Policy -
Personal information/Privacy Policy

Policy Number: VFH 02

References
- Education and Training Reform Act 2006 (Victoria)
- Privacy Act 1988 (Commonwealth)
- Information Privacy Act 2000 (Victoria)
- Public Health and Wellbeing Act 2008
- Public Health and Wellbeing Regulations 2009
- National Vocational Education and Training Regulator Act 2011
- Higher Education Support Act 2003 (Commonwealth), VET Provider Guidelines
- Victorian Guidelines for VET Providers (Victoria)

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1. **Background**

Australian Catholic University/ACUcom is committed to ensuring that student’s personal information is managed according to relevant legislative requirements.

2. **Scope**

This policy is applicable to all:

- Employees including casual employees, consultants and contractors;
- members of the University Council and other University/ACUcom Committees;
- volunteers who contribute or act on behalf of the University/ACUcom; and
- where applicable, bound contracted service providers herein referred to as University/ACUcom Members.

3. **Policy**

ACUcom will ensure:

- 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
- 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.

ACUcom will maintain a record setting out:

- the nature of the records of personal information kept by or on behalf of the record-keeper;
- the purpose for which each type of record is kept;
- the classes of individuals about whom records are kept;
- the period for which each type of record is kept;
- 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
- the steps that should be taken by persons wishing to obtain access to that information.

ACUcom 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.
Disclosure

ACUcom will not disclose the information to a person, body or agency (other than the individual concerned) unless:

- the individual concerned is reasonably likely to have been aware that information of that kind is usually passed to that person, body or agency;
- the individual concerned has consented to the disclosure;
- 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;
- the disclosure is required or authorised by or under law; or
- 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.

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.

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.

4. Procedure

Responsibility

Ultimate responsibility for compliance with the Privacy Act resides with the Director of ACUcom as and Compliance Manager, ACUcom, who under the Privacy Act is authorised to delegate the authority to make decisions on information privacy applications and conduct internal reviews to other officers of the ACUcom. Any internal review of a decision made under the Privacy Act will be conducted by an officer senior to the decision maker.

Responsibility for the implementation of privacy policy and procedures resides with the Director of ACUcom.

However, the Compliance Manager is the first point of contact for all privacy matters at ACUcom including requests for internal review and will handle all complaints and applications for access to and amendment of documents. The Compliance Manager will assist with the drafting of Privacy Notices (to be used when collecting personal information directly), Consents to use and disclosures, negotiations with service providers and Non-Disclosure and Confidentiality Agreements.
The Compliance Manager is also responsible for maintaining a system of recording, tracking and monitoring applications and reviews and for the collection and reporting of relevant privacy matters and statistics to the state and federal governments as required.

The Compliance Manager will ensure programs and procedures are in place so that new and existing staff may receive appropriate training/awareness on personal information handling and obligations relevant to their duties and functions at induction and ongoing training sessions held each year and that such programs and procedures are effective.

**Complaints Process**

Please refer to Complaints and appeals policy and procedures

**Privacy Contact**

The first point of contact for all privacy matters or issues including complaints, applications and requests for internal review is the:

Compliance Manager  
ACUcom  
Level 1, 81-89 Victoria Parade, Fitzroy, Victoria 3065  
Locked Bag 4115, Fitzroy, MDC, VIC 3065  
T: + 61 3 9953 3441  F:+61 3 9953 3635  
E: sukh.sandhu@acu.edu.au  
W: www.acu.edu.au

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5. **Definitions**

For the purposes of this document the following applies:

**The Act refers to the *Higher Education Support Act 2003***

**Student/s** refers to all persons enrolled in a unit of study who are, or would be entitled to VET- FEE-HELP assistance under clause 43 of Schedule 1A of the Act; and

**Potential Students** refers to all persons seeking to enroll in a VET unit of study that meets the course requirements under sub-clause 45(1) of Schedule 1A of the Act and who are, or would be, entitled to VET- FEE-HELP assistance under clause 43 of Schedule 1A of the Act.

**ACUcom** is vocational education and training department of Australian Catholic University.

6. **Responsibility**

All ACUcom staff
7. **Policy Review Cycle**

7.1. Annually, if otherwise not mentioned in the “Review Date” section.

8. **Supporting Documentation**

1. Higher Education Support Act 2003 (HESA)
2. VET FEE HELP Guidelines
3. VET Provider Guidelines

9. **Version History**

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<th>Date</th>
<th>Reason</th>
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<th>Approved By</th>
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<td>1.0</td>
<td>October, 2014</td>
<td>New policy for Vet fee help</td>
<td>Sukh Sandhu</td>
<td>Debbie Wilson</td>
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