



Title	AHE Privacy and Personal Information Policy
Code	BPo7
Approving Body	Board of Directors
TEQSA Provider ID	PRV14320
CRICOS Registration No:	TBA
Developer	CEO/ Executive Dean
Date Approved	13 September 2018
Commencement Date	13 September 2018
Date of Review	13 September 2022
Distribution	All AHE Stakeholders
Purpose	To assure that Apex Higher Education (AHE) will only collect personal information at AHE within its lawful right and only as necessary for the functions of AHE
Scope	Applies to all aspects of AHE

1. Principles of the AHE Privacy Policy

- 1.1 AHE will only collect personal information from individuals by fair and lawful means which is necessary for the functions of AHE. AHE will only collect sensitive information with the consent of the individual and if that information is reasonable and necessary for the functions of AHE.
- 1.2 When collecting personal information, AHE will comply with the requirements of the **Australian Privacy Principles (APPs)** set out in the **Privacy Act 1988 (Cth)** as amended by the **Privacy Amendment (Enhancing Privacy Protection) Act 2012**.

2. Policy Details

2.1 Collection of Information

Information requested from individuals by AHE will only be used to provide details of study opportunities, to enable efficient course administration, to maintain proper academic records, and to report to government agencies as required by law. If an individual chooses not to give AHE certain information, AHE may be unable to enrol that person in a course or appropriately assist that person.

AHE may collect information from students or persons seeking to enrol with AHE, either electronically or in hard copy format, including information that personally identifies individual users. AHE may also record various communications between individuals and AHE.

2.2 Disclosure of Information

- a. Information about students studying with AHE may be shared with the Australian Government and designated authorities including AHE's Tuition Assurance Scheme authority and the Tuition Protection Service (TPS) in accordance with their legal authority to access such data. This information may include personal and contact details, course enrolment details and changes, and in the case of international students, the circumstance of any suspected breach of a student visa condition.

- b. AHE will not disclose an individual's personal information to another person or organisation unless:
 - i. the individual concerned is reasonably likely to have been aware, or made aware, that information of that kind is usually passed to that person or organisation;
 - ii. the individual concerned has given written consent to the disclosure;
 - iii. AHE 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 individual concerned or of another person;
 - iv. the disclosure is required or authorised by law; or
 - v. 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.
- c. 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 protection of the public revenue, AHE shall note that disclosure in the student's record.
- d. Overseas agents may collect information on behalf of AHE where an individual from a foreign country seeks to study in Australia. AHE will take all reasonable steps to ensure that any overseas agent complies with the APPs.
- e. Any person or organisation that collects information on behalf of AHE or to whom personal information is disclosed as described in this procedure, will be required to not use or disclose the information for a purpose other than the purpose for which the information was collected by them or supplied to them.

2.3 Security and Integrity of Personal Information Collected

- a. AHE is committed to ensuring the confidentiality, security and integrity of the information it collects, uses and discloses.
- b. AHE will take all reasonable steps to ensure that any personal information collected is relevant to the purpose for which it was collected, is accurate, up-to-date and complete.
- c. AHE will securely store all records containing personal information and take all reasonable security measures to protect personal information it holds from misuse, interference, loss, unauthorised access, modification or disclosure.
- d. Where AHE has no further use for personal information for any purpose disclosed by AHE, or is no longer required to maintain that personal information, all reasonable steps will be taken to destroy or de-identify the information.

2.4 Right to Access and Correct Information Collected

- a. Individuals have the right to access or obtain a copy of the personal information that AHE holds about them. Requests to access or obtain a copy of personal information must be made in writing. There is no charge for an individual to access personal information that AHE holds about them; however, AHE may charge a fee to make a copy. Individuals will be advised of how they may access or obtain a copy of their personal information, and any applicable fees, within 10 days of receiving their written request. Where it is reasonable to do so, access to the information will be provided in the manner requested by the individual.
- b. 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 as soon as practical. 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. There is no charge for making a request to correct personal information.

- c. Written requests for access to, to obtain a copy of, or to correct personal information held by AHE, should be emailed to The Registrar of AHE at Registrar@ahe.edu.au (TBC)

2.5 Complaints about an alleged breach of this Policy and Procedure

Where an individual believes that AHE has breached this Policy and Procedure in relation to that individual, they may lodge a complaint using the **AHE Student Grievance, Complaint and Appeal Procedure** which enables students and prospective students to lodge grievances of a non-academic nature, including grievances about handling of personal information and access to personal records.

3. Publication

- 3.1 This Policy will be made available to students and persons seeking to enrol with AHE by publication on AHE Website (Please refer to the temporary AHE Website <https://apex-h.pagecloud.com/>)
- 3.2 Alternatively, a copy of this policy may be requested by contacting the Registrar using the contact details provided above.
- 3.3 To ensure that students have given their informed consent for their personal information to be disclosed to certain third parties as outlined in this procedure, AHE will advise students on enrolment about these procedures on the AHE website.

4. Dissemination

This Policy is included in the **AHE Website** (Please refer to the temporary AHE Website <https://apex-h.pagecloud.com/>) and available to all stakeholders.

5. Benchmarking Documents

- TEQSA Guidance Notes: Corporate Governance

6. Legislation

- Privacy Act 1988 (Cth) as amended by the Privacy Amendment (Enhancing Privacy Protection) Act 2012
- Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) <https://cricos.education.gov.au/>
- Department of Home Affairs <https://www.homeaffairs.gov.au/> (Previously Department of Immigration and Border Protection (DIBP))
- Education Services for Overseas Students Act 2000 <https://www.legislation.gov.au/Details/C2017C00292>
- National Code of Practice for Providers of Education and Training to Overseas Students 2018 <https://www.legislation.gov.au/Details/F2017L01182>
- TEQSA National Register <https://www.teqsa.gov.au/national-register/provider/apex-institute-higher-education-pty-ltd>,
- Higher Education Standards Framework (Threshold Standards) 2021 (Refer to Higher Education Standards Panel) <https://www.dese.gov.au/higher-education-standards-panel-hesp/higher-education-standards-framework>

7. Related Documents

All AHE policies, procedures, document and forms

8. Definitions

Please refer to the **AHE Table of Acronyms and Definitions**

Version Control and Approval

Version	Person Responsible and Action Taken	Date	Approved by
2021.1	CEO / Executive Dean: Updated preface and legislation and document titles. Content of document not updated yet	15 Sep 2021	CEO/ Executive Dean
2018.1.3	CEO / Executive Dean formatted and proof-read document	30 Nov 2018	CEO/ Executive Dean
2018.1.2	CEO / Executive Dean amended document: Access to student personal info should only be in accordance with government legislation. Approved.	13 Sep 2018	Board of Directors
2018.1	CEO/ Executive Dean. Created Document	1 May 2018	