education's role as a provider of higher education requires it to collect, store, use and disclose personal information relating to its students. The Oxford Institute of Higher Education (hereinafter referred to as 'the Institute' or 'OIHE') is committed to protecting the privacy of personal information while honouring its obligations under the Privacy Act 1988 (Cth) (**Privacy Act**), the Australian Privacy Principles (**APPs**) and the Health Privacy Principles which are contained in the Health Records Act 2001 (Vic) (Health Records Act). The following Privacy Policy is based on the APPs in the Privacy Act 1988 (Privacy Act) and the Office of the Australian Information Commissioner's (OAIC) APP guidelines.

This Privacy Policy explains how the Institute collects, uses, manages, discloses and otherwise handles the personal information of its students. It explains how information might be accessed or corrected and how a suspected privacy breach might be investigated.

The Institute may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to its operations and practices and to make sure it remains appropriate to the changing environment.

### Contact Information

The overall responsibility for protecting the privacy of all personal information held by the Institute resides with the Institute Director with the day to day management delegated to the Head, Student Services and Administration. The Head, Student Services and Administration is the first point of contact for privacy queries.

### Obligations

The OIHE observes and complies with the Australian Privacy Principles (APP) in the Privacy Act 1988 and the Health Privacy Principles which are contained in the Health Records Act 2001 (Vic) (Health Records Act). The APPs regulate the manner in which personal information is handled throughout its life cycle, from collection, to use and disclosure, storage, access and disposal.

The Institute collects personal information from a variety of sources. This privacy policy applies to any personal information collected by the Institute about:

- prospective employees;
- individuals who are customers of the Institute's clients;

- clients;
- business partners;
- suppliers;
- contractors;
- shareholders;
- students;
  - when a course enquiry is made;
  - when a person applies for admission to the Institute or
  - when a person enrolls for a course subject offered by the Institute
- other people who may come into contact with the Institute;

### Collection of Personal Information

Personal information is any information or an opinion, whether true or not, which identifies an individual (includes health information and sensitive information). When personal information concerns certain matters it is considered sensitive information.

Sensitive information is a subset of personal information that is generally afforded a higher level of privacy protection. Sensitive information is information or opinion about an individual's:

- membership of a political association;
- racial or ethnic origin;
- health or disability;
- membership of a professional or trade association or membership of a trade union;
- political opinions;
- religious beliefs, affiliations or philosophical beliefs;
- criminal record;
- sexual preferences or practices;

Sensitive information is collected only where it is necessary for the functions or activities of the Institute and:

- (a) the individual student has consented; or
- (b) the Institute is required or authorised under law to do so.

Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless you agree otherwise, or the use or disclosure of the sensitive information is allowed by law.

The OIHE collects personal information from its students through a variety of lawful and fair means including:

- a) On hard copy forms
- b) By email
- c) Over the telephone
- d) Through written correspondence
- e) In person

The type of information the Institute collects and holds includes (but is not limited to) personal information, including health and other sensitive information, about:

- students and parents and/or guardians ('Parents') before, during and after the course of an enrolment at the Institute, including:
  - name, contact details (including next of kin), date of birth, previous education/school and religion;

- medical information (e.g. details of disability and/or allergies, absence notes, medical reports and names of doctors);
- conduct and complaint records, or other behaviour notes, and academic reports;
- information about referrals to government welfare agencies;
- counselling reports;
- health fund details and Medicare number (if applicable);
- information about the disability support needs of individual students, to assist with special needs and to develop disability access plans where appropriate
- health information that may be relevant to an individual student's failure to achieve a satisfactory course outcome. any court orders;
- volunteering information; and
- photos and videos at Institute events;
- job applicants, staff members, volunteers and contractors, including:
  - name, contact details (including next of kin), date of birth, and religion;
  - information on job application;
  - professional development history;
  - salary and payment information, including superannuation details;
  - medical information (e.g. details of disability and/or allergies, and medical certificates);
  - complaint records and investigation reports;
  - leave details;
  - photos and videos at Institute events;
  - workplace surveillance information;
  - work emails and private emails (when using work email address) and Internet browsing history; and
- other people who come into contact with the Institute, including name and contact details and any other information necessary for the particular contact with the Institute.

The Institute will generally collect personal information held about an individual by way of forms filled out by students (or their parents/legal guardians), face-to-face meetings and interviews, emails and telephone calls. On occasions people other than students (or their parents/legal guardians) provide personal information such as education agents.

In some circumstances the Institute may be provided with personal information about an individual from a third party, for example a report provided by a medical professional or a reference from another education provider.

On occasions, the Institute may collect personal information about students from:

- Commonwealth and State agencies;
- Education agents who may be based in Australia or overseas;
- a company for whom you work;
- other individuals and/or organisations with whom you have any dealings;
- an employment recruitment agent or agency;
- a student related recruitment agent or agency;

***Exception in relation to employee records:*** Under the Privacy Act, the Institute handles staff health records in accordance with the Health Privacy Principles in the Health Records Act.

## Use of Personal Information

The particular purpose for which personal information is collected by the Institute is generally either specified or reasonably apparent at the time the information is collected. The Institute will use personal information it collects for the primary purpose of collection, and for such other secondary purposes that are related to the primary purpose of collection and reasonably expected, or to which it was consented.

The Institute collects personal information for the primary purpose of providing students with the courses of study for which they are enrolled and the associated services to individuals. Personal information may be collected for purposes related, or ancillary to, the primary purpose of collection. This includes:

- a) administering and managing the services provided by the Institute to prospective and current students, including admission and enrolment;
- b) the delivery of courses including teaching, learning and assessment functions;
- c) marketing the services of the Institute to prospective, current and past students;
- d) guiding students in their study options
- e) providing student counselling services;
- f) conducting surveys;
- g) keeping students informed about matters related to education services, through correspondence, newsletters and magazines; conducting research for service improvement purposes and to compile statistics and analyse trends; and
- h) the regulation of student visas and Australian immigration laws generally under the Education Services for Overseas Students Act 2000, and the National Code of Practice for Providers of Education and Training to Overseas Students 2007.

In relation to personal information of job applicants and contractors, the primary purpose of collection is to assess and (if successful) to engage the applicant or contractor, as the case may be.

The purposes for which the Institute uses personal information of job applicants and contractors include

- administering the individual's employment or contract, as the case may be;
- for insurance purposes;
- seeking funds and marketing; and
- satisfying legal obligations.

The Institute also obtains personal information about volunteers who assist the Institute in its functions or conduct associated activities, such as alumni associations, to enable the Institute and the volunteers to work together.

The Institute treats marketing for the future growth and development of the Institute as an important part of ensuring that the Institute continues to be a quality learning environment in which both students and staff thrive. Personal information held by the Institute may be disclosed to an organisation that assists in the Institute's marketing.

Parents, staff, contractors and other members of the wider community may from time to time receive marketing and fundraising information. Institute publications, like newsletters and magazines, which include personal information, may be used for marketing purposes.

The Privacy Act allows the Institute to share personal (but not sensitive) information with other Ozford entities. The Institute may then only use this personal information for the purpose for which it was originally collected. This allows the Institute to transfer information between Ozford College Pty Ltd, Ozford English Language Centre Pty Ltd and Ozford Business College Pty Ltd.

All reasonable steps are taken to destroy hard copies of personal information that are obsolete or no longer required by the Institute. Destruction of personal information is undertaken by secured means.

In some cases where the Institute requests personal information about an individual, if the information requested is not obtained, the Institute may not be able to enrol or continue the activity. For example, for a student, the enrolment of the student may not be offered or the student may not be permitted to take part in a particular activity.

## Disclosure of Personal Information

The Institute may disclose a student's personal information for the purpose which was either specified or reasonably apparent at the time when the information was collected.

The Institute may disclose personal information to:

- its related entities, Ozford College Pty Ltd and Ozford English Language Centre Pty Ltd and Ozford Business College Pty Ltd
- State and Commonwealth Government departments including the Department of Education **and Training**, the Department of Immigration **and Border Protection** and the Tuition Protection Service in compliance with the ESOS legislative requirements **and their successors**.
- its regulator, the Tertiary Education Quality and Standards Agency, **and its successors**
- its service providers and specialist advisers including people providing educational, support and health services, including specialist visiting academic and support staff, volunteers, counsellors and providers of learning and assessment tools and software
- Medical practitioners;
- people providing administrative and financial services including insurance organisations
- recipients of Institute publications, such as newsletters and magazines
- the student's parents and guardians;
- anyone that a student or employee has been authorised for disclosure information; and
- any person with a lawful entitlement to obtain the information.

Personal information will also be disclosed where consent is given to the Institute to do so or the Institute believes that disclosure is necessary to lessen or prevent a serious threat to life, health, or safety or the disclosure is necessary to assist in locating a person who has been reported as missing or the disclosure is required by law, regulation or a court/tribunal body.

The Institute respects every Parent's right to make decisions concerning their child's education while they are under the age of 18. Generally, the Institute will refer any requests for consent and notices in relation to the personal information to the student's parents while they are under 18. The Institute will treat consent given by Parents as consent given on behalf of the student, and notice to Parents will act as notice given to the student.

Parents may seek access to personal information held by the Institute about them or their child by contacting the Institute by telephone or in writing. However, there may be occasions when access is denied. Such occasions would include where release of the information would have an unreasonable impact on the privacy of others, or where the release may result in a breach of the duty of care to the student.

The Institute may, at its discretion, on the request of a student grant that student access to information held by the Institute about them, or allow a student to give or withhold consent to the use of their personal information, independently of their Parents. This would normally be done only when the maturity of the student and/or the student's personal circumstances warrant it.

## Direct Marketing

The Institute may use the personal information of its students to send information about the services offered, as well as other information (including enrolment reminders, study suggestions, and invitations to participate in forums or surveys). The Institute may send this information in a variety of ways, including by mail, email, SMS and telephone. The Institute will not disclose or externally publish personal information to third parties who are not related to the Institute to allow them to market their products or services without the relevant person's consent.

The Institute may then contact individuals to let individuals know about these products and services and how they may be of benefit. If a person does not want to receive any of this information, the person should contact the Institute immediately and the Institute will ensure that they are no longer offered this information.

## **Transferring Personal Information Overseas**

The Institute does not transfer your personal information overseas unless it is authorised by law to do so or you have consented to it as part of the services it provides.

The Institute may disclose personal information about an individual to overseas recipients, for instance, to facilitate an exchange. However, the Institute will not send personal information about an individual outside Australia without:

- obtaining the consent of the individual (in some cases this consent will be implied); or
- otherwise complying with the Australian Privacy Principles or other applicable privacy legislation.

The Institute may use online or 'cloud' service providers to store personal information and to provide services that involve the use of personal information, such as services relating to email, instant messaging and education and assessment applications. Some limited personal information may also be provided to these service providers to enable them to authenticate users that access their services. This personal information may be stored in the 'cloud' which means that it may reside on a cloud service provider's servers which may be situated outside Australia.

If the Institute engages a third-party contractor to perform services which involves handling personal information, the Institute will ensure that the contractor will be subject to the same privacy obligations as the Institute to protect your personal information. The Institute will also take reasonable steps to prohibit the contractor from using personal information, except for the purposes for which it was supplied.

## **Access to and Correction of Personal Information**

Any person may request access to the personal information held by the Institute about them and to request its correction if the information held is inaccurate, incomplete or outdated.

To make a request to access or to update any personal information the institute holds please contact the Institute by telephone or in writing.

There are some exceptions to these rights set out in the applicable legislation.

The Institute may require identity verification and specifications of the information required. The Institute may charge a fee to cover the cost of verifying your application and locating, retrieving, reviewing and copying any material requested. If the information sought is extensive, the institute will advise the likely cost in advance. If the Institute cannot provide access to that information, the Institute will provide written notice explaining the reasons for refusal.

The request for access or any requested changes will be dealt with in a reasonable time.

## **Data quality and accuracy**

The Institute will take all reasonable steps to ensure that any personal information it collects, uses and discloses is accurate, up to date, complete and (in the case of use or disclosure) relevant. Accordingly individuals are required to keep personal information accurate and up to date, alerting the Institute in writing to changes.

The Institute will also take reasonable steps to correct personal information if an APP entity is satisfied, independently of any request, that personal information it holds, is inaccurate, out-of-date, incomplete, irrelevant or misleading, having regard to a purpose for which the information is held

## **Security of personal information**

The Institute and its staff are required to respect the confidentiality of students' and Parents' personal information and the privacy of individuals.

The Institute has in place steps to protect the personal information it holds from misuse, interference and loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and password access rights to computerised records.

The Institute will take all reasonable steps to protect against loss, interference, and misuse, and from unauthorised access, modification or disclosure of all personal information under its control, as required by law.

The Institute uses industry standard safeguards to ensure the security of personal information through physical, electronic and managerial procedures. When the Institute no longer requires personal information, it will safely destroy the information and delete it from its systems.

### **Publishing Personal Information on the OIHE Website**

The Institute will only publish personal information on its website if that information has been collected for this purpose, and only with the knowledge and consent of the individual concerned. When giving such consent, an individual should be aware that information published on the Institute's website is accessible to millions of users from all over the world, that it will be indexed by search engines and that it may be copied and used by any web user. This means that once the information is published on the OIHE website, the Institute will have no control over its subsequent use and disclosure.

### **Complaints**

If a person believes that the Institute has failed to handle your personal information in accordance with this Privacy Policy, a formal grievance should be made consistent with the *OIHE Student Grievances and Appeals Policy 1* which is located on the OIHE website. Alternatively, a copy may be requested from the Institute Director who may also be contacted for more information if required.

The Institute will investigate any complaint and will notify in writing of a decision in relation to the complaint as soon as is practicable after it has been made.