

3.7.02 Privacy Policy

Operating Policy and Procedures

1. Policy

NCPS shall collect, use and store personal information and allow access to this information in accordance with the Information Privacy Principles (IPPs) outlined in the Commonwealth Privacy Act 1988.

2. Purpose

To ensure that storage of, and access to, personal information is treated appropriately and is only accessed by those with a legitimate right to do so.

3. Responsibility

The Dean/Head of College is responsible for compliance with this policy.

4. Guidelines

Personal Information: information or an opinion (including information or an opinion forming part of a database) that is recorded in any form and, whether true or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion, but does not include information of a kind to which Schedule 2 [of] the Health Records Act 2001 applies.

Sensitive Information: 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 preferences or practices; or criminal record. Any such information is also personal information.

Primary Purpose: is the original reason for information being collected. At NCPS, the provision of higher educations and vocational education and training programs and services is the reason for the collection of personal information. This information includes enrolment identification information, tracking and reporting data, assessment information, recognition and award data, statutory statistical information, ethically approved research, and internal marketing information.

Student Number: the unique identifying number assigned to each student by NCPS.

Compliance: in complying with the Privacy Act, 1988, NCPS shall meet the minimum standards for the collection, use and disclosure of personal information as detailed below.

4.1 Collection of information

NCPS 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, NCPS 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.

4.2 Use and disclosure

NCPS shall only use or disclose information for the primary purpose for which it was collected. NCPS shall not use or disclose information for a secondary purpose (i.e., any other purpose than the primary purpose) unless the individual has consented to this use or disclosure.

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

NCPS 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 NCPS may be shared with the Australian Government and designated authorities, including the Tuition Assurance Scheme 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). NCPS will disclose this information to the Department of Education Employment and Workplace Relations (DEEWR) for these purposes. DEEWR will store the information securely in HEIMS or the VET FEE-HELP IT System. DEEWR 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.

4.3 Data Quality

NCPS 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.

4.4 Data storage and security

NCPS shall take all reasonable steps to ensure personal information is suitably and securely stored, including ensuring that appropriate filing procedures are in place.

NCPS shall take reasonable steps to ensure that the security of physical files, computers, networks and communications is maintained at all times.

NCPS shall also ensure personal information is safe from misuse, loss, and unauthorised 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.

NCPS uses the following operational system for the collection and recording of student information: Edupoint.

4.5 Openness

NCPS shall make available, on request, its Privacy Policy. It shall also, on request and within reason, inform an individual of:

- the type of personal information collected and held
- the purpose for this information
- the method by which it is collected
- how it is used and disclosed.

4.6 Access and Correction

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

- 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
- in the case of health information - providing access would pose a serious threat to the life or health of any individual
- providing access would have an unreasonable impact upon the privacy of other individuals
- the request for access is frivolous or vexatious
- 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
- 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
- providing access would be unlawful
- denying access is required or authorised by or under law
- providing access would be likely to prejudice an investigation of possible unlawful activity

- 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
- the enforcement of laws relating to the confiscation of the Proceeds of Crime
- the protection of the public revenue
- the prevention, detection, investigation or remedying of seriously improper conduct or prescribed conduct
- 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.
- 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.

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

4.6.2 If an individual considers their personal information to be incorrect, incomplete, out of date or misleading, they can request that the information be amended by submitting the NCPS 'Notification of Change of Personal Details' (NF5016) form to Student Administration.

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.

4.7 Unique Identifiers

NCPS 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 an ABN number is not considered to be an identifier.

4.8 Transborder Data Flow

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

- the foreign recipient has similar compulsory privacy limitations
- the individual's permission has been gained
- it is necessary to conduct business which involves the individual.

4.9 Sensitive and Health Information

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

4.10 Publication

This policy will be made available to students and prospective students by publication on the Navitas College of Public Safety's website and in the NCPS Student Diary.

To ensure that students have given their informed consent regarding their personal information as outlined in this policy, NCPS will advise students on enrolment about these procedures and where they are located.

5. Procedures

5.1 Collection of Information

5.1.1 The College shall collect student information on NCPS forms only.

5.1.2 This information shall be entered into the student management system (Edupoint) as per established procedures.

5.1.3 Physical copies of forms used to collect information shall be kept secure until they are

destroyed in accordance with industry practice and legislated requirements.

5.2 Access to information

- 5.2.1** If personal information is requested, NCPS staff are to ensure that the person making the request is the person whose information is being sought.
- 5.2.2** Persons requesting information are to be informed that their identity needs to be confirmed as the reason for the following identifying questions (5.2.3).
- 5.2.3** NCPS staff are to confirm the identity of the person making a request for personal information using a combination (no less than two) of the following question all of which must be answered correctly:
1. the person's student number
 2. current (at time of enrolment) home address
 3. current (at time of enrolment) contact telephone number (home or mobile)
 4. enrolment details such as course, time of enrolment, commence or completion of education
 5. any other reasonable question relating to the enrolled student that is pertinent to identifying the caller.
- 5.2.4** After the identity of the person making a request for information has been identified, NCPS shall release to them any personal information held by NCPS, provided that this request does not conflict with any of the IPPs mentioned above.
- 5.2.5** If the NCPS staff member is unable to confirm the identity of the person making the request or the request violates one of the IPPs, the request is to be denied and the person making that request is to be informed of the reason for this denial.

5.3 Requests for (assessment) results

- 5.3.1** NCPS will only release the details of assessment (including results) to the person who undertook that assessment. The only exceptions will be where a student has died or has been confirmed as being severely mentally incapacitated.
- 5.3.2** Request by third parties (inclusive of parents, siblings and spouses) are to be denied and the person requesting this information is informed of NCPS's policy regarding the release of assessment results.
- 5.3.3** Assessment details may be given verbally over the telephone (after confirming the caller's identity as per 5.2).
- 5.3.4** Written statements of results, certificates, statements of attainment or any other written result can be collected in person or sent to the address on file with NCPS. Written results cannot be sent to another address unless a 'Notification of Change of Personal Details' (NF5016) form has been completed prior to the mailing of the results.

5.4 Change of Details

- 5.4.1** Students wishing to update their personal details must do so using the 'Notification of Change of Personal Details' (NF5016) form.
- 5.4.2** NCPS shall, as soon as is practicable after the receipt of this completed form, update any records maintained at or by NCPS to reflect the information provided.

6. Authority

Authorised by the Dean/Head of College

7. Approved

Approved by the Dean/Head of College, 10 August 2011

8. Review Date
10 August 2012

Amendments

Date	Modified by	Sections amended/added	Approved by MR (if required)
19.06.09	Mark White	Policy updated to include privacy principles	19.06.2009
04.01.10	Jodie Reeve	Logo and name changed	Minor change
05.03.10	Christine Ashton	Logo and name changed	Minor Change
10.08.11	Christopher Snedden	Updated re terminology	Minor change