

	Document Name	<b>Privacy and Personal Information Policy</b>
	Document No.	<b>FM-28</b>
	Reviewed by	<b>Systems Manager</b> on 15/06/2018
	Authorised by	<b>Corporate Leader</b> on 17/06/2018
	Comment	It is the responsibility of the recipient to identify/control superseded documents

GEM College of International Business (hereafter referred to as ‘**GEM**’) recognises the importance of customers to our business. This includes respecting the individual’s right to privacy. The following information is provided in accordance with the Australian *Privacy Amendment (Private Sector) Act 2000* and *National Privacy Principles*.

**GEM** provides a range of training and assessment services and is registered to do so as a training organisation (RTO). As an RTO, we are required to comply with the Australian Skills Qualifications Authority (ASQA), which comprises a set of standards. **GEM** college is subject to regular audits by all relevant authorities and accrediting bodies.

**Scope and Purpose of this Policy**

This policy applies to all personal information of Students that is collected and held by **GEM**, its staff and those contracted to provide services to and on behalf of **GEM**.

**GEM** is committed to protecting the privacy of your personal information. The purpose of this policy is to regulate the collection, management, use and disclosure of personal information by the College to maintain and protect the privacy of your information in accordance with the Privacy Act 1988. This policy reflects our commitment to building a culture of integrity, equity and social justice as an integral part of our mission.

**Definitions**

Unless otherwise indicated in this policy, the following words have the meaning indicated:

- **Access** involves giving information held by **GEM** to a student whose information it is. Giving access may include allowing the student to inspect personal information held about him/her and/or providing a copy of that information to him/her.
- **Collection** is the gathering, acquisition or obtaining of personal information. Collection includes when **GEM** keeps personal information it has come across by accident or has not asked for.
- **Consent** means voluntary agreement to some act, practice or purpose. It has two elements - knowledge of the matter agreed to; and voluntary agreement.
- **Disclosure:** in general terms **GEM**, discloses personal information when it releases information to others outside the College. It does not include giving students information about themselves (this is ‘**access**’ - see above).
- **Employee of GEM** means any person who is an agent, contractor or full/part time, who is authorised by **GEM** to represent the college via the terms of their appointment contract.
- **GEM** means **GEM** College of International Business.
- **Information Security** means all measures used to protect any information generated by **GEM** that is not intended to be made publicly available.
- **Personal Information** has the meaning as set out in s 6(1) of the Privacy Act and is “*Information or an opinion about an identified individual, or an individual who is reasonably identifiable*”.
- **Personal information security** means keeping personal information secure from misuse, interference and loss, as well as unauthorised access, modification or disclosure.
- **Privacy** refers to the type of privacy covered by the Privacy Act and this policy and refers to the protection of people's personal information.

- **“Regulatory bodies/agencies”** means an agency, organisation or other person covered by the Privacy Act, including those covered by the APPs, Part IIIA and the Tax File Number Guidelines 2011.
- **Sensitive information** has the meaning as set out in s 6(1) of the Privacy Act and includes information or an opinion about an individual’s racial or ethnic origin and criminal record.
- **TFN** means a tax file number and has the meaning set out in Part VA of the Income Tax Assessment Act 1936 (Cth).
- **Use** refers to, in general terms, the use of personal information and includes handling of personal information within GEM, including ‘the inclusion of information in a publication’.
- **USI** refers to a reference number used to create a secure online record of an individual’s nationally recognised training. The USI is linked to the National Vocational Education and Training (VET) Data Collection. This means that an individual’s nationally recognised training and qualifications gained anywhere in Australia, from different training organisations, will be kept all together.

For a more detailed list of definitions, see <https://www.comlaw.gov.au/Details/C2015C00534>

### **Types of Personal Information that we need to Collect**

Personal Information collected and held by **GEM** may include your full name, date of birth, current and previous qualifications, knowledge and skills, Unique Student Identifier (USI) data, current and previous addresses, current and previous employer organisations, occupational details, phone number, e-mail address, Australian Tax File Number (ATF), bank account or credit card details.

**Note:** If you chose not to provide personal information, **GEM** may not be able to provide you with the training and assessment services that you require.

### **How we Collect Personal Information**

**GEM** collects information in a number of ways including:

- Directly from you when you provide information by phone or in documents when you register for training and assessment services or when you provide bank or credit card details for payment
- From your employer or sponsoring organisation when they register you for training or assessment services
- From publicly available sources of information

### **How we use your Personal Information**

**GEM** may use your personal information to

- Register/assist you to register (if needed) for a USI number;
- Provide you with the training and assessment services you require;
- Administer and manage those services, including charging, billing and collecting debts;
- Provide evidence for our own use, or other Registered Training Organisations that you have attained recognised qualifications or undergone training and assessment with us;
- Inform you of ways our services could be improved;
- Inform you of new services and opportunities for training and assessment available; and
- Research and develop our services.

### **Responsibilities, Storage and Security**

**GEM** executive and management staff are collectively responsible for ensuring the effectiveness of the implementation of this policy. This includes ensuring **GEM** employees are made aware of this policy during induction and is outlined in their responsibilities as defined in employment contracts. **GEM** employees are therefore responsible for being aware of and complying with this policy.

The Corporate Leader and Campus Managers are ultimately accountable for ensuring that the privacy of student personal information held by **GEM** is protected. Relevant functional managers are responsible for

implementing and managing Information Security by

- Implementing secure storage procedures for personal information;
- Taking reasonable steps to ensure information collected is accurate, complete and current; and
- Ensuring they have systems that facilitate the secure transfer, storage and destruction of physical and digital records of personal information.

The information that we collect on Students is strictly confidential and procedures are in place to protect it against loss, misuse and alteration of information.

All our employees, who need to access personal information, receive appropriate training, and must adhere to procedures that are in place to protect your privacy.

### **When we may Disclose your Personal Information**

In some circumstances, we may disclose your personal information to other organisations. For instance, this may include:

- Your employing or sponsoring organisation, particularly when training is funded by them
- GEM's professional trainers and assessors
- Other Registered Training Organisations
- Government and regulatory organisations, including Australia Skills Qualifications Authority, State and Regulatory bodies
- Our professional advisors, including our accountants, auditors and lawyers
- Our related companies and partners
- Students' representatives: e.g. authorised representatives or legal advisors

### **How to ensure we hold Accurate Information**

**GEM** takes all reasonable precautions to ensure that the personal information that we collect, use and disclose is accurate, complete and current. However, the accuracy of that information is largely dependent on the information provided by students and their employing organisation. Students are therefore urged to

- Let us know of any errors in their personal information; and
- Advise us of changes to personal information - including their name, address or employer organisation.

### **Declaration**

Applicants wishing to enrol are required to complete the Declaration and Agreement to Terms of Enrolment and Privacy and Personal Information Policy (see overleaf)

### **Where you can access your Personal Information**

You have a right of access to the personal information we hold about you. If you would like to know more, please contact **GEM** at:

**Head Office:**

52 Prospect Road  
Prospect  
South Australia 5082

**Ph:** 61 8 8342 3316

**Fax:** 61 8 8342 2848

**Mailing address:**

Post Office Box 20  
North Adelaide SA 5006

### Declaration and Agreement to Terms of Enrolment and Privacy and Personal Information Policy

I (full names): \_\_\_\_\_ give this declaration and agree to these terms in support of my application for enrolment in a course delivered by GEM College of International Business (hereafter referred to as 'GEM'). I declare that I will produce to GEM originals of all documentation required in support of this application and I agree to produce any such documentation to GEM on request. I authorise GEM to obtain any further information or records from any educational institution or recognised educational qualifications assessment body and to verify any information about my employment history that I have given to GEM.

I acknowledge that I have been given the opportunity to read the student policies, procedures and terms set out in the GEM Website. I agree to be bound- and abide by the policies, procedures and terms set out on the GEM website (as amended from time to time) and given to me, if I am accepted as a student at GEM.

I understand that some GEM courses require the completion of practical experience assignments/ placements and that, if this is a requirement of my course, I will be required to complete all declarations, consents and checks required by law or otherwise reasonably required by GEM, including (where applicable) a Working With Children Check declaration and consent and criminal record checks. If I am unable to provide all required and satisfactorily completed declarations, consents and checks as and when requested by GEM, I might not be eligible to participate in practical experience placements and I understand that I might therefore be unable to complete the course.

I understand that, if GEM is required by law or considers it appropriate for public policy reasons (including health and safety) to close any campus; GEM may therefore require on-campus students to receive tuition via flexible delivery. I understand that GEM, as an approved RTO, is required to collect the information on this form, and is doing so for the purpose of reporting to government agencies. Such agencies will store my information securely in their Management Systems, and may disclose the information to the Australian Tax Office and other designated authorities. GEM, and other government agencies that it reports to, will not otherwise disclose the information without my consent unless required or authorised by law.

I declare that the information I have supplied to GEM in my enrolment application is complete, true and correct. I understand GEM is relying on this declaration and agreement in making any decision regarding enrolment and that GEM may change any such decision if this declaration is false.

### Privacy

I acknowledge that I have read and accept the terms of GEM's Privacy and Personal Information Policy (mark applicable block).

Yes:  No:

\_\_\_\_\_  
Signature

Date: