



Policy Owner: Quality and Compliance Director

Contact Officers: Student Administration Coordinator

Policy Number: QBIPO002

Approved by: Senior Management Group

Date Approved: November 2007

Last Reviewed: 8 April 2014

Related Policies: Complaints and Appeals Policy
Navitas Privacy Policy

Related Documents: Privacy Release Form
Student Testimonial / Release Form

1. Overview

- 1.1. PIBT and Navitas Limited are subject to the Australian Privacy Act 1998 (Commonwealth).
- 1.2. As an education provider, PIBT and Navitas are required to collect, store, disseminate and otherwise use personal information relating to staff, students and other stakeholders.
- 1.3. PIBT also acknowledges its obligations with respect to the Commonwealth Privacy Act 1988 and the Australian Privacy Principles (APP) which apply to organisations and Australian Government agencies.
- 1.4. This Policy explains the rights and obligations of stakeholders and outlines how PIBT deals with personal information collected. People who deal with PIBT are entitled to expect that any information collected will be treated in accordance with Australian privacy responsibilities and obligations.

2. Organisational Scope

- 2.1. This policy applies to the use of personal information as described by the Office of the Australian Information Commissioner at: www.privacy.gov.au/privacy/privacy-act/privacy-law-reform
- 2.2. This policy complies with the Australian Privacy Principles described by: <http://www.privacy.gov.au/privacy/privacy-act/australian-privacy-principles>

3. Definitions

- 3.1. **AVETMISS** – Australian Vocational Education and Training Management Information Statistical Standard (AVETMISS) for VET Providers is a national data standard that ensures the consistent and accurate capture and reporting of VET information about students.
- 3.2. **HEIMS** – Higher Education Information Management System for higher education providers.
- 3.3. **Navitas Limited** – parent company that owns Perth Institute of Business and Technology (PIBT)
- 3.4. **Personal Information** – includes any information or opinion about an individual whose identity is apparent or can be readily identified. It is any information that identifies or could identify you such as your name, address, email address, contact details, nationality, date of birth, education records, photos, work records, etc.
- 3.5. **Privacy Act** – refers to the Australian Privacy Act 1988

4. Policy Principles

- 4.1. This policy outlines how PIBT and Navitas deal with the personal information we collect. People who deal with Navitas are entitled to expect that any information collected will be treated in accordance with the Australian law relating to privacy responsibilities and obligations.

5. Policy Content

5.1. Nature of Personal Information

- 5.1.1. Students and staff are entitled to protection of their privacy. Privacy considerations apply to a great deal of information PIBT may hold about students, including personal data, academic information and personal welfare matters.
- 5.1.2. PIBT staff may require access at times to personal information about students. To the extent that the information is private, PIBT will restrict access to this for staff that may need the information in order to carry out their responsibilities in the personal and/or academic interests of students.
- 5.1.3. Other than to confirm that individuals are, or have been, a student at PIBT, PIBT will not disclose personal information about students to other students, to people outside of Navitas (other than in accordance with any legal or academic obligations) or to staff who have no need of access to the information, unless students advise PIBT in writing, that they have given permission.

5.2. Type of Information Collected

- 5.2.1. PIBT may collect information about students including personal data (name, ID number, address, email address, contact details, age, nationality, date of birth, etc.), academic information (enrolment status, assessment/examination results, academic status) and personal welfare (family matters, medical matters, financial matters, etc.).
- 5.2.2. Due to the nature of the services provided by PIBT and Navitas, some of the information collected may be sensitive information, including details about an individual's religion, race or ethnic background.
- 5.2.3. PIBT and Navitas may collect additional information as required by regulatory authorities from time to time (eg: AVETMISS, HEIMS data).
- 5.2.4. PIBT and Navitas will not generally collect information about an individual's medical history, political opinion, sexual preference or criminal record unless such information is required in order to process a student's application for admission, enrolment and education. PIBT and Navitas will only collect sensitive information with the individual's consent.

5.3. Methods of Collecting Information

- 5.3.1. PIBT and Navitas may collect information verbally, in hard copy or electronic form including when an individual:
 - Lodges an enquiry through Reception, online enquiry service and/or social network site
 - Applies for admission to a Navitas-linked facility
 - Registers or enrolls for a course offered by PIBT or Navitas-linked business
 - Logs into a PIBT or Navitas-linked website
 - Attends a seminar, exhibition or information session
 - Applies for employment with PIBT or Navitas
- 5.3.2. Personal information is generally collected from the individual directly, although it may also be collected from a third party such as a family member or agent acting on behalf of a student; contractors who supply services to Navitas/PIBT; partner institutions or a public record. If an individual does not provide the information requested by PIBT, we may not be able to provide them with our services
- 5.3.3. When PIBT or Navitas is aware that a person under 15 is providing personal information, we require the person to obtain parental permission and consent before providing that information.
- 5.3.4. When you look at a PIBT or Navitas website, our computer system records your visit and logs the following anonymous information for statistical purposes:
 - Internet Protocol address from which we receive the request
 - Date and time our server received the request
 - Pages, documents and files you requested
 - Address of the resource which provided the link followed (if any) to our website

- Type of browser and (in some cases) the operating system used
 - In some cases, data you send to our website from web forms (eg. search terms)
- 5.3.5. Note: Some sections of the PIBT or Navitas website use standard industry technologies (eg. cookies) to make full use of the site. Navitas uses cookies to distinguish different users on our websites so that it provides you with a good browsing experience and helps us improve our website. Navitas will only use and disclose personal information collected by using cookies for other purposes, only if we have your consent to do so or as required by law.
- 5.3.6. If you provide PIBT or Navitas with information about someone else, you must ensure that you are entitled to disclose that information to us and that, without PIBT or Navitas taking any further steps required by privacy laws, we may collect, use and disclose such information for purposes described in this Privacy Policy. For example, you should take steps to ensure that the person you are telling us about is aware of this Privacy Policy and consents to PIBT and Navitas dealing with the information. The individual should be advised of:
- Who we are and how to contact us;
 - Purposes for which we collect this personal information;
 - Our information disclosure practices;
 - The individual's right to obtain access to information we hold about them;
 - Consequences for the individual if the information is not provided;

5.4. Use of Personal Information

- 5.4.1. All information collected relates to the management of PIBT and Navitas operations and/or legislative guidelines. For example, administration services to prospective and current students includes admissions, enrolment, education support, invoicing, maintaining IT system services, data storage, marketing PIBT, Navitas and its related entities to prospective, current and past students,, customer service, hiring and managing staff/ contractors, seeking evaluation to improve services and facilitating articulation into Edith Cowan University (ECU).
- 5.4.2. PIBT or Navitas may use personal information for purposes relating to, or ancillary to, the primary purpose of collection including planning, monitoring, evaluating and improving our services, including conducting marketing research and surveys, assessing customer satisfaction and otherwise contacting you;
- 5.4.3. PIBT or Navitas may use personal information to contact you via mail, email, SMS or telephone.
- 5.4.4. Only a limited number of staff have access to anonymous information collected via our websites. The information is collected for analysis, then evaluated and published in reports that show PIBT and Navitas usage patterns and identify popular areas of the websites. This helps us improve and develop website services.
- 5.4.5. For security reasons, Navitas uses software programs to monitor network traffic and identify unauthorised attempts to upload /change information or cause damage.
- 5.4.6. PIBT may use other companies to provide services and will need access to personal information to perform that service. (EG: Offshore cloud-based electronic storage services, student feedback surveys). By providing us with your personal information, you consent us to disclosing it to entities outside Australia for these purposes as well as Navitas-related companies to allow them to use personal information for purposes relating to primary or ancillary purposes stated above.
- 5.4.7. Whilst all care is taken to ensure that privacy is maintained, it should be noted that entities located outside Australia are not required to comply with Australian privacy laws. The entities may be located in the USA, Japan and Hong Kong – for a full list contact the Navitas Privacy Contact Officer

5.5. Disclosure of Personal Information

- 5.5.1. As a general rule, PIBT and Navitas will not use or disclose personal information to a third party, unless the individual is aware of that disclosure, or has consented to the disclosure of that information.
- 5.5.2. Personal information may be disclosed when a student has permitted release of

information to their parents, an agent or ECU. In addition, information may be disclosed when individuals have been informed that it is usual practice, for example when transferring final results to ECU. Edith Cowan University may also share information with PIBT or Navitas with respect to student performance, so as to facilitate continuous improvement at PIBT.

- 5.5.3. PIBT or Navitas will only publish personal information in its publications or website when the individual has consented to that disclosure in writing. The individual should be aware that website information can be accessed worldwide, that it may be indexed by search engines and that it may be copied and used by any web user. Once personal information is published by PIBT or Navitas, it is not possible to control its subsequent use and disclosure.
- 5.5.4. At no time will PIBT or Navitas disclose or externally publish personal information to third parties who are not related to Navitas or ECU, or allow them to directly market their products or services, without the individual's consent. PIBT and Navitas will not sell or receive payment for licensing or disclosing personal information.
- 5.5.5. PIBT and Navitas will not use or disclose personal information unless the person about whom the information was collected is aware of, or has consented to, that use or disclosure. We may for example, share your personal information with other members of the Navitas Group, so that they can contact you (including by electronic means) with information about products and services that may interest you. If you do not wish to receive marketing offers from the Navitas Group (by post, phone or electronic means) please tell us by emailing your request to: marketing@pibt.wa.edu.au or telephone via landline or Skype: +618 6279-1133
- 5.5.6. If you no longer wish to receive any communications or want to be removed from any PIBT or Navitas database, please contact the Navitas Privacy Contact Officer
- 5.5.7. The PIBT and Navitas websites contain links to other sites. PIBT and Navitas are not responsible for the privacy practices or content of such websites or their links.
- 5.5.8. In some circumstances PIBT or Navitas may use or disclose personal information:
 - Where it is required by law, or
 - In the unlikely event of an investigation or legal proceedings; or
 - Where it is necessary to protect against a serious and imminent threat to a person's life, health or safety, or
 - Where there is a serious threat to public health or public safety; or
 - Where otherwise permitted to do so under the Privacy Act..

5.6. Statutory Requirements

- 5.6.1. PIBT is required to collect and disclose certain information as part of an individual's admission and enrolment and/or working arrangements in order to meet our legal obligations. Such information includes but is not limited to:
 - Department Industry– statistical information about student enrolment, education background, nationality, government-linked financial assistance, etc.
 - Tertiary Education Quality Standards Agency (TEQSA) – information relating to staff qualifications and professional development, staff workload, student performance, student/staff satisfaction levels, etc.
 - Department of Education – statistical information about student enrolment, education background, nationality, government-linked financial assistance, etc.
 - Australian Skills Quality Authority (ASQA) – statistical data relating to student enrolment, progression rates, staff/student ratios, etc.
 - National Centre of Vocational Education Research (NCVER) – collects statistical data relating to personal and academic background, student enrolment and completion rates as described in the AVETMISS Standards.
 - Overseas Student Ombudsman (OSO) – any information relating to a student's appeal against a decision made by PIBT.
 - Australian Tax Office (ATO) – in relation to government-linked financial assistance
 - Department of Immigration and Border Protection (DIBP) – relating to student visa information.
 - Centrelink – enrolment information relating to domestic students who access Centrelink

benefits.

- Overseas Student Health Cover (OSHC) – information relating to fee payments for international students
- Tuition Protection Service (TPS) – regarding tuition assurance for international students.
- Australian Council of Private Education Providers (ACPET) – administering the Australian Student Tuition Assurance Scheme (ASTAS) for domestic students.

5.6.2. Authority to collect this information is contained in the following legislation:

- Education Services for Overseas Students (ESOS) Act 2000
- Education Services for Overseas Students (ESOS) Regulations 2001
- National Code Practice for Registration Authorities & Providers of Education & Training to Overseas Students (National Code 2007)
- Education Services for Overseas Students (Tuition Protection Service) Act 2012
- Migration Act 1958
- Higher Education Support Act 2003 (HESA)
- Social Security (Administration) Act 1999
- Occupational Safety & Health Act 1984 (WA)
- Workers Compensation and Injury Management Act 1981

5.7. Access to Personal Information

5.7.1. Subject to limited exceptions in the Privacy Act, individuals can obtain information about the personal information held by PIBT by contacting the Quality and Compliance Director. PIBT will take all reasonable steps to ensure the information is correct and up-to-date.

5.7.2. PIBT issues reminders to all enrolled students to update their personal details at least once every trimester, although individuals are encouraged to provide updates to their personal contact information at any time via the PIBT student portal or by contacting PIBT Student Services.

5.7.3. Requests for access to an individual's own personal information must be made in writing to the PIBT Quality and Compliance Director or the Navitas Privacy Contact Officer. PIBT and Navitas reserve the right to recover reasonable costs associated with providing information requested.

5.8. Storage and Security of Personal Information

5.8.1. PIBT and Navitas will take reasonable steps to ensure your personal information is accurate, complete and up-to-date.

5.8.2. PIBT and Navitas has security measures to protect personal information against loss, unauthorised access, use, modification, disclosure, or other misuse as required by law and as generally accepted by industry standards. However, no system is 100% secure and to the extent permitted by law, PIBT and Navitas excludes any liability in contract, tort or otherwise for any security breach.

5.8.3. PIBT and Navitas may gather more extensive information than that stated above in the circumstances where there may be:

- Unauthorised attempts to access files other than those published on the PIBT or Navitas websites;
- Unauthorised tampering or interference with files published on the websites;
- Unauthorised attempts by other websites to index the contents of the websites;
- Attempts to intercept messages of other PIBT or Navitas website users;
- Communications which are defamatory, abusive, vilifying individuals or groups or give rise to suspicion that an offence is being committed;
- Attempts to otherwise compromise the security of the Navitas web server, breach of the State or Commonwealth laws, or interference with the use of the PIBT or Navitas website by other users.

5.8.4. PIBT and Navitas will take all reasonable steps to destroy hard copies of personal information that is no longer required, by secure means.

5.9. Grievance Procedures

- 5.9.1. An individual who believes that their personal information has not been dealt with by PIBT in accordance with this policy and the respective laws, may lodge a complaint with the PIBT Quality and Compliance Director in accordance with PIBT's Complaints and Appeals Policy.
- 5.9.2. An individual who believes that their personal information has not been dealt with by Navitas in accordance with the Navitas Privacy Policy and the respective laws, may lodge a complaint with the Navitas Privacy Contact Officer at: privacy.au@navitas.com
- 5.9.3. PIBT and/or Navitas will make all reasonable attempts to respond to your complaint or request. Following a complaint resolution process, if you are still not satisfied with the outcome, you may refer the matter to the Office of the Australian Information Commissioner at:

www.oaic.gov.au or Phone: 1300-363-992

6. Administrative procedures

- 6.1. This policy will be available on the PIBT website for students and distributed to staff at induction. Administrative staff that provide advice to students are provided with the policy by their respective supervisor.