

Privacy Policy

Policy Owner	College Director & Principal
Contact Officer:	Director Quality & Student Services
Policy Number:	QBIPO005
Approved by:	Senior Management Group
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Last Reviewed:	March 2014
Campus	Perth
Related Documents:	Navitas Privacy Policy Formal Complaint Form Request to View or Change Personal Information Form

1. Overview

- 1.1. Curtin College’s Privacy Policy has been developed in accordance with the Commonwealth Privacy Act 1988 and the Privacy Amendment (Private Sector) Act 2000.
- 1.2. Curtin College is part of the Navitas Limited group of University Pathway Colleges. Navitas Limited (Navitas) and its Related Bodies Corporate incorporated in Australia are subject to the Australian Privacy Act 1998.
- 1.3. The Privacy Act regulates how private sector entities collect, use, disclose and otherwise handle person information.

2. Organisational Scope

- 2.1. Curtin College’s role as an education provider requires the collection, storage and use of personal information relating to its students. Personal and Sensitive information can be collected and stored in electronic and/or paper format.
- 2.2. The overall responsibility for privacy of information for the College resides with the College Director and Principal, with the day to day management delegated to the Director of Quality and Student Services. The Director of Quality and Student Services is the first point of contact for privacy matters including general information, requests to access and/or amend personal information, and for internal review and resolution of complaints.

3. Definitions

- 3.1. **AUSAID:** Australian Agency for International Development (AusAID): The Australian Government’s overseas aid program is a federally funded program that aims to reduce poverty in developing countries.
- 3.2. **Centrelink:** Is an Australian Government Statutory Agency, assisting people to become self-sufficient and supporting those in need.
- 3.3. **Federal Department of Immigration:** The Australian government agency responsible for issuing students with visas.
- 3.4. **Federal Department of Education:** The Australian Government Department of Education is responsible for national policies and programmes that help Australians access quality and affordable childcare; early childhood education, school education, post-school, higher education, international education and academic research.
- 3.5. **Personal Information:** includes any information or opinion about an identified individual or an individual who is reasonably identifiable The type of personal information collected may include an individual’s name, date of birth, phone number, email address, address, nationality, educational

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history, work history and staff or student identification numbers. For further information visit the Office of the Australian Information Commissioner website, <http://www.oaic.gov.au/>.

- 3.6. **Privacy Act:** The Privacy Act 1988 (Privacy Act) is an Australian law which regulates the handling of personal information about individuals. This includes the collection, use, storage and disclosure of personal information, and access to and correction of that information.
- 3.7. **Navitas:** The Navitas group is a world leader in the development and provision of educational services and learning solutions.
- 3.8. **Sensitive Information:** Due to the nature of the services provided by Navitas, some of the information collected may include details about an individual's race or ethnic background. It is not common practice for Navitas to collect information about an individual's medical history, religion, political opinion, sexual preference or criminal record, unless such information is required in order to process a student's application for admission, enrolment and education.
- 3.9. **Sponsored/Scholarship Student:** An individual or agency who finances the cost of a student to further their education.

4. Policy Principles

- 4.1. Students and staff are entitled to protection of their privacy. Curtin College recognises its obligation with regard to the collection, storage and use of personal information and will take necessary measures to ensure privacy is protected.
- 4.2. All information collected is for the purpose of the operations of the College, or where dictated by legislative guidelines.
- 4.3. All students and staff have the right to access their personal information held by the College in accordance with the Privacy Act.
- 4.4. All new students are required to complete a 'Privacy' section during the enrolment process and have the option of select 'yes' or 'no' to release information to parents, agents, teachers, the university and other parties. Students can change their preference at any time by completing a 'Request to View or Change Personal Information' form.
- 4.5. Generally, personal information is collected directly from the individual, although there may be occasions when information is collected from third parties, such as a family member who contacts us on the individual's behalf, contractors who supply services to us, through partner institutions or from a publicly maintained record. If an individual does not provide information requested by us, service provision may be impacted.
- 4.6. Unauthorised attempts to access or tamper with information held by Curtin College/ Navitas may lead to the gathering of more extensive information than usual, and possible legal action.

5. Policy Content

5.1. Collection of Personal Information

- 5.1.1. Navitas may collect personal information in a number of circumstances including when an individual:
 - Lodges an enquiry through the Navitas (Curtin College) online enquiry service;
 - Applies for admission to a Navitas college
 - Registers or enrolls for a class or course offered by the College
 - Attends a seminar; or
 - Applies for employment.
- 5.1.2. Additionally, Curtin College will collect from users of the College's website, anonymous information for statistical purposes, such as:
 - internet protocol address from which we receive the request,
 - date and time of request,
 - pages, documents and files accessed,

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- the address of the resource which provided the link followed, if any, to Navitas/Curtin College website,
- the type of browser and, in some cases, the operating system used and
- in some cases, data you send to our website from web forms (eg. Search terms).

5.1.3. Some sections of the Navitas/Curtin College website use standard industry technologies, for example 'cookies', to make full use of the site. Navitas uses cookies to distinguish you from other users of our websites. This helps us to provide you with a good experience when you browse our website and also allows us to improve our site. Navitas will only use and disclose personal information about you that is collected using cookies for other purposes where we have your consent to do so, or as otherwise required or authorised by law.

5.1.4. If personal information is provided to Navitas/Curtin College about someone else, the person must ensure that they are entitled to disclose this information to us and that, without us taking any further steps required by privacy laws, we may collect, use and disclose such information for the purposes described in this Privacy Policy. For example the individual concerned is aware of the various matters detailed in this Privacy Policy, including our identity and how to contact us, the purposes for which we collect personal information, our information disclosure practices, the individual's right to obtain access to the information we hold about them and the consequences for the individual if these information is not provided. The individual must also provide the consents set out in this policy in respect of how we will deal with their personal information

5.2. Use of Personal Information

- 5.2.1. All information collected is for the primary purpose of the operations of the College, or where dictated by legislative guidelines. We may also collect personal information for purposes related or ancillary to the primary purpose of collection, including:
- administering and managing the services provided to prospective and current students, including admissions, enrolment, education, billing, maintaining our information technology services, customer service and data storage;
 - marketing the services of Curtin College and its related entities to prospective, current and past students;
 - hiring and managing employees and contractors;
 - planning, monitoring, evaluating and improving service provision, including conducting market research and surveys and assessing customer satisfaction;
 - facilitating articulation to Curtin University; and
 - otherwise communicating with you.
- 5.2.2. Navitas may retain other companies and contractors to provide services for us, including entities located outside Australia, who will need to have access to your personal information to perform their obligations. Navitas may also use a cloud-based service to store and process personal information. By providing us with your personal information, you consent to us disclosing your information to entities located outside Australia for these purposes, as well as Navitas related companies to allow those companies to use and disclose that information for the primary and ancillary purposes for which Navitas collects personal information state above. In such circumstances, we are not responsible for a failure of the overseas recipient to comply with Australian privacy laws. The entities may be located in the USA, Japan and Hong Kong. For a full list of locations please contact Navitas' Privacy Contact Officer (privacy.au@navitas.com)
- 5.2.3. Curtin College staff may require access at times to personal information about students. To the extent that the information is private, the College will restrict access to those staff who may need the information in order to carry out their responsibilities in the personal and/or academic interests of students.
- 5.2.4. Other than to confirm that individuals are, or have been, a student at the College, Curtin College will not disclose personal information about students to other students, to people

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outside of the College (other than in accordance with any legal or academic obligations) or to staff who have no need of access to the information, unless students advise the College in writing, that they have given permission.

5.3. Minors and Privacy

5.3.1. When Curtin College/Navitas has knowledge that a person under age 18 is providing personal information, we require the person to obtain parental permission and consent to provide this information to us.

5.3.2. Once a minor is enrolled, information regarding study, fees or any other relevant information will be provided to parents upon request.

5.4. Disclosure of Personal Information

5.4.1. As a general rule, Curtin College will not use or disclose personal information unless the person about whom the information relates is aware of, or has consented to, the use or disclosure of their information. With the exception of parties referred below.

- Curtin College will release information to Curtin University so that students can use the facilities on campus (eg. library, computer labs, parking, etc). However, students can request that their results and other related study details outside of what is necessary for them to use the campus facilities are NOT released to the University by completing a 'Request to View or Change Personal Information' Form. Note: this may cause some delays in processing your enrolment into Curtin University at a later stage.
- Where a student is Sponsored or on Scholarship, the College will provide information to their sponsor/benefactor upon request, if provision of the requested information is a condition of the Sponsorship/Scholarship.
- By providing us with your personal information, you consent to Curtin College and Navitas to use your information to contact you on an ongoing basis in order to provide you with marketing information we think would be of interest to you, including by mail, email, SMS and telephone.
- If a student is alleged to have committed an offence, the College may be requested to assist the police or other authorized persons by providing personal information about that student for enforcement of the law;
- If a student transfers to another tertiary institution Curtin College may release to that institution information about the academic progress at the College, although normally the student will have consented to this in their application to the new institution;
- If a Domestic student (includes Permanent Resident) transfers to the College from a government school, the College will confirm the student's enrolment if requested by the previous institution.
- Disclosure information as necessary to prevent or lessen a serious and or imminent threat or as a duty of care when the College has been unable to contact a student for a period of 10 days. In this situation the disclosure of information will be approved by the College Director.

5.4.2. Personal information may be disclosed where an individual has consented to the disclosure, and a common example is where students permit the release of information to their agent, parents or Curtin University. In addition, information may be disclosed in situations where individuals have been informed of the usual practice of disclosure, such as the transfer of results to Curtin University. Curtin University may also share information with the College in relation to student performance, to inform continuous improvement.

5.4.3. In the event of circumstances requiring critical incident management, Curtin College reserves the right to disclose limited personal information of a student where it is considered necessary to meet or maintain its duty of care responsibilities to that

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student. In rare circumstances information in regard to an individual may be disclosed where:

- there is a serious and imminent threat to a person's life, health or safety;
- there is a requirement under law, or authorised by law, or
- there is a requirement under an enforcement body.

5.4.4. Curtin College will not disclose or externally publish personal information to third parties who are not related to Navitas or Curtin University, with a view to allowing them to direct market their products or services without the relevant individual's consent.

5.4.5. No attempt will be made to identify individual users of the Navitas website except in the unlikely event of an investigation or legal proceedings, or where otherwise permitted to do so under the Privacy Act. For example, Navitas will gather more extensive information than stated above in the following circumstances:

- unauthorised attempts to access files other than those published on our websites
- unauthorised tampering or interference with files published on our websites
- unauthorised attempts by other websites to index the contents of our websites
- attempts to intercept messages of other users of our websites
- communications which are defamatory, abusive, vilify individuals or groups or give rise to a suspicion that an offence is being committed
- attempts to otherwise compromise the security of the Navitas web server, breach the laws of the Commonwealth or a state of Australia, or interfere with the use of the Navitas websites by other users.

5.4.6. The College will only publish personal information on its website, where the individual has consented that the personal information be collected and disclosed for this particular purpose. The individual should be aware that information published on website is accessible to millions of users from all over the world, that it may be indexed by search engines and that it may be copied and used by any web user. Once personal information is published on the Curtin College website, it will not be possible to control subsequent use and disclosure

5.4.7. Under no circumstances will Curtin College/Navitas sell or receive payment for licensing or disclosing personal information.

5.4.8. Where our website contains external links to other sites we are not responsible for the privacy practices or the content of such websites.

5.5. Statutory Requirements for Collection and Disclosure of Personal Information

5.5.1. Curtin College is required to collect and disclose information during a student's admission and enrolment to the College in order to meet our obligations under a range of legislative requirements.

5.5.2. Common examples of the disclosure of information include:

- Federal Department of Education - statistical information about student enrolment, educational background country of birth, or where a student has requested financial assistance with tuition fees.
- Commonwealth Tertiary Education Quality Standards Agency (TEQSA) - information relating to staff qualifications and professional development and student performance and satisfaction levels.
- Overseas Student Ombudsman - where an overseas student lodges an appeal against a decision of the College, Curtin College will be required to respond with personal information relating to the student's case.

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- Australian Taxation Office - in relation to FEE-HELP where students may defer fee payment through the taxation system.
- Federal Department of Immigration (International students)- reporting requirements of matters related to students on student visas.
- Centrelink - enrolment information on domestic students accessing Centrelink benefits
- OSHC - where international students opt to pay their Overseas Student Health Cover through Curtin College
- Tuition Protection Service Director - tuition assurance for international students
- Australian Council for Private Education and Training - administration of the Australian Student Tuition Assurance Scheme.
- AusAid, with certain information which it is required to release;
- Austudy – enrolment information for those domestic students accessing benefits

The authority to collect this information is contained in the *Education Services for Overseas Students Act 2000*, the *Education Services for Overseas Students Regulations 2001*, the *National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007*, the *Higher Education Support Act 2003*, *Social Security (Administration) Act 1999* and *Student Assistance Act 1973*. Information collected about you can be provided, in certain circumstances, to the Australian Government and designated authorities and, if relevant, the Tuition Assurance Scheme and the Tuition Protection Service Director.

5.6. Access to Personal Information

- 5.6.1. All staff can access their personal information held by Curtin College, by making an appointment with the Business Manager. During this meeting the staff member will be shown their staff file and all notes the College has on record. We will also answer any questions the staff member may have.
- 5.6.2. All students can access their personal information held by Curtin College. Current students can access personal information via the secure Student Portal.
- 5.6.3. For security reasons requests to view other information not held on the portal must be in writing by completing a 'Request to View or Change Personal Information' form. Once this has been completed an appointment will be arranged between the student and the Student Services Coordinator (or nominee). During this meeting the student will be shown the complete student file and all notes the College has on record. We will also answer any questions the student may have.

6. Storage and Security of Personal Information

- 6.1. Curtin College ensures that personal information is protected against loss, unauthorised access, use, modification or disclosure, other misuse, as required by law and generally accepted industry standards. However, no system is 100% secure and to the extent permitted by law, the College exclude any liability in contract, tort or otherwise for any security breach.
- 6.2. Curtin College takes all reasonable steps to destroy hard copies of personal information that is no longer required, and destruction of personal information is undertaken by secured means.
- 6.3. Navitas uses software programs to monitor network traffic and identify unauthorised attempts to upload or change information, or otherwise cause damage.

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7. Complaints and Review Procedures

7.1. If an individual believes that their personal information has not been dealt with in accordance with the Commonwealth Privacy Act 1988 and the Privacy Amendment (Private Sector) Act 2000 they may lodge a Complaint. The complaint should be lodged with the Director Quality and Student Services in the first instance for resolution. All complaints must be made in writing within the timeframe specified in the Complaints Policy.

If the complainant is not satisfied with the outcome, they may refer the matter to the Office of the Australian Information Commissioner at: Website: [ww.oaic.gov.au](http://www.oaic.gov.au) or Phone: 1300 363 992

8. Administrative procedures

- 8.1. Curtin College provides a policy library which includes policies of particular importance to student life. Students are strongly recommended to visit the Curtin College *Policy and Procedures Library* at: <http://www.curtincollege.edu.au>
- 8.2. Administrative and Teaching staff will be provided with this policy at induction.
- 8.3. All staff will be informed of any changes to this policy via the intranet and/or email.

Version	Last changes:
V1.6	Policy reviewed and updated in line with the new Privacy laws, which came into place from 12 March 2014.
V1.5	Additional point added to 5.2.1 in regard to Domestic student enrolment at Curtin College and notification to previous government institutions.