



## PRIVACY POLICY

**POLICY NUMBER:** NC18-PP019

**RESPONSIBILITY:** MANAGING DIRECTOR

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#### 1. Purpose

West Australian Institute of Further Studies Pty Ltd (WAIFS) is committed to providing all stakeholders with the highest levels of service. The purpose of this Privacy Policy is to communicate to you how we manage, collect, deal with, protect and allow access to personal information in accordance with the Privacy Act 1988 (Cth) (the Privacy Act) and the Australian Privacy Principles (the APPs).

WAIFS understands the importance placed on the privacy of your personal information.

As a supplier of training to government and a registered training organisation regulated by the Australian Skills Quality Authority (ASQA), WAIFS is required to collect, hold, use and disclose a range of personal and sensitive information on clients enrolled in nationally recognised training programs.

This information requirement is outlined in the National Vocational Education and Training Regulator Act 2011 and associated legislative instruments. In particular, the legislative instruments:

- Standards for Registered Training Organisations (RTOs) 2015; and
- Data Provision Requirements 2012.

It is noted that WAIFS is also bound, through its legal contracts with clients, by various Federal and State Government Acts requiring similar information collection, use and disclosure (particularly Education Act(s), Vocational Education & Training Act(s) and Traineeship & Apprenticeships Act(s) relevant to state jurisdictions of WAIFS) and the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

Under the Data Provision Requirements 2012 and the National VET Data Policy (which includes the National VET Provider Collection Data Requirements Policy), Registered Training Organisations are required to collect and submit data compliant with AVETMISS for the National VET Provider Collection for all Nationally Recognised Training. This data is held by the National Centre for Vocational Education Research Ltd (NCVER), and may be used for the following purposes, to:

- Issue a VET Statement of Attainment or VET Qualification, and populate Authenticated VET Transcripts;
- Facilitate statistics and research relating to education, including surveys and data linkage;
- Pre-populating RTO student enrolment forms;
- Understand how the VET market operates, for policy, workforce planning and consumer information; and
- Administer VET, including program administration, regulation, monitoring and evaluation.



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It is further noted that, aligned with these legislative requirements, WAIFS supports the delivery of services through a range of Commonwealth and State Government funding contract agreement arrangements, which also include various information collection and disclosure requirements.

### 2. What sort of information may be collected?

Personal information which WAIFS is required to collect from students includes:

- About the student: full name, gender, date and country of birth and nationality; and once the student has established an address in Australia, the student's residential address, Unique Student Identifier Number (USI number)
- About the course: the CRICOS course code, agreed starting date and if the student didn't begin the course when expected; the expected completion date, and any termination of the student's enrolment prior to the expected completion date; and any change to the identity or duration of the course
- About course money: the amount of money the provider has received prior to issuing a CoE, and an estimate of the total amount the student will be required to pay to undertake the full course
- About health insurance: whether the student has paid for Overseas Student Health Cover (OSHC) before the course starts
- About sensitive information: Information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, sexual preferences or a criminal record and health information.
- About English language proficiency: whether the student has undertaken a test to determine his or her level of understanding of English, the name of the test and the score the student received for the test
- About the student's visa: the Department of Home Affairs (DoHA) office where the application for a student visa was made or is expected to be made; and if the student holds a student visa, the number of the visa; and once studying in Australia, the student's local DoHA office
- About the student's passport: if the student was in Australia when he or she became an accepted student, the student's passport number
- About any breaches of student visa conditions relating to satisfactory academic performance.

### 3. How WAIFS collects and holds personal information

WAIFS may collect personal information in a range of ways, including:

- When you provide it directly to us, for example, by submitting it to us via our website, via any electronic or paper forms you submit to us, or by you providing information to our representatives by telephone, email, or any social media networks through which you liaise with us;
- In the course of providing you with a requested service or benefit;
- From third party service providers, business partners, including, without limitation, commercial associates or credit reporting agencies;
- From publicly available sources;
- From electronic tagging mechanisms such as cookies
- From our records of your use of WAIFS' services; and
- When we are required to do so by law, for example, when we are required to verify your identity from certain documents before supplying a product, service or benefit to you.

By using the WAIFS website, or by providing any personal information to WAIFS, you consent to the collection, use and disclosure of your personal information as set out in this Privacy Policy.

By providing us with your personal information, you consent to us using 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.

### 4. What is this information used for?

Individuals are advised that due to these legal requirements, WAIFS discloses information held on individuals for valid purposes to a range of entities including:

- Governments (Commonwealth, State or Local);
- Australian Apprenticeships Centres;
- Employers (and their representatives), Job Network Providers, Schools, Guardians;
- Service providers such as credit agencies and background check providers.



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Sensitive information will be used or disclosed only for the primary purpose for which it was collected or a directly related secondary purpose, unless you agree otherwise, or where certain other limited circumstances apply (for example, where required by law).

### Direct Marketing

We may also use and disclose your personal information to send direct marketing to you from us and/or from third parties including, without limitation, social networking sites, our related bodies corporate, commercial associates, suppliers and business partners, agents, consultants, professional advisers, who work with us to help provide, promote or improve the products, services or benefits we provide.

WAIFS will only publish personal information on our website if it has been collected for this purpose with your knowledge and consent.

When giving such consent you should be aware that information published on our website is accessible to millions of users from all over the world, that it will be indexed by search engines and that it may be copied and used by any web user. This means that once the information is published on our website, WAIFS will have no control over its subsequent use and disclosure.

Names and email addresses of WAIFS staff appearing on our website are provided with their knowledge and consent.

Under no circumstances will WAIFS sell or receive payment for licensing or disclosing your personal information.

### Do we send information overseas?

WAIFS discloses personal information about an individual only to overseas authorised recipients (e.g. educational agents, migration agents or family members as agreed by you).

It is likely that WAIFS will disclose personal information to overseas recipients and it is not practicable for us to specify the countries in which overseas recipients of personal information are located.

If we disclose your personal information to overseas recipients, we will take reasonable steps to ensure that such recipients do not breach the Privacy Act and the APPs unless:

- We believe that the overseas recipient is subject to a law that has the same effect of protecting personal information in a way that, overall, is at least substantially similar to the way in which the Privacy Act and the APPs protect personal information and there are mechanisms available for you to access to take action to enforce that protection of law; or
- We obtain your express consent to the disclosure of personal information to overseas recipients.

## 5. How does WAIFS store and protect personal information?

WAIFS stores personal information in a combination of computer storage facilities, paper-based files and other records. In doing so, we have taken numerous steps to protect your personal information from misuse, interference and loss, and unauthorised access, modification or disclosure.

Additionally, we take reasonable steps to securely destroy or de-identify personal information when we no longer need it.

## 6. How you can access and request correction to your personal information

You have a right to access your personal information.

We are not obliged to allow access to your personal information if:

- We reasonably believe that giving access would pose a serious threat to the life, health or safety of any individual, or to public health or public safety;
- Giving access would have an unreasonable impact on the privacy of other individuals;
- The request for access is frivolous or vexatious;
- The information relates to existing or anticipated legal proceedings between you and us and would not ordinarily be accessible by the discovery process in such proceedings;
- Giving access would reveal our intentions in relation to negotiations with you in a way that would prejudice those negotiations;
- Giving access would be unlawful;
- Denying access is required or authorised by or under an Australian law or a court/tribunal order;
- We have reason to suspect that unlawful activity, or misconduct of a serious nature relating to our functions or activities has been, is being or may be engaged in and giving access would be likely to prejudice the taking of appropriate action in relation to the matter;



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- Giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
- Giving access would reveal internal evaluative information in connection with a commercially sensitive decision-making process.

We will also take reasonable steps to correct personal information to ensure that, having regard to the purpose for which it is held, it is accurate, up-to-date, complete, relevant and not misleading if:

- We are satisfied the information is inaccurate, out-of-date, incomplete, irrelevant or misleading, having regard to a purpose for which it is held; or
- You request us to correct the information.

If you make a request for access to/ correction of personal information, we will:

- Respond to your request within a reasonable period; and
- If reasonable and practicable, give access to or correct the information in the manner requested.

If we refuse to give access to the personal information because of an exception or in the manner requested by you, we will give you a written notice that sets out at a minimum:

- Our reasons for the refusal (to the extent it is reasonable to do so); and
- The mechanisms available to complain about the refusal.

If we refuse a request to correct personal information, we will:

- Give you a written notice setting out the reasons for the refusal and how you may make a complaint; and
- Take reasonable steps to associate a statement with personal information it refuses to correct;

We reserve the right to charge you reasonable expenses for providing access or making a correction to personal information, for example, a fee for photocopying any information requested by you. If we charge you for giving access or making a correction to your personal information, such charges must:

- Not be excessive; and
- Not apply to the making of the request for access or correction to personal information.

### 7. How to contact us or make a Privacy Complaint

If you have any questions about this Privacy Policy, if you wish to update information we hold about you or if you wish to make a complaint about our collection, use or disclosure of your personal information under this Privacy Policy, please contact: [admissions@waifs.wa.edu.au](mailto:admissions@waifs.wa.edu.au)

Complaints will be forwarded to an appropriate staff member who will acknowledge and respond to complaints, generally within 30 days.

The response will confirm:

- Whether or not there has been a breach, and in the event of a breach the response will provide detailed information on:
- What action is being taken to rectify the breach
- How similar breaches will be prevented in the future, and;
- If there are any actions you should take to minimise the impact of any such breach.

Should you deem the resolution as unsatisfactory, or if there is failure to respond within the 30 day timeframe, a request to review the complaint and resolution can be made.

If you remain unsatisfied you can visit the Office of the Australian Information Commissioner (OAIC) at [www.oaic.gov.au](http://www.oaic.gov.au) to lodge a further complaint online, by mail, fax or email.

### 8. Variations to this policy

WAIFS reserves the right to amend, update, replace or terminate this policy from time to time with or without notice to you. It is recommended that you visit this website to keep up to date with any changes.

Nothing in this Privacy Policy replaces other informal or legal procedures by which an individual can be provided with access to or to correct personal information.