

Privacy Policy

1. Purpose and Scope

1.1 The Privacy Policy

- 1.1.1 outlines AIAT's commitment to the protection of the privacy of individuals' personal information; and
- 1.1.2 states the ways in which AIAT may collect, store, use, manage and protect personal information.

1.2 AIAT is committed to apply best practice to the protection of individuals' privacy by:

- 1.2.1 upholding the Australian Privacy Principles (APPs) as set out in the Privacy Act 1988 (Cth); and
- 1.2.2 complying with the requirements of Regulation (EU) 2016/679 (General Data Protection Regulation) (GDPR) in respect of individuals located in the European Union (including the European Economic Area).

1.3 This policy applies to:

- 1.3.1 all non-academic and academic staff of AIAT whether full-time or fractional, continuing, fixed-term, or casual (known as staff in this document);
- 1.3.2 members of the Board of Directors, Academic Board and respective committees (known as Board Members in this document); and
- 1.3.3 students.

2. Definitions

Refer to *Glossary of Terms* for commonly used terms. The definitions below are those specific to this policy and procedure.

Eligible data breach occurs when

- there is unauthorised access to or unauthorised disclosure of personal information, or a loss of personal information, that an organisation or agency holds
- this is likely to result in serious harm to one or more individuals, and
- the organisation or agency hasn't been able to prevent the likely risk of serious harm with remedial action

Information is defined as personal information or sensitive information.

Personal information is defined in the Privacy Act (section 6(1)) as any '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'.

The types of personal information that AIAT collects and holds will depend on the circumstance and relationship between the individual and AIAT. Personal Information that is commonly collected by AIAT includes:

- a. name
- b. address (residential, postal and email)
- c. phone number
- d. date of birth
- e. gender
- f. ethnic origin
- g. passport number
- h. banking and credit card details
- i. tax file number
- j. health information
- k. emergency contact details
- l. photographs or video recordings (including CCTV footage)
- m. criminal history
- n. academic record
- o. IT access logs
- p. metadata from use of online services and facilities
- q. records of donations and transactions.

Sensitive information is a subset of personal information and is defined in the Privacy Act (section 6(1)) as:

- information or an opinion (that is also personal information) about an individual's:
 - racial or ethnic origin
 - political opinions
 - membership of a political association
 - religious beliefs or affiliations
 - philosophical beliefs
 - membership of a professional or trade association
 - membership of a trade union
 - sexual orientation or practices, or
 - criminal record
- health information about an individual
- genetic information (that is not otherwise health information)
- biometric information that is to be used for the purpose of automated biometric verification or biometric identification, or
- biometric templates.

You (your, yours) – Any individual who discloses personal information to AIAT.

3. Policy Statement

- 3.1 AIAT is committed to protecting personal information which it collects.
- 3.2 AIAT adopts the requirements of the APP as reflected in this policy.
- 3.3 AIAT ensures Privacy Complaints are responded to in a timely manner.

4. Policy Principles

- 4.1 AIAT will collect
 - 4.1.1 Personal information (including sensitive information):
 - a. by lawful and fair means; and
 - b. from the individual to whom the information relates, unless AIAT is required or authorised by law to collect the information from another person;
 - 4.1.2 Personal information (other than sensitive personal information) if:
 - a. the information is reasonably necessary for, or directly related to, one or more of AIAT's functions or activities; or
 - b. AIAT is required to collect the information by, or is provided with, the personal information under, an Australian law; and
 - 4.1.3 Sensitive personal information with the consent of the relevant individual or where the collection of the information is required or authorised by an Australian law.
- 4.2 Types of personal information collected
 - 4.2.1 Students: name, contact details, social media addresses, photographs, tax file numbers and other government related identifiers, grades and awards, prior studies, placements and information resulting from AIAT processes involving a student (e.g. investigation for academic misconduct, academic appeals);
 - 4.2.2 Individuals related to, or associated with, students (e.g. emergency contacts, medical practitioners): name and contact details;
 - 4.2.3 Alumni: name, contact details and academic awards;
 - 4.2.4 Donors: name, contact details and details of gift;
 - 4.2.5 Board Members and staff: name, contact details, photographs, bank account details, tax file numbers, information resulting from AIAT processes involving these persons (e.g. terms of engagement, investigation for misconduct);
 - 4.2.6 Prospective students: name, contact details, grades and awards, prior studies and information resulting from AIAT processes involving the prospective student (e.g. recognition of prior learning);
 - 4.2.7 Job applicants: name, contact details, qualifications and experience, referees and information resulting from AIAT processes (e.g. assessment of applicant, record of communication with referees); and
 - 4.2.8 Individuals accessing AIAT's website: details of website use, webpages browsed, enquiries regarding products and services and social media platforms used.

4.3 Information is collected:

- 4.3.1 Directly from the Board Members and staff members (e.g. when they are interviewed, offered a contract) or the student (e.g. when AIAT contacts them, when they contact AIAT, when they enrol as a student);
- 4.3.2 From third parties whom the student has authorised to provide AIAT with information (e.g. Agents);
- 4.3.3 From publicly available sources, such as public web pages or published databases;
- 4.3.4 Via routine monitoring of our ICT systems and resources;
- 4.3.5 From audio and video recordings in public locations and other spaces identified as being subject to recording devices; or
- 4.3.6 When generated by AIAT in the course of our business activities (e.g. assessment results, grades, financial transactions).

4.4 Information Storage

- 4.4.1 AIAT will store personal information securely.
- 4.4.2 Personal information will be stored in both hard copy format and digitally, on site and also in the cloud. All hard copy material is secured using locked filing cabinets or office security. All digital material is secured using file access controls.
- 4.4.3 AIAT will take reasonable steps to protect personal information from misuse, interference, loss or unauthorised access, modification or disclosure.
- 4.4.4 ICT systems and resources used by AIAT to protect personal information will be regularly assessed to ensure the security of personal information.
- 4.4.5 AIAT only keeps personal information for as long as it is required for the purpose for which it was collected or as otherwise required by law. If AIAT no longer needs to hold the personal information for any reason, AIAT will take reasonable steps to de-identify or destroy that information. These steps may vary depending on the nature of the information, the way it was collected and how it was stored

4.5 Unsolicited personal information

- 4.5.1 If AIAT receives unsolicited personal information, AIAT will assess whether or not it could have collected that information under this policy. If AIAT could not have collected that information, it will destroy or de-identify the information.

4.6 Notification of collection of personal information

- 4.6.1 AIAT will provide a privacy notification complying with APP 5 and Article 13 of the GDPR to an individual prior to, at the time of, or as soon as practicable after, collecting personal information from that individual.

4.7 Reasons for collecting, storing, using and disclosing personal information

- 4.7.1 AIAT may collect, use and disclose personal information for a number of purposes, including:
 - a. providing you with goods or services, including processing payments
 - b. providing you with information about AIAT's goods or services
 - c. developing or refining AIAT's services, including for analysing, understanding and optimizing learning and educational outcomes

- d. internal business and administrative purposes (such as training staff, risk management; developing and marketing products and services, undertaking planning, research and statistical analysis)
 - e. providing you with marketing material and communicating with you generally
 - f. providing information to prospective, current and former students and applicants about AIAT's subjects, courses and activities
 - g. better understanding your needs, including by engaging with you about your studies and providing you with information about any educational, recreational or support services, resources or programs that may be of interest to you
 - h. tailoring our marketing, services, promotions, philanthropic activities, and other operations for you
 - i. student retention initiatives
 - j. assessing your application for a role with us and taking references
 - k. organising external activities related to your study, including Work Integrated Learning
 - l. confirming that you meet registration and/or accreditation requirements with external professional registration or accreditation bodies
 - m. reporting to Government agencies as required by law or Government policy
 - n. for your visa or immigration application and associated reporting obligations
 - o. for performance review and assessment purposes
 - p. for the investigation of a complaint or allegation made by or against you
 - q. responding to, investigating and managing inquiries, complaints, feedback and claims
 - r. responding to legitimate inquiries from government agencies, including law enforcement agencies, upon request
 - s. corporate governance, auditing and record keeping, or
 - t. any other reason disclosed to you at the time of collection.
- 4.7.2 If AIAT collects personal information from you, AIAT may:
- a. use and disclose that information, including to a third party, for any of the purposes outlined in section 4.7.1.
 - b. store that information in accordance with this policy
 - c. disclose that information to third parties who provide products or services to us (including our agents, accountants, auditors, lawyers, IT contractors, advertising and marketing providers and other service providers)
 - d. pass that information to your home or host institution overseas, if you are involved in a mobility, exchange, cross-institutional or joint program
 - e. provide that information to third parties as required by law and to law enforcement agencies upon receipt of an official request
 - f. publish photographs of you that have been taken in the course of an AIAT activity for informational, marketing and promotional purposes, or
 - g. ask you from time to time to confirm that the information is accurate, up-to-date, complete and relevant.

4.8 Direct Marketing

- 4.8.1 AIAT will use and disclose your personal information for the purpose of direct marketing, including keeping you informed of products and services and new developments AIAT considers may be of interest to you.
- 4.8.2 You may request that you not receive direct marketing communications at any time by unsubscribing from the mailing list, by contacting the Privacy Officer, or by using the opt out mechanism in our direct marketing communications.
- 4.8.3 If AIAT has collected personal information about you from third parties, AIAT will only use that information for direct marketing purposes with your consent (unless an exception applies). If AIAT use your personal information in this way, AIAT will give you the opportunity in each direct marketing communication to request not to receive further direct marketing communications.

4.9 Disclosure to overseas recipients (e.g. Agents)

- 4.9.1 AIAT may disclose personal information to overseas recipients as set out in this Privacy Policy.
- 4.9.2 Unless AIAT has your consent, or an exception under the Australian Privacy Principles applies, AIAT will only disclose your personal information to overseas recipients where AIAT has taken reasonable steps to ensure that the overseas recipient does not breach the Australian Privacy Principles in relation to your personal information.

4.10 Use of Identifiers

- 4.10.1 AIAT will assign employees and students with a unique identifier in the form of a staff or student ID number. Staff and student ID numbers are considered to be personal data and will be handled in accordance with this policy.
- 4.10.2 AIAT will not adopt a government related identifier of an individual as its own identifier of an individual or use or disclose a government related identifier, unless authorised by law.

4.11 Anonymity

- 4.11.1 AIAT will provide you with the option of not identifying who you are or using a pseudonym when it is lawful and practicable to do so. However, the nature of the activities conducted by AIAT means that, generally, it is not possible for AIAT to deal with a student or staff member anonymously or using a pseudonym.

4.12 Access and corrections to personal data

- 4.12.1 Access to personal information will only be provided to Board Members, staff, and students who require access to the information to undertake their role at AIAT.
- 4.12.2 You may request access to information held by AIAT about yourself by contacting the Privacy Officer. Access to personal information will be provided to you unless there is a basis under Australian law for AIAT not to provide that access.
- 4.12.3 You may request correction of personal information held by AIAT about that yourself by contacting the Privacy Officer.
- 4.12.4 European Union citizens and residents may contact the Privacy Officer to:

- a. request a restriction on the processing of personal information;
- b. object to the processing of personal information;
- c. request the transfer of personal information; or
- d. request the destruction, de-identification or erasure of personal information.

4.12.5 You have the right to change your mind at any time and withdraw consent after you have given AIAT your consent to use your personal data.

4.13 Complaints

4.13.1 If you are concerned that your personal data has not been handled in accordance with this policy, you may lodge a written complaint to the Privacy Officer.

4.13.2 Your complaint will be appropriately investigated, and AIAT will provide a response to you, as required, within a reasonable period of time (usually 30 days from the date on which the complaint was received). You will be advised in writing of AIAT's decision and any action taken.

4.13.3 AIAT Board Members, staff or students who are dissatisfied with the decision or action taken pursuant to item 4.13.2 may lodge a further complaint directly to the CEO (Board Members only), under the Staff Complaint Resolution Policy (staff) or Student Complaints and Appeals Policy (students).

4.13.4 If you are unhappy with the way that we are using your personal data, or if you are not satisfied with our response to a complaint, you may lodge a complaint with the Office of the Australian Information Commissioner (to the extent that the Privacy Act 1988 (Cth) applies) or if the GDPR or other jurisdiction's data and privacy law applies, with a Data Protection Authority.

4.14 Notifiable Data Breaches

4.14.1 When an eligible data breach occurs, the Privacy Officer will notify

- a. the Office of the Australian Information Commissioner (<https://www.oaic.gov.au/privacy/notifiable-data-breaches>) using their online Notifiable Data Breach form; and
- b. any individual impacted by the eligible data breach.

5. Roles and responsibilities

5.1 Board Members, staff and students are required to

- 5.1.1 be familiar with and comply with the terms of this policy at all times;
- 5.1.2 comply with any relevant legislative or administrative requirements; and
- 5.1.3 seek clarification from the Privacy Officer if they have doubts on any aspect of this policy.

5.2 The CEO will ensure that this policy is provided to new staff during induction.

5.3 The Executive Management Group is responsible for:

- 5.3.1 Exhibiting a high level of commitment to the Privacy Policy; and

5.3.2 Ensuring that potential, perceived, and actual breaches of the Privacy Policy are effectively, transparently, and fairly addressed.

5.4 The Privacy Officer is the contact point for an individual in relation to the personal information which AIAT holds regarding that individual. An individual may contact the Privacy Officer about:

5.4.1 correction of personal information held by AIAT;

5.4.2 a question about AIAT’s collection, storage, use or disclosure of personal information;

5.4.3 requests regarding the use, storage, access and disclosure of personal information;

5.4.4 requests from a European Union citizen or resident relating to rights listed in item 4.10.4; and

5.4.5 allegations of a breach of this policy or the GDPR.

5.5 The Privacy Officer is responsible for managing notifiable data breaches.

6. Policy Details

Institution	Australian Institute of Advanced Technologies (AIAT)
Policy name	Privacy Policy
Policy Reference No.	POL – 13
Policy Approval	Board of Directors
Policy Authority	Executive Management Group
Responsible Officer	CEO
Governance Reference Threshold Standards	HESF 6.2.1.a
Related Documents	Records Management Policy Staff Code of Conduct Staff Performance Policy Staff Complaint Resolution Policy Student Code of Conduct Student Complaints and Appeals Policy
Related Legislation	Australian Privacy Principles Guidelines Commonwealth Education Services for Overseas Students Act 2000 (ESOS) Higher Education Standards Framework (Threshold Standards) 2021 (HESF) National Code of Practice for Providers of Education and Training to Overseas Students 2018 Privacy Act 1988 (Cth) Regulation (EU) 2016/679 (General Data Protection Regulation)

References	<p>AIAT has referred and benchmarked with the following institutions and policies during the creation of this policy:</p> <p>Central Queensland University Privacy website https://www.cqu.edu.au/privacy, <i>retrieved 15 Nov 2021</i></p> <p>Flinders University (2018) Privacy Policy</p> <p>KPMG (2020) Privacy Policy</p> <p>Melbourne Institute of Technology (2017) Privacy Policy and Statement for MIT Students</p> <p>Monash University (2021) Data Protection and Privacy Procedure</p> <p>Office of the Australian Information Commissioner https://www.oaic.gov.au/privacy/notifiable-data-breaches</p> <p>Navitas Pty Ltd (unknown) Protecting Your Privacy, <i>retrieved 15 Nov 2021</i></p> <p>The University of Adelaide (2017) Privacy Policy</p> <p>University of South Australia (2021) Privacy Policy</p> <p>University of Southern Queensland (2015) Privacy Policy</p> <p>University of Wollongong (2002) Privacy Policy</p>
Date of approval	31 March 2022
Review date	December 2024
Policy Category	Governance

6. Document Version Control

Document No	POL - 13	Last Modify Date	Summary of Changes
Version No	1.0	NA	Initial version approved by Board of Directors
	1.01	31/3/2022	Fixed policy names; updated policy number
Created Date	Dec 2021		