

CG4 Privacy Policy and Procedures

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Purpose

This policy ensures that the UK English College Pty Ltd t/a UK English College meets its legal and ethical requirements regarding the collection, storage and disclosure of the personal information it holds in regard to individuals.

This policy and procedure contributes to compliance with with the English Language Intensive Courses for Overseas Students (ELICOS) Standards 2018 and the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

Definitions

ESOS Act means Education Services for Overseas Students Act 2000

National Code means National Code of Practice for Providers of Education and Training to Overseas Students 2018

Personal information means *'information or an opinion about an identified individual, or an individual who is reasonably identifiable:*

- *'Whether the information or opinion is true or not; and*
- *'Whether the information or opinion is recorded in a material form or not.¹*

Standards means the English Language Intensive Courses for Overseas Students (ELICOS) Standards 2018.

Policy

In addition to all requirements in the ESOS Act, the written agreement must, in plain English, set out the circumstances in which personal information about the student may be disclosed by the registered provider, the Commonwealth including the TPS, or state or territory agencies, in accordance with the Privacy Act 1988 (National Code, Standard 3.3).

1. Privacy Principles

Personal information is collected from individuals in order that UK English College can carry out its business functions. UK English College only collects and stores information that is directly related to its business purposes and legal requirements of providing English-language education.

¹ Definition from: Australian Government. *Privacy Act 1988* (Cth). Accessed on 5th January 2014 at http://www.comlaw.gov.au/Details/C2014C00076/Html/Text#_Toc382302897

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In collecting personal information, UK English College complies with the requirements set out in the Privacy Act 1988 and the relevant privacy legislation and regulations of the states and territories in which UK English College operates.

This means UK English College ensures that each individual:

- Knows why their information is being collected, how it will be used and who it will be disclosed to.
- Is able to access their personal information upon request.
- Does not receive unwanted direct marketing.
- Can ask for personal information that is incorrect to be corrected.
- Can make a complaint about UK English College if you consider that your personal information has been mishandled.

2. Collection of information

In general, personal information will be collected through course application and/or enrolment forms, assessment records and online forms and submissions.

The types of personal information collected include:

- personal details
- contact details
- employment information where relevant
- academic history
- statistical information about your prior education, schooling, reasons for enrolling,
- attendance, participation and assessment information
- fee and payment information

3. Storage and use of information

UK English College will store all records containing personal information securely and take all reasonable security measures to protect the information collected from unauthorised access, misuse or disclosure. Personal information will be stored in paper-based files that are kept in a secure location (locked filing cabinets/locked compactor) and electronically in a secure environment to which only authorised staff have access.

The personal information held by individuals will only be used to enable efficient student administration, provide information about educational opportunities, and to maintain accurate and detailed student records of course participation, progress and outcomes.

UK English College may use the personal information provided by an individual to market other internal products and services to them. An individual may opt out of being contacted for marketing purposes at any time.

Information will not be passed onto any third-party marketing companies without the prior written consent of the individual.

4. Disclosure of information

In accordance with the Privacy Act 1988, information is collected during an individual's enrolment processing to meet UK English College's obligations under the ESOS Act and the National Code to ensure the individual's compliance with visa conditions and obligations under Australia's immigration laws generally. Information concerning individuals, including personal information submitted on UK English College's Enrolment Application Form, may be shared among UK English College, the Commonwealth, and the Australian Government and designated authorities and, if relevant, the Tuition Protection Service (TPS) and the ESOS Assurance Fund

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Manager. This information includes personal and contact details, course enrolment details and changes, and the circumstances of any suspected breach by a student of a student visa condition.

The provision of this information is necessary for both enrolment and re-enrolment. Information provided will be held securely and disposed of securely when no longer needed. Individuals may access their personal information by contacting UK English College during business hours.

Students are obliged to notify UK English College of any change to their contact information (e.g., home address, e-mail address, mobile phone number) within seven (7) days while enrolled in a course, via the *Student Change of Details Form*.

UK English College will not disclose an individual's personal information to another person or organisation unless:

- The individual has been made aware that information of that kind is usually passed to that person or organisation;
- The individual has given written consent;
- UK English College believes that the disclosure is necessary to prevent or lessen a serious and imminent threat to the individual's life or health or that of another person;
- The disclosure is required or authorised by or under law, such as the ESOS Act or the National Code; 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.

5. Access to records

Individuals may access or obtain a copy of the records that UK English College holds about them at any time. This includes personal information and records of participation and progress.

If an individual want to access or obtain a copy of the records that UK English College holds about them, they must make a request in writing using the *Access to Records Request Form*. There is no charge to access records. Within 10 days of receiving a request, the individual will be advised using the *Notice of Access to Records Decision* letter that they may either access the records in person or that the requested records will be sent to their home address.

Where access is provided to review the contents of a file, photo ID will be required to ensure that the person viewing the file is the individual. Access will occur in the presence of a UK English College staff member. Where copies of records are to be provided via post, records will only be sent to the home address that UK English College holds on file for the individual.

A student may request a copy of their monthly *Course Progress Report* at any time via email or phone without using the *Access to Records Request Form*.

Access to records may be provided by:

- making copies of documents held in a file;
- giving access to the student to review their file;
- providing a copy of a monthly *Course Progress Report*; or
- other means necessary to grant access to current and up-to-date records.

6. Correction to records

If an individual considers the records that UK English College holds about them to be incorrect, incomplete, out of date or misleading, they can make a request in writing that the information be amended.

7. Complaints

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Any individual wishing to make a complaint or appeal about the way information has been handled within UK English College can do so by following UK English College's *Complaints and Appeals Policy and Procedure*.

Procedures

1. Privacy Notices

Procedure	Responsibility
A. Privacy notices <ul style="list-style-type: none"> Ensure privacy notices are added to relevant forms and information such as the <i>Enrolment Application Form</i>, website etc. 	PEO

2. Marketing Privacy

Procedure	Responsibility
B. Email marketing <ul style="list-style-type: none"> Ensure there is an opt-out option on all marketing emails and correspondence sent to individuals in relation to marketing. 	PEO

3. Access to Records

Procedure	Responsibility
C. Request to access records <ul style="list-style-type: none"> Individuals may request to access their records by using the <i>Request to Access Records Form</i>. Written requests should be sent to the head office. Requests may be from past or current students or other individuals. Upon receiving a completed form, confirm the request is valid and has been made by the individual to whom the records relate – check identification documents. The final decision should be provided to the individual in writing using the <i>Notice of Access to Records Decision</i> letter within 10 working days of receiving the request. Where records are to be mailed, they should only be mailed to the address that is held on file for that individual, unless alternate change of address information is provided along with proof of identity – such as a driver's license or utility bill. Where records are to be shown to an individual, the individual must produce photo ID prior and this should be matched to the records held on file about the individual to confirm they are only viewing their own records. Keep a note on how the records were accessed on the individuals file. 	PEO

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4. Amendment to Records

Procedure	Responsibility
<p>D. Request for records to be amended</p> <ul style="list-style-type: none"> ● Where an individual requests incorrect records held about them to be corrected, they can do so by filling in an <i>Amendment to Records Request Form</i>. ● If it is a change of address or contact details of a current student, they can use the <i>Student Change of Details Form</i>. ● Upon receipt of a request form, consider whether the records held are correct or not. <ul style="list-style-type: none"> ○ If the request is valid and records are incorrect, update records accordingly. ○ If the records are found to be correct already, do not update records but do note details of amendment request in record ● Advise the individual in writing using the <i>Notice of Amendment to Records Decision</i> of the finding actions taken to follow up their request 	PEO

Document Control

Document No. & Name:	CG4 Privacy P&P v1.0.docx
Quality Area:	CG Corporate Governance
Author:	UK English College Pty Ltd t/a UK English College
Status:	Approved
Approved By:	Attiq- Ur - Rehman
Approval Date:	01 JUNE 2024
Review Date:	01 JULY 2025