

# Privacy Policy

## Purpose

This Policy describes how the Sydney International School of Technology and Commerce (SISTC) collects and manages personal and sensitive information in the course of the School's business as an education provider in accordance with the *Privacy Act 1988 (Cth)* as amended, the associated *Australian Privacy Principles (2014)* and any other relevant legislation.

## Scope

In accordance with its Constitution and as required by the *Australian Privacy Principles (2014)*, SISTC describes its **primary purpose** as the provision of higher education in Australia in the regulatory context of the *Higher Education Standards Framework (Threshold Standards) 2021* and the *National Code of Practice for the Providers of Education and Training to Overseas Students 2018*. These *Standards* encompass all matters that SISTC would expect to address in the course of understanding, monitoring and managing its higher education activities during the student life-cycle, including associated risks.

This Policy applies to all persons who interact with the business of the School in any capacity. This includes:

- enrolled students and alumni;
- prospective students (and the parents/guardians of Australian students under the age of 18 if required);
- current and former employees;
- Board and Committee members;
- other individuals external to the School, such as stakeholders, internship placement providers, contractors, agents and suppliers and health or other professionals involved with student support; and
- users of the SISTC website or other electronic communication tools provided by SISTC.

This Policy does not apply to:

- prospective employees. (Note that the collection of personal information (including pre-employment checks) cannot be held under this Policy as records about prospective employees if they are subsequently *not employed* by an organisation at the end of a recruitment process)
- commercially sensitive information; or
- other information that does not fit the definitions shown below.

## Principles

SISTC endeavours to create and maintain a culture of respect for the privacy of all individuals by:

- incorporating the requirements set out in the *Australian Privacy Principles* into all relevant processes, procedures and systems;
- educating SISTC staff, students Board and Committee members in the operation of this Policy;
- informing business partners, such as agents, internship providers, contractors and other professionals of these requirements with respect to information shared with them in the course of SISTC business;
- assuring all individuals interacting with SISTC that their personal information will be treated in accordance with this Policy;
- assuring all individuals interacting with SISTC that their personal circumstances at any given time will be treated in accordance with the Policy;
- providing secure means for the communication or personal information; and
- providing mechanisms for the correction of personal information and for the lodging and handling of complaints about any suspected breaches of this Policy.

## Definition of Key Terms

According to the *Australian Privacy Principles*:

**Personal information** includes a broad range of information, or an opinion, that could identify an individual. What is personal information will vary, depending on whether a person can be identified or is reasonably identifiable in the circumstances. Some examples are:

- an individual's name, signature, address, phone number or date of birth;
- sensitive information (see below);
- financial or credit information;
- government identifiers e.g. passport number;
- photographs, video or voice recordings;
- internet protocol (IP) addresses;
- voice print and facial recognition biometrics; and
- location information from a mobile device.

**Sensitive information** is *personal information* that includes information, or an opinion, that relates to an individual's:

- racial or ethnic origin
- political opinions or associations
- religious or philosophical beliefs
- trade union membership or associations
- sexual orientation or practices
- criminal record; and
- health, genetic or some other biometric information.

**Unsolicited information** is personal information received by SISTC where the School has taken no active steps to collect the information.

**Disclosure** means that SISTC makes personal information accessible to others outside SISTC and releases the subsequent handling of the information from its effective control.

## Policy Statement

SISTC is committed to handling personal and sensitive information about individuals in an open and transparent way and in accordance with the *Australian Privacy Principles (2014)* and in conjunction with the principles of the *SISTC Anti-Discrimination Policy and the SISTC Equity and Diversity Policy*.

These Principles regulate how:

- SISTC can collect, hold, use and disclose personal and sensitive information; and
- an individual can access and correct personal information or make a complaint about a suspected breach of the Policy.

These Principles are applied at SISTC as follows:

### 1. COLLECTION AND USE OF PERSONAL AND SENSITIVE INFORMATION

SISTC collects personal and sensitive information:

- for lawful and reasonable purposes only; and
- with the consent of the individual to whom the information relates.

SISTC collects and uses personal and sensitive information from current and prospective *students* (and their parents/guardians if relevant) to:

- facilitate enrolment and progression through a course of study provided by SISTC
- exercise its duty of care to foster and support student wellbeing and safety, including the effective resolution of complaints and grievances;
- build and maintain the SISTC Alumni community; and
- meet legislative and/or regulatory record keeping or reporting requirements.

SISTC collects and uses personal and sensitive information from current and former *staff* to:

- support all aspects of the employee life cycle from recruitment to resignation/termination;
- exercise its duty of care to foster and support employee wellbeing and safety, including the effective resolution of complaints and grievances; and
- meet legislative and/or regulatory record keeping or reporting requirements.

SISTC collects and uses personal and sensitive information from SISTC Board and Committee members to:

- support all aspects of the activities of all Boards and Committees;
- exercise its duty of care to foster and support wellbeing and safety of members, including the effective resolution of complaints and grievances; and
- meet legislative and/or regulatory record keeping or reporting requirements.

SISTC collects and uses personal and sensitive information from *other individuals* external to SISTC where this is necessary to:

- enable the School to identify and interact with them if required during the course of SISTC business, including the resolution of complaints; and
- meet legislative and/or regulatory record keeping or reporting requirements.

SISTC may receive unsolicited personal information. Such unsolicited information will only be collected and used from an individual if it is directly relevant to SISTC's primary purpose, such as the delivery of education programs to SISTC students, the well-being and safety of SISTC students, employees and Board and Committee members and/or the resolution of complaints and/or grievances. As part of these processes, SISTC may also become, or be made aware of, personal or sensitive information relating to external personal circumstances of an individual as a student, staff member or stakeholder. In these cases, SISTC will take reasonable steps to ensure that the relevant individual/s is/are aware that their privacy is protected, both during and after the intervention and/or resolution process. Personal and/or sensitive information involved in such processes are/is collected and used in a manner that is also reasonably expected by the persons involved from a privacy perspective.

SISTC will notify the individual concerned when it collects personal and sensitive information either at the time of collection or as soon as practicable thereafter. This notification will also state:

- what the personal and sensitive information will be used for and who will have access to it; and
- whether the provision of it is voluntary and the consequences for individuals if this personal and sensitive information is not provided, or only provided in part.

SISTC recognises that some individuals may wish to remain anonymous or via a pseudonym at some stages of their interactions with SISTC. Individuals will be notified where this is not practicable e.g. for enrolment, employment or grievance resolution.

*No personal information is collected during access to SISTC's electronic communication platforms (e.g., website, email, social media, telephone calls) without the express consent of the user.*

## 2. STORAGE AND SECURITY OF PERSONAL AND SENSITIVE INFORMATION

SISTC will take reasonable steps to ensure that its holdings of personal and sensitive information are:

- accurate, up to date, complete and not misleading;
- relevant to SISTC business, not excessive or unreasonably intrusive;
- kept securely and for no longer than is necessary;
- protected from loss, unauthorised access, use, modification or other misuse; and
- disposed of lawfully and securely.

Access to personal and sensitive information held by SISTC is restricted to authorised persons who are SISTC employees, contractors, business partner representatives or other professionals who require such access to perform their duties for SISTC.

### 3. DISCLOSURE OF PERSONAL AND SENSITIVE INFORMATION

SISTC will not disclose personal or sensitive information to third parties outside SISTC unless it:

- has the written consent of the individual concerned;
- has a duty of care to disclose this information to the Police and a parent/guardian of a student or visitor under the age of 18;
- is required to do so by legislation, court order or other legally enforceable instrument received in appropriate written form; and
- reasonably believes disclosure to be necessary to prevent or lessen a serious and imminent threat to the life or health of any individual.

SISTC will ensure that business partners (local or overseas), such as agents, internship providers, contractors and cloud computing providers are made aware of these requirements with respect to information shared with them in the course of SISTC business.

SISTC will deal promptly with any unauthorised disclosures of personal information.

### 4. ACCESS TO AND CORRECTION OF PERSONAL INFORMATION

*Students* may seek access and request corrections to the personal and sensitive information collected about them by contacting the Academic Registrar ([registrar@sistc.nsw.edu.au](mailto:registrar@sistc.nsw.edu.au).) Access may be denied if such access would have an unreasonable impact on the privacy of others, or where such access may result in a breach of SISTC's duty of care to the student concerned. Authorised corrections will be made within ten (10) working days and without charge.

*Staff and Board/Committee members* may seek access and request corrections to the personal and sensitive information collected about them by contacting the Director of Operations. Access may be denied if such access would have an unreasonable impact on the privacy of others, or where such access may result in a breach of SISTC's duty of care to the staff member concerned. Authorised corrections will be made within ten (10) working days and without charge.

*Other individuals external to SISTC* may contact the SISTC via the SISTC Website ([complaints@sistc.nsw.edu.au](mailto:complaints@sistc.nsw.edu.au)) and will be advised within ten (10) working days of receiving this written request of how they may access or obtain a copy of their personal information, and any applicable processing fees.

## 5. OTHER PRIVACY INQUIRIES OR COMPLAINTS

The School recognises that feedback and complaints provide opportunities for continuous improvement. Other inquires or complaints about the operation of this Policy must be made in writing to the SISTC via the SISTC Website ([complaints@sistc.nsw.edu.au](mailto:complaints@sistc.nsw.edu.au)). All complaints will be investigated using the principles of procedural fairness and using an informal process in the first instance.

Straightforward complaints, which are resolved via an informal process of consultation between the School and the complainant, will be completed within ten (10) working days. A written response will be provided to the complainant, the agreed action implemented and the complaint recorded in the *Complaints Register* and/or the applicable student or staff record.

Complex complaints and those unable to be resolved by an informal process will be referred to an appropriate formal process for resolution within ten (10) working days of receipt. SISTC manages these complaints through a number of related policies and procedures that may be specific to students and staff, or include business partners, Internship hosts, external professionals or the general public:

## 6. PUBLICATION

This Policy is made available to:

- currently enrolled students via the SISTC Student Portal section of the SISTC website;
- current staff via the SISTC Staff Portal
- other individuals external to SISTC, including prospective students, via SISTC Website at [www.sistc.nsw.edu.au](http://www.sistc.nsw.edu.au).

## Roles and Responsibilities

The *Chief Executive Officer* is responsible for overseeing SISTC compliance with the requirements of Australian privacy legislation and for ensuring that all Board and Committee members and Senior Executives are aware of the *Australian Privacy Principles* and apply these to their areas of operation. This includes contracts with external business partners.

The *Academic Registrar* has the delegated responsibility for the implementation of the Policy across SISTC and for ensuring operational compliance. This includes the provision of ongoing training for staff, provision of appropriate information for students and the public and recording and reporting (where required) of complaints and any other Policy breaches.

The *Director of Operations* has the delegated responsibility to manage responses from *Staff* and *Board/Committee members* who seek access and request corrections collected by SISTC about their personal and/or sensitive information.

All *staff* and *students* are responsible for understanding and complying with the provisions of this Policy.

## Relevant Legislation and Standards

*Privacy Act 1988 (Cth)*

*Privacy Amendment (Private Sector) Act 2000 (Cth)*

*Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth)*

*Australian Privacy Principles (2014) (Cth)*

*Health Records and Information Privacy Regulation (NSW) 2012*

*Higher Education Standards Framework (Threshold Standards) 2021 Domains 2, 6 and 7 and 10*

## Key Related Documents

*SISTC Admissions and Enrolment Policy and Procedure*

*SISTC Agent Recruitment Review and Termination Policy*

*SISTC Anti-Discrimination Policy*

*SISTC Critical Incident Management Policy*

*SISTC Equity and Diversity Policy*

*SISTC Health and Safety Policy and Framework*

*SISTC Information and Communication Technology Standards*

*SISTC Information Systems Management and Security: Policy and Protocols*

*SISTC Marketing and Communications Policy*

*SISTC Records and Information Management Policy*

*SISTC Staff Rights and Obligations Policy*

*SISTC Student Complaints, Appeals and Grievances Policy*

*SISTC Student Support Policy*

*SISTC Work Integrated Learning Policy and Protocols*

## Notes

Responsible Officer	Chief Executive Officer
Approval Authority /Authorities	Board of Directors
Date Approved	<b>V1.0</b> 25 September 2020
Date of Commencement	Immediate
Date for Review	Every three years
Documents Superseded by this Policy	Expands the principles in the Records and Information Management Policy submitted for accreditation 2019
Amendment History	<b>V1.1</b> amended with the approved changes to the management structure <b>28 April 2021</b> . <b>V1.2</b> updated with the changes to the HESF 21 <b>1 July 2021</b> .