

Privacy Policy

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Policy Base	<ul style="list-style-type: none"> • ESOS Act 2000 • National Code of Practice for Providers of Education and Training to Overseas Students 2018 (The National Code), Standard 3 • The European Union's (EU) General Data Protection Regulation (GDPR) • Privacy Act 1988 • Privacy Amendment (Enhancing Privacy Protection) Act 2012
Related Documents	<ol style="list-style-type: none"> 1. Letter of Offer 2. Admissions and Enrolment Policy and Procedure 3. Term and Conditions of Enrolment 4. Personal Information Form

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Purpose

This policy is in place to ensure the collection, use and management of personal information of students and staff at Ambridge Institute (“the Institute”), complies with the ESOS Act 2000 and the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code), the Australian Privacy Principles (APPs) contained in the Privacy Act 1988 and the Privacy Amendment (Enhancing Privacy Protection) Act 2012. Additionally, the General Data Protection Regulation (GDPR) is followed in relation to European students and staff members at Ambridge Institute, who have active residency in a European country under the European Union (EU).

Scope

This document applies to staff, contractors, current and prospective students of the Institute.

Definitions

- **ESOS Act** refers to Education Services for Overseas Students Act 2000 (Cth).
- **National Code** refers to the National Code of Practice for Providers of Education and Training to Overseas Students 2018.
- **Personal Information** defined under the Privacy Act 1988 (Cth) refers to any information or opinion about an individual, or that may reasonably identify an individual.
- **The General Data Protection Regulation (GDPR)** refers to The European Union’s (EU) regulation of the collection and use of information about customers. Any business that is established in the EU, supplies goods or services to EU residents in a targeted way, and businesses that monitor the behaviours or activities of EU residents using their personal data, are subject to this regulation.
- **Privacy Act 1988** refers to an Australian law which regulates the handling of personal information about individuals.
- **Australian Privacy Principles (APPs)** are contained in the Privacy Act 1988 and outline the handling, use and management of personal information.
- **Consent defined by the GDPR** refers to any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.
- **Consent as per the Australian Privacy Principles ((s 6(1))** refers to ‘express consent or implied consent’. The four key elements of consent include the individual being adequately informed before giving consent, the individual giving consent voluntarily, the consent is current and specific, and the individual has the capacity to understand and communicate their consent.
- **Data portability as per Legalvision** (<https://legalvision.com.au/>) refers to giving a person the right to transmit their personal data to another business without any hindrance from the business they originally provided their data to.

Policy

The Institute appreciates that privacy is important to you. The Institute is committed to handling personal information in accordance with the Australian Privacy Principles set out in the Privacy Act 1988 (Cth). This Privacy Policy applies to the collection, use and disclosure of personal information by the Institute. In this policy “we” and “us” refers to the Institute and “you” refers to any person about whom we collect personal information.

1. Information collected by Ambridge Institute

In collecting your personal information Ambridge Institute will comply with the requirements set out in the Privacy Act 1988, the Privacy Amendment (Private Sector) Act 2001 and the state privacy legislation.

This means that we will:

- Inform you of the purpose for which the information is collected.
- Only use the personal information that you provide to us in relation to your study with us.
- Ensure your personal information is securely handled and stored.
- We will inform you of any organisation and the type of organisation to which we disclose personal information e.g. the Australian Government or the National Centre for Vocation Education Research, as well as the purpose of disclosing this information e.g. for statistical purposes.
- We will not disclose your personal information to another person or organisation unless:
 - We have made you aware that information of that kind is usually passed to that person or organisation.
 - You have given written consent;
 - We believe that the disclosure is necessary to prevent or lessen a serious and imminent threat to your life or health or that of another person;
 - The disclosure is required or authorised by or under law; 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.

When you enrol in a course at Ambridge Institute we will collect personal information about you, such as your name, address, date of birth, telephone contact details, e-mail contact details, educational qualifications, occupation, work history (if relevant), nationality, country of birth, languages spoken, religion, passport number, visa type, test scores, emergency contact details, credit card details, proposed education pathway, academic progress reports, incident reports, class attendance details, library resources accessed, participation in social activities , health problems (if relevant).

We will collect personal information during the course of dealing with you, for example, as you progress through a course or program of study.

We may collect other personal information about you which is considered sensitive information (for example, information about whether you identify as Aboriginal or Torres Strait Islander; information which

may disclose your racial or ethnic origin (such as your proficiency in languages other than English); information about your health or information which may disability where this is relevant to accommodating your needs; and information that may disclose your membership of a professional or industry association (such as when assessing your eligibility for course credit or exemption).

We may collect government related identifiers, such as your tax file number, passport number (if relevant), Confirmation of Enrolment (COE) number (or equivalent), Unique Student Identifier (USI) which are necessary to verify your identity, to confirm your eligibility for enrolment and Credit Transfer (if relevant).

Collection of your personal information may be required by law for the purpose of reporting to Commonwealth, State and Territory government agencies for planning, evaluative and administrative purposes.

We generally collect personal information directly from you. We may also collect personal information about you from third parties, for example:

- from other educational institutions where necessary to verify qualifications and course credits for enrolment and assessment purposes;
- from your employer if your course or program of study is being supported by them or incorporated into your employment;
- from education agents;
- from other educational institutions and organisations that work with us recruiting potential students into our courses and programs of study;
- from other educational institutions and organisations that work in affiliation or partnership with us to provide, promote, accredit or recognise your course or program of study

We also collect personal information about you from third-parties for the purpose of direct marketing of our services. The use of your personal information for direct marketing purposes is discussed below. Where it is lawful to do so, we may monitor and record your communications with us (including email and telephone) for security and dispute resolution purposes.

A. Privacy Principles

- In collecting personal information, Ambridge Institute complies with the requirements set out in the Privacy Act 1988, including Australian Privacy Principles 3 and 5 (in accordance with the National VET Provider Collection Data Requirements Policy clause 4.4) and the relevant privacy legislation and regulations of the state in which Ambridge Institute operates.
- Personal information, including sensitive information, is collected from individuals in order that Ambridge Institute can carry out its business functions. Ambridge Institute only collects and stores information that is directly related to its business purposes and legal requirements of providing nationally recognised training and assessment.
- Sensitive information is only collected by Ambridge Institute if a permitted general or health situation applies in accordance with the Privacy Act (16A, 16B) such as, if:
 - The collection of the information is required or authorised by, or under, an Australian law or a court/tribunal order.

- It is unreasonable or impracticable to obtain the individual’s consent to the collection, use or disclosure.
- It genuinely and reasonably believes that:
 - The collection, use or disclosure is necessary to lessen or prevent a serious threat to the life, health or safety of any individual, or to public health or safety.
 - Unlawful activity, or misconduct of a serious nature, that relates to Ambridge Institute’s functions or activities has been, is being or may be engaged in, and the collection, use or disclosure is necessary in order for the entity to take appropriate action in relation to the matter.
 - The collection, use or disclosure is reasonably necessary to assist any APP entity, body or person to locate a person who has been reported as missing.
 - The collection, use or disclosure is reasonably necessary for the establishment, exercise or defense of a legal or equitable claim.
- Ambridge Institute ensures each individual:
 - Knows why their information is being collected, how it will be used and who it will be disclosed to.
 - Is made aware of any legal requirement for Ambridge Institute to collect the information.
 - 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 Ambridge Institute if they consider that their personal information has been mishandled.
 - Is made aware of any consequences for not providing the information requested.
 - Whether the information is likely to be disclosed to overseas recipients, and if so, which countries such recipients are likely to be located in.
- Ambridge Institute retains evidence that that the student has acknowledged the following Privacy Notice and Student Declaration as part of their enrolment process:
<https://www.education.gov.au/privacy-notice-and-student-declaration>

B. Collection of Information

- Under the Data Provision Requirements 2012, Ambridge Institute is required to collect personal information about students undertaking nationally recognised training and disclose that personal information to the National Centre for Vocation Education Research Ltd (NCVER).

NCVER will collect, hold, use and disclose personal information in accordance with the Privacy Act 1988 (Cth), the VET Data Policy and all NCVER policies and protocols (including those published on NCVER's website at www.ncver.edu.au).

- In general, personal information will be collected through course application and/or enrolment forms, training records, assessment records and online forms and submissions.
- The types of personal information collected include:
 - personal and contact details
 - employment information, where relevant
 - academic history
 - background information collected for statistical purposes about prior education, schooling, place of birth, disabilities and so on
 - training, participation and assessment information
 - fees and payment information
 - information required for the issuance of a USI
 - for international students:
 - current course information including CRICOS code, agreed starting date, expected completion date if the student did not start on the agreed date
 - Information about any terminations for change to identity and duration of the course
 - English language proficiency including the name of the test and the score received
 - visa information, including the DHA office where the visa application was made and current local DHA office
 - passport information including whether the student was in Australia when they became an accepted student.

C. Unique Student Identifiers (USI)

- All students participating in nationally recognised training from 1 January 2015 are required to have a Unique Student Identifier (USI) and provide it to Ambridge Institute upon enrolment. Alternatively, Ambridge Institute can apply for a USI on behalf of an individual.
- The Student Identifiers Act 2014 authorises the Australian Government's Student Identifiers Registrar to collect information about USI applicants. When Ambridge Institute applies for a USI on behalf of a student who has authorised us to do so, we need to collect personal information about the student which will be passed on to the Student Identifiers Registrar. This will include:
 - name, including first or given name(s), middle name(s) and surname or family name
 - date of birth
 - city or town of birth
 - country of birth
 - gender
 - contact details, so the Student Identifiers Registrar can provide individuals with their USI and explain how to activate their USI account.
- In order to create a USI on behalf of a student, Ambridge Institute will be required to verify the identity of the individual by receiving a copy of an accepted identification document. This document will only be used for the purposes of generating the USI and confirming the identity of the individual with the Registrar. Once the USI has been generated and validated, the identity documents used or collected for this purpose will be securely destroyed.
- The information provided by an individual in connection with their application for a USI:
 - is collected by the Registrar as authorised by the Student Identifiers Act 2014.
 - is collected by the Registrar for the purposes of:
 - applying for, verifying and giving a USI
 - resolving problems with a USI
 - creating authenticated Vocation Education and training (VET) transcripts
 - may be disclosed to:
 - Commonwealth and State/Territory government departments and agencies and statutory bodies performing functions relating to VET for:
 - the purposes of administering and auditing VET, VET providers and VET programs

- education related policy and research purposes
 - to assist in determining eligibility for training subsidies
 - VET Regulators to enable them to perform their VET regulatory functions
 - VET Admission Bodies for the purposes of administering VET and VET programs
 - current and former Registered Training Organisations to enable them to deliver VET courses to the individual, meet their reporting obligations under the VET standards and government contracts and assist in determining eligibility for training subsidies
 - schools for the purposes of delivering VET courses to the individual and reporting on these courses
 - the National Centre for Vocation Education Research for the purpose of creating authenticated VET transcripts, resolving problems with USIs and for the collection, preparation and auditing of national VET statistics
 - researchers for education and training related research purposes
 - any other person or agency that may be authorised or required by law to access the information
 - any entity contractually engaged by the Student Identifiers Registrar to assist in the performance of his or her functions in the administration of the USI system
 - will not otherwise be disclosed without the student’s consent unless authorised or required by or under law
- The consequences to the student of not providing the Registrar with some or all of their personal information are that the Registrar will not be able to issue the student with a USI, and therefore Ambridge Institute will be unable to issue a qualification or statement of attainment.

2. Employees, contractors and staff

The Institute will collect certain personal information about you, such as your name, address, educational history, work history and contact details (including your phone number and email address) when you make an enquiry about, or apply for, a position with the Institute.

We will collect personal information about you from third parties, such as your referees, as part of our assessment of your suitability for a position. In providing contact details for your referees, you are considered to have given your consent to our collecting personal information from your referees.

The Institute will collect certain additional personal information about you, such as your date of birth, tax file number, emergency contact details, ABN (if relevant), bank account and superannuation information, and visa, passport and licence details (if relevant), and details relating to your working with children and police checks, if you are offered a position at the Institute.

During the course of your employment or engagement at the Institute, we may collect other personal information about you, including records of your work performance, medical certificates, nationality, membership of a professional or industry association (if applicable), trade union membership (if applicable), information concerning your overseas health cover (if relevant) and information concerning any disputes relating to your employment or engagement.

This Privacy Policy does not apply to employee records held by the Institute relating to an employee or former employee of the Institute. The Institute may also collect personal information about individuals who are not students or clients of the Institute. This includes, for example, individuals who are enquiring about products or services offered by the Institute or are dealing with the Institute on a commercial basis (such as a supplier, contractor or education agent).

The Institute will collect personal information about you including your name, position, address, contact details (including your phone number and email address), licence or registration numbers (if relevant), ABN, bank details and other information relevant to the capacity in which you are dealing with the Institute.

3. Visitors to our website

People can generally visit the Institute's website without revealing who they are or providing any personal information. Ambridge Institute will not collect any personal information about visitors to the Institute's website, except when such visitors take steps to provide personal information to us (for example, by logging in to the website or when submitting an enquiry with your contact details).

Information provided through the Institute's website will be collected, held, used and disclosed in accordance with this Privacy Policy. If you provide us with personal information through our website, we may log your usage of the site to assist us to make our website more accessible and valuable to our students and clients.

The Institute website uses cookies. A 'cookie' is a small text file stored on your computer which assists in managing customised settings of the website and delivering content. The Institute website uses first party and third party cookies together to serve advertisements based on your visits to the website and third party websites.

The Institute uses third party services (including Google Analytics) to undertake demographic analysis of visitors to our website and to display advertisements on third-party websites. You can use the settings in your browser to control how your browser deals with cookies.

You can control the settings and/or opt out of display advertisements using Google's Ad Settings (<https://www.google.com.au/settings/ads>). The internet is not always a secure method of transmitting information.

Whilst the Institute takes reasonable steps to ensure that information it receives is maintained securely, it cannot ensure that communications conducted via the internet will be secure.

4. Storage and Use of Information

- Ambridge Institute 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 and electronically in a secure environment to which only authorised staff have access.
- The personal information held about individuals will only be used by Ambridge Institute to enable efficient student administration, report data to provide information about training

opportunities, issue statements of attainment and qualifications to eligible students, and to maintain accurate and detailed records of student course participation, progress and outcomes. Information about international students may also be shared to promote compliance with the conditions of student visas and the monitoring and control of visas.

- Ambridge Institute 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 by contacting our office. Information will not be passed onto any third-party marketing companies without the prior written consent of the individual.

5. Collecting and holding your personal information

The Institute collects and holds your personal information for the purpose of providing you with the products, services or information you have requested from us and to manage and administer the products and services we provide. Your information may be held by us after you have ceased to be a student or client to satisfy legal or regulatory recordkeeping obligations or, for example, to enable us to confirm or verify your participation in or completion of a course or program.

The Institute collects personal information about individuals who are not students or clients of the Institute for the purpose for which the information was provided (for example, to respond to an enquiry or administer or manage a commercial arrangement between the Institute and the individual).

6. Disclosure of Information

- Ambridge Institute will not disclose an individual's personal information to another person or organisation unless:
 - They are aware that information of that kind is usually passed to that person or organisation.
 - The individual has given written consent.
 - Ambridge Institute believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious threat to the life or health of the individual concerned or another person.
 - The disclosure is required or authorised by, or under, law.
 - 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 public revenue.
- Any person or organisation to which information is disclosed is not permitted to use or disclose the information for a purpose other than for which the information was supplied to them.
- Personal information may be used or disclosed by Ambridge Institute for statistical, regulatory and research purposes. Ambridge Institute may disclose personal information for these purposes to third parties, including:
 - Commonwealth and State or Territory government departments and authorised agencies; such as the Australian Skills Quality Authority (ASQA), Department of Education and Training (DET), the Department of Home Affairs (DHA) and the Tuition Protection Service (TPS).
 - NCVER

- Personal information disclosed to NCVET may be used or disclosed for the following purposes:
 - Populating Authenticated VET Transcripts
 - Facilitating statistics and research relating to education, including surveys and data linkage;
 - Pre-populating Ambridge Institute student enrolment forms
 - Understanding how the VET market operates, for policy, workforce planning and consumer information
 - Administering VET, including program administration, regulation, monitoring and evaluation.

7. Direct marketing

The Institute will use and disclose your personal information for the purpose of direct marketing, including keeping you informed of products and services and new developments we consider may be of interest to you. You may request that you not receive direct marketing communications at any time by contacting us at admissions@ambridge.edu.au or + 61 2 9261 3366.

8. Personal information disclosed to overseas recipients

The Institute may disclose personal information to overseas recipients. Unless we have your consent, or an exception under the Australian Privacy Principles applies we will only disclose your personal information to overseas recipients where we have taken reasonable steps to ensure that the overseas recipient does not breach the Australian Privacy Principles in relation to your personal information.

9. Consent as per the GDPR for European Students/Staff

This policy applies to all European students and staff members who have active residency in a European country under the European Union (EU).

- Under the General Data Protection Regulation (The GDPR), we will only use the personal information provided by the student, the parents/legal guardian for underage students and staff members with their consent given voluntarily.
- We will only process the submitted information that an individual 'has given consent to the processing of his or her personal data for one or more specific purposes' as per the GDPR (Article 6(1)(a)).
- Before an individual freely gives consent, the individual will also be informed of the right to withdraw consent as per the GDPR (Article 7(3)).
- For students under the age of 18 years old, the consent must be given by the student's parents or legal guardian.
- Under the GDPR, students and staff members have the right to:
 - the removal of his or her personal data;
 - data portability; and
 - object to the processing of the personal information provided.
- For intending students who do not consent to providing their personal information that is required to enrol and maintain their studies at the Institute, we will not be able to provide its education services as it will be in breach of the ESOS Act 2000 and the National Code 2018 (Standard 3).
- For applicants who do not consent to providing the required personal information for employment at the Institute, we will not be able to offer them a position.

10. Access to and Correction of Records

- Individuals have the right to access or obtain a copy of the information that Ambridge Institute holds about them including personal details, contact details and information relating to course participation, progress and AQF certification and statements of attainment issued.
- Requests to access or obtain a copy of the records held about an individual must be made by contacting our office using the Request to Access Records Form. The individual must prove their identity to be able to access their records.
- There is no charge for an individual to access the records that Ambridge Institute holds about them; however, there may be a charge for any copies made. Arrangements will be made within 10 days for the individual to access their records.
- You are required to provide us with their updated contact details, within 7 days of the change.

11. Complaints

Any individual wishing to make a complaint or appeal about the way information has been handled within Ambridge Institute can do so by following Ambridge Institute's Complaints and Appeals Policy and Procedure. We will consider and respond to your complaint within a reasonable period. If you do not consider the response to be satisfactory, you are entitled to make a complaint to the Office of the Australian Information Commissioner.

If you do not consider the response to be satisfactory, you are entitled to make a complaint to the Office of the Australian Information Commissioner.

The Office of the Australian Information Commissioner can be contacted by telephone on 1300 363 992. Full contact details for the Office of the Australian Information Commissioner can be found online at www.oaic.gov.au.

The Institute may amend this Privacy Policy from time to time, with or without notice to you. We recommend that you visit our website regularly to keep up to date with any changes.

12. Contacting Ambridge Institute

Student Services Advisor
Ambridge Institute
Level 5, 55 Market Street
Sydney NSW 2000
Telephone: + 61 2 9261 3366
Web: <http://www.ambridge.edu.au>
Email: reception@ambridge.edu.au

Document Control

These policies and procedure are approved and implemented by Ambridge Institute. This document will be electronically available to Ambridge Institute staff in PDF file in the designated folder. Any ongoing changes made to this document are recorded below.

Version	Authorised By	Description of the change	Approved Date	Effective Date
<i>Version 1</i>	<i>General Manager</i>	<i>Updated the entire Privacy Policy as per the National Code 2018</i>	<i>14 June 2019</i>	<i>14 June 2019</i>