

# Policy & Student Access of Personal Records Policy

Insight Training is committed to protecting an individual's right to privacy. The purpose of this policy is to ensure compliance with Federal and State laws by outlining the obligation of all Insight Training employees in relation to the collection, storage, accuracy, use, disclosure and retention of "personal information", which enables an individual to be identified.

Insight Training complies with the requirements of Clause 23 of Schedule 1A of the Act and the Information Privacy Principles set out in the Privacy Act 1988 in relation to the collection of information relating to all students.

Insight Training 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.

## Definitions

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

**Student/s** refers to all persons enrolled with Insight Training including persons enrolled or seeking to enroll in a unit of study that meets the course requirements under sub clause 45(1) of Schedule 1A of the Act who are, or would be entitled to VET FEE-HELP assistance under clause 43 of Schedule 1A of the Act.

**"Personal Information"** is defined as information about an individual, which also identifies the individual. It includes names, physical characteristics, and opinions about a person, e-mail addresses, diary notes and medical records among other things. It may be written down, stored on a database, electronic or exist in the knowledge of the people working for an organisation.

## Guidelines

### 1. Collection of Information

Personal information will not be collected unless:

- the information is collected for a purpose directly related to Students; and
- the collection of the information is necessary for or directly related to that purpose.

Personal information will not be collected by unlawful or unfair means.

Where personal information is collected for inclusion in a record or in a generally available publication Insight Training 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:

- the purpose for which the information is being collected;
- 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
- with whom the information may be shared (such as the Australian Government or Tuition Assurance Scheme).

Where Insight Training solicits and collects personal information for inclusion in a record or in a generally available publication it will take reasonable steps to ensure that:

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

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## 2. Storage and Security of Personal Information

Insight Training will take reasonable steps to protect the personal information from misuse and loss and from unauthorised access, modification or disclosure.

Insight Training will retain personal information on students for 30 years in accordance with Essential Standards for Continuing Registration (23.3).

This information will not be given to third parties outside Insight Training without the individual's prior written consent, and that everything reasonably within the power of Insight Training will be done to prevent unauthorised use or disclosure of information contained in the record.

Insight Training 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.

Insight Training 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. Insight Training will not use the information except for a purpose to which the information is relevant.

## 3. Review and Access

An individual may request access to or obtain a copy of their personal records/information or for their personal information to be amended so that it is accurate.

Individuals are able to access their own records by requesting in writing on a *SMF 20 Access to Personal Information/Records Form* (by ringing 1300 163 270 and asking to speak to the Training Coordinator) and providing adequate identification. Records will be made available within 48 hours and the applicant will be contact to arrange a suitable time to access their records. Access to their personal information/records must be provided unless there are concerns with the identity of the individual.

There is no charge for an individual to access personal information that Insight Training holds about them; however Insight Training may charge a fee to make a copy. If an individual considers their personal information to be incorrect, incomplete, out of date or misleading, they can request that the information be amended. Where a record is found to be inaccurate, a correction will be made. Where an individual 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. Disclosure

Insight Training 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;

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- Insight Training 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.

## References

Office of the Federal Privacy Commissioner (OFPC)

[www.privacy.gov.au](http://www.privacy.gov.au)

Office of the Australian Information Commissioner (OAIC)

[www.oaic.gov.au](http://www.oaic.gov.au)

Australian Privacy Compliance Centre

[www.privacycompliance.org](http://www.privacycompliance.org)

## Publication

These procedures will be published on the Insight Training website ([www.insight.edu.au](http://www.insight.edu.au)).