

## PP49 Personal Information Policy

### PURPOSE

This policy is a statement of the requirements relating to personal information of students eligible for FEE-HELP or VET FEE-HELP. This policy will apply equally to students and potential and eligible students for a FEE-HELP or VET FEE-HELP approved place through SCEI.

### SCOPE

The policy applies to all SCEI staff handling personal information of students applying for or accessing FEE-HELP or VET FEE-HELP assistance through SCEI.

### DEFINITIONS

<b>HESA</b>	The Higher Education Support Act 2003
<b>FEE-HELP</b>	A Commonwealth Government loan scheme helping eligible students to defer paying fees for undergraduate and postgraduate units.
<b>VET FEE-HELP</b>	An income contingent loan scheme for the Vocational Education and Training (VET) sector that is part of the Higher Education Loan Program (HELP). VET FEE-HELP is an extension of FEE-HELP.
<b>Personal Information</b>	HESA Schedule 1A defines information relevant to VET FEE-HELP as "VET personal information": "information or an opinion (including information or an opinion forming part of a database), whether true or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion; and obtained or created by a VET officer for the purposes of Part 2 of this Schedule and Chapter 4" (HESA).  A person is a VET officer if the person is or was an officer of a VET provider. (Clause 74, Schedule 1A, HESA). For FEE-HELP the same principles apply, as set out in Division 179 of HESA.
<b>Guidelines</b>	The Higher Education Provider and VET Provider Guidelines issued pursuant to the HESA.
<b>Potential Student</b>	All persons seeking to enrol in a VET or higher education unit of study that meets the course requirement under subclause 45(1) of Schedule 1A of the Act and who are, or would be, entitled to VET FEE-HELP or FEE-HELP assistance under the Act.
<b>Student</b>	A person who is/has been enrolled in a unit of study with SCEI and who would be entitled to VET FEE-HELP or FEE-HELP assistance under HESA.

### POLICY

1. Southern Cross Education Institute understands and seeks to comply with the requirements of Clause 23 of Schedule 1A of the Act and the Information Privacy Principles set out in Section 14 of the Privacy Act 1988 in relation to the collection of information relating to all students.
2. Southern Cross Education Institute will allow a Student to apply for and receive a copy of the VET personal information that the provider holds in relation to that Student.
3. **Collection of information**
  - 3.1. Personal information will not be collected unless:
    - 3.1.1. the information is collected for a purpose directly related to Students; and
    - 3.1.2. the collection of the information is necessary for or directly related to that purpose
  - 3.2. Personal information will not be collected by unlawful or unfair means.
  - 3.3. Where personal information is collected for inclusion in a record or in a generally available publication Southern Cross Education Institute will take reasonable steps to ensure that, before the information is collected or, if that is not practicable, as soon as practicable after the information is collected, the Student concerned is generally aware of:

- 3.3.1.the purpose for which the information is being collected;
- 3.3.2.if the collection of the information is authorised or required by or under law the fact that the collection of the information is so authorised or required; and
- 3.3.3.with whom the information may be shared (such as the Australian Government or Tuition Assurance Scheme)

3.4. Where Southern Cross Education Institute solicits and collects personal information for inclusion in a record or in a generally available publication it will take reasonable steps to ensure that:

- 3.4.1.the information collected is relevant to that purpose and is up to date and complete; and
- 3.4.2.the collection of the information does not intrude to an unreasonable extent upon the personal affairs of the Student

#### **4. Storage and security of personal information**

4.1. Southern Cross Education Institute will ensure:

- 4.1.1.that the record is protected, by such security safeguards as it is reasonable in the circumstances to take, against loss, against unauthorised access, use, modification or disclosure, and against other misuse; and
- 4.1.2.that if it is necessary for the record to be given to a person in connection with the provision of a service to the VET Provider, everything reasonably within the power of the VET Provider will be done to prevent unauthorised use or disclosure of information contained in the record

4.2. Southern Cross Education Institute will maintain a record setting out:

- 4.2.1.the nature of the records of personal information kept by or on behalf of the record-keeper;
- 4.2.2.the purpose for which each type of record is kept;
- 4.2.3.the classes of individuals about whom records are kept;
- 4.2.4.the period for which each type of record is kept;
- 4.2.5.the persons who are entitled to have access to personal information contained in the records and the conditions under which they are entitled to have that access; and
- 4.2.6.the steps that should be taken by persons wishing to obtain access to that information

4.3. Southern Cross Education Institute will not use the information without taking reasonable steps to ensure that, having regard to the purpose for which the information is proposed to be used, the information is accurate, up to date and complete. The VET Provider will not use the information except for a purpose to which the information is relevant.

#### **5. Disclosure**

5.1. Southern Cross Education Institute will not disclose the information to a person, body or agency (other than the individual concerned) unless:

- 5.1.1.the individual concerned is reasonably likely to have been aware that information of that kind is usually passed to that person, body or agency;
- 5.1.2.the individual concerned has consented to the disclosure;
- 5.1.3.The VET Provider 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 student or of another person;
- 5.1.4.the disclosure is required or authorised by or under law; or
- 5.1.5.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

5.2. 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, the record-keeper shall include in the record containing that information a note of the disclosure.

5.3. A person, body or agency to whom personal information is disclosed will not use or disclose the information for a purpose other than the purpose for which the information was given to the person, body or agency.

#### RELATED DOCUMENTS

SCEI Policy and Procedure:

- VCEPP06 Privacy Policy and Procedure
- PP48 VET FEE-HELP Refund Policy and Procedure V2.0
- PP45 VET FEE-HELP Student Review Requirements & Re-crediting A FEE Balance V2.1

#### LEGISLATIVE CONTEXT

- *Higher Education Support Act 2003 (HESA) and the VET Provider Guidelines, and Higher Education Provider Guidelines* issued pursuant to the HESA.
- Privacy Act 1988
- Freedom of Information Act 1982 (VIC)

#### RESPONSIBILITIES

All SCEI employees must apply the policy consistently.  
The Campus Manager is responsible for the ongoing management of this policy.

<b>Author</b>	Compliance Manager
<b>Approved by</b>	Campus Manager
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<b>Review date</b>	The policy review should be scheduled 2 years from the approval date