

PR1.4 Privacy and Personal Information Procedures Policy

Responsible Officer:	Chief Learning Officer
Functional Owner:	Head of Product Marketing
QAS Owner:	Quality Manager

1. Background

Open Colleges complies with all relevant Commonwealth, State and Territory legislation and regulatory requirements relevant to its operations, including the Australian Privacy Principles set out in the Privacy Act 1988.

2. Scope

The scope of this policy includes:

- Collection and use of personal information
- Information collection via the OC website
- Disclosure of personal information
- Security and integrity of personal information
- Marketing
- Rights to access and correct records
- Complaints, questions or problems and contacting Open Colleges
- Publication

3. Compliance

This policy and supporting documentation adheres to compliance with the following Standards for RTOs 2015:

Standard Eight: The RTO cooperates with the VET Regulator and is legally compliant at all times: Clauses 8.1, 8.2, 8.5, 8.6

4. Definitions

Australian Privacy Principles (APPs)	13 Privacy principles for private sector organisations, Australian government, ACT government and Norfolk Island agencies covered by the Privacy Act 1988. https://www.oaic.gov.au/resources/agencies-and-organisations/training-resources/privacy-law-reform/AustralianPrivacyPrinciples_summary_v6.pdf
Open Colleges Pty Ltd	Identified as 'we', 'us' or 'our' in this document
Personal information	is information or an opinion, whether true or not, and whether recorded in a material form or not, about an identified individual or an individual who is reasonable identifiable.

5. Policy

In the course of its business, Open Colleges Pty Ltd (Open Colleges, we, us, or our) may collect information from students or persons seeking to enrol with Open Colleges and other individuals who interact with Open Colleges in the course of its business, either electronically or in hard copy format, including information that personally identifies individual users. Open Colleges may also record various communications between individuals and Open Colleges.

In collecting personal information Open Colleges will comply with the requirements of the Australian Privacy Principles (APPs) set out in the Privacy Act 1988 (Cth) as amended by the Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Privacy Act).

From time to time, Open Colleges may be related to other entities (related entities) and this Privacy Policy applies if your personal information is dealt with by those related entities. A reference in this Privacy Policy to Open Colleges is also a reference to our related entities.

5.1 Collection and use of personal information

Personal information collected by Open Colleges may include (but is not limited to) the following:

- a. name;
- b. email address;
- c. contact details including telephone numbers (landline and mobile);
- d. education history;
- e. course and unit enrolment details; and
- f. information from your resume or job application if you apply for a job with us.

Open Colleges will only collect personal information from individuals by fair and lawful means which is necessary for the functions of Open Colleges. Open Colleges will only collect sensitive information with the consent of the individual and if that information is reasonably necessary for the functions of Open Colleges.

Open Colleges collects your contact information when you download a course brochure from our website. We collect your email address and phone number so that an Enrolment Consultant can get in touch with you.

During an enrolment consultation, an Enrolment Consultant may collect additional information about you, such as work and education background and goals for the future, so that we can suggest possible courses for you in line with your future aspirations.

The information requested from or otherwise collected about individuals by Open Colleges will only be used:

- a. to provide details of study opportunities;
- b. to enable efficient course administration;
- c. to maintain proper academic records;
- d. to report to government agencies as required by law;
- e. to get in contact with you to provide you with a course consultation;
- f. to provide updates about our products and services;
- g. to carry out market data analysis so that we can continue to enhance our services and offering;
- h. to send you newsletters and promotions and to conduct online surveys and competitions;
- i. to communicate with you and provide you with information, products or services you have requested;
- j. to promote and market our products and services to you or provide you with information that we believe may be of interest to you;
- k. to personalise and customise your experiences on our website;
- l. to process any job application submitted by you;
- m. if you are an employee or other representative of a customer to which we provide our products and services or a supplier or service provider to us, to communicate with you about your or your employer's engagement with us;

- n. to share your personal information with our related entities and business partners; and
- o. as otherwise set out in this Privacy Policy.

If an individual chooses not to give Open Colleges certain information, then Open Colleges may be unable to enrol that person in a course or supply them with appropriate information.

When you enrol with us and become an Open Colleges Student, all information about you is retained securely in accordance with this Privacy Policy.

Where we engage with you multiple times over a short period in relation to the same matter, we may not provide you with a separate notice about privacy each time we engage with you.

You consent to us using your personal information in the above ways.

We may collect and use your personal information for other purposes not listed above. If we do so, we will make it known to you at the time we collect or use your personal information.

We do not otherwise collect, use or disclose your personal information without your permission, unless the collection, use or disclosure is:

- a. in accordance with this Privacy Policy or any agreement you enter into with us; or
- b. required or authorised by law, including without limitation the APPs under the Privacy Act.

5.2 Information collected via our website

5.2.1 Google Analytics

We use Google Analytics to help analyse how you use our website. Google Analytics generates statistical and other information about website use by means of cookies, which are stored on users' computers. The information generated is used to create reports about the use of our websites. Google will store this information. We will not (and will not allow any third party to) use Google Analytics to track or to collect any personally identifiable information of visitors to our websites. We will not associate any data gathered from the websites with any personal information from any source as part of our use of Google Analytics.

If you do not want your website visit data reported by Google Analytics, you can install the Google Analytics opt-out browser add-on. For more details on installing and uninstalling the add-on, please visit the Google Analytics opt-out page at <https://tools.google.com/dlpage/gaoptout>

5.2.2 Cookies

Like many websites, Open Colleges' websites may use 'cookies' from time to time. Cookies are alphanumeric identifiers, which enables our systems to recognise your browser and to automatically collect information such as your IP address, operating system and browser type, for system administration. This is statistical data about our user's browsing actions and patterns and does not identify any individual. We use this information to enhance the content and services offered on our website.

You can configure your browser to accept all cookies, reject all cookies, or notify you when a cookie is sent. Each browser is different, so check the "Help" menu of your browser to learn how to change your cookie preferences.

If you disable the use of cookies on your web browser or remove or reject specific cookies from our websites or linked sites then you may not be able to gain access to all of the content and facilities in those websites.

5.2.3 Web beacons

Web beacons are images that originate from a third party site to track visitor activities. We use web beacons to track the visiting patterns of individuals accessing our website.

5.2.4 Third party content

Some of the content on our websites includes applications made available by third parties, such as social media buttons or links that allow you to share content or links to our websites through the relevant third party platforms. These third party applications themselves may facilitate collection of information by those third parties, through your interaction with the applications and sometimes even if you do not interact directly with them. We are not responsible for the technical operation of these applications or the collection and use practices of the relevant third parties. Please visit the relevant third party websites to understand their privacy practices and options they may make available to you in relation to their collection of your personal information.

5.3 Disclosure of personal information

Personal information about students studying with Open Colleges may be shared with the Australian Government and designated authorities, including the Australian Skills Quality Authority (ASQA), the Commonwealth Department with responsibility for administering the Higher Education Support Act 2003 (Cth), Higher Education Support Act 2003, the Tuition Assurance Scheme manager, National Centre for Vocational Education Research (NCVER) and organisations that run courses in conjunction with Open Colleges including other Registered Training Organisations (RTOs)

This information includes personal and contact details, course and unit enrolment details and changes.

Open Colleges may disclose, or provide access to, your personal information to third parties in connection with the purposes described in section 2 "Collection and use of personal information". Depending on the nature of your engagement with us, we may disclose your personal information to our related entities, to third parties that provide products and services to us or through us, or to other third parties (such as your referee(s) in connection with a job application you have submitted).

We may also disclose your personal information to our website host or software application providers in certain limited circumstances, for example when our websites experience a technical problem or to ensure that they operate in an effective and secure manner.

Open Colleges will not otherwise disclose an individual's personal information to another person or organisation unless in accordance with this Privacy Policy.

Any person or organisation that collects information on behalf of Open Colleges or to whom personal information is disclosed as described in this procedure will be required to not use or disclose the information for a purpose other than the purpose for which the information was collected by them or supplied to them.

5.3.1 Overseas disclosures

Some of your personal information may be transferred, stored, processed or used overseas by us or by third party service providers. This may happen if our related entities are overseas, if we outsource certain activities overseas

or if transactions, information, services or products have an overseas connection. You consent to the collection, use, storage, and processing of your personal information outside of Australia.

In particular, your personal information may be disclosed to third party service providers which may store your personal information in the United States of America and such other countries in which those parties or their, or our, computer systems may be located from time to time, where it may be used for the purposes described in this Privacy Policy, without us being responsible under the Privacy Act for such use (or for any breach). In these circumstances, you consent to the collection, use, storage and processing of your Personal Information in those countries. Where such parties are located overseas, you may have rights to enforce such parties' compliance with applicable data protection laws, but you may not have recourse against those parties under the Privacy Act 1988 (Cth) in relation to how those parties treat your personal information.

5.4 Security and integrity of personal information

Open Colleges is committed to ensuring the confidentiality, security and integrity of the personal information it collects, uses and discloses.

Open Colleges will take all reasonable steps to ensure that any personal information collected is relevant to the purpose for which it was collected, is accurate, up to date and complete.

Open Colleges will store securely all records containing personal information and take all reasonable security measures to protect personal information it holds from misuse, interference, loss, unauthorised access, modification or disclosure.

Where Open Colleges has no further use for personal information for any purpose disclosed by Open Colleges, or is no longer required to maintain that personal information (whichever is later), all reasonable steps will be taken to destroy or de-identify the information.

5.5 Marketing

You consent to us using your personal information for sending you information, including promotional material, about us or our products and services, as well as the products and services of our related entities and third parties, now and in the future. You also consent to us sending you such information by means of direct mail, telemarketing, email, SMS and MMS messages.

If you do not want to receive marketing information from us, you can opt out from receiving such material in any of the following ways:

- a. following the instructions in the relevant marketing communication;
- b. clicking on the relevant 'Unsubscribe' link in a direct marketing email that you have received from us;
- c. enrolled students can log into their account on our website and edit their communications preferences; or
- d. contacting us using the contact details and specifying whether your request relates to opting out of a particular marketing channel or from all direct marketing communications from us.

5.6 Right to access and correct records

Individuals have the right to access or obtain a copy of the personal information that Open Colleges holds about them. Requests to access or obtain a copy of personal information must be made in writing. There is no charge for an individual to access personal information that Open Colleges holds about them; however Open Colleges

may charge a fee to make a copy. Individuals will be advised of how they may access or obtain a copy of their personal information and any applicable fees within 10 days of receiving their written request. Where it is reasonable to do so, access to the information will be provided in the manner requested by the individual.

If an individual considers their personal information to be incorrect, incomplete, out of date or misleading, they can request that the information be amended. Where a record is found to be inaccurate, a correction will be made as soon as practical. Where an individual requests that a record be amended because it is inaccurate but the record is found to be accurate, the details of the request for amendment will be noted on the record. There is no charge for making a request to correct personal information.

Written requests for access to, to obtain a copy of, or correct personal information held by Open Colleges should be sent to:

Chief Learning Officer
Open Colleges
PO Box 1568
Strawberry Hills NSW 2012

5.7 Complaints, questions or problems and contacting Open Colleges

If you:

- a. have a query or concern about this Privacy Policy or our personal information handling processes; or
- b. would like to opt out of direct marketing, please contact us at:

Chief Learning Officer
Open Colleges
PO Box 1568
Strawberry Hills NSW 2012

If you wish to make a complaint:

- a. students or prospective students may lodge a complaint using Open Colleges' Complaints Procedure (Document reference number PR 7.1) which will enable you to lodge complaints of a non-academic nature, including complaints about handling of personal information;
- b. trainers and assessors may lodge a complaint in accordance with Open Colleges' Course Management Policy;
- c. staff may lodge a complaint in accordance with our Human Resources Policies; and
- d. for any other persons, complaints can be sent in writing to the Chief Learning Officer, Open Colleges, PO Box 1568, Strawberry Hills NSW 2012.

Where not covered by a policy referred to above, we will investigate your queries and complaints within a reasonable period of time of receiving the complaint and will notify you of the outcome of our investigation.

5.8 Publication

This Privacy Policy and Personal Information Procedures will be made available to students and persons seeking to enrol with Open Colleges and other individuals who interact with Open Colleges by publication on Open Colleges' website: www.opencolleges.edu.au. Alternatively, a copy of this Privacy Policy may be requested by contacting Open Colleges using the contact details provided above.

In order to ensure that students have given their informed consent for their personal information to be disclosed to certain third parties as outlined in this procedure, Open Colleges will advise students on enrolment about these procedures and where they are located.

6. Quality and Continuous Improvement

This Policy and Procedure is subject to systematic review, evaluation and improvement, including annual review and ongoing feedback from stakeholders

7. Other related documents

- Our Education Blueprint V3, August 2013

8. Related Legislation and Guidelines

- [Users' Guide for Standards for Registered Training Organisations \(RTOs\) 2015](#)
- [Australian Privacy Principles](#)
- [Privacy Act 1988](#)

For internal use only: [QMS1.8 Location of QMS related documents.](#)

Communication:

All Policies, Procedures, Forms and Guidelines are loaded into the Quality Management System (QMS) in Open Colleges' quality Space located in SharePoint. This will automatically update documents in all locations. Changes will be communicated to all staff via Firefly Chatter.

Version:	Approved	Endorsed	Effective date	Review date
3	Chief Learning Officer 10/03/17	Functional Owner 10/03/17	10/03/17	10/03/18
Version History:	V1: September 2016 Created as part of the new format QMS documents. Content taken from PR1.1 V6 Pre-Enrolment Information Procedure and PR1.2 V9 Student Recruitment, Admissions & Enrolment Procedure V2: September 2016 – reformatted to new template V3: March 2017 – reformatted to new template			
Course Type:	All			
RTOs:	Open Colleges Pty Ltd (90796) Integrated Care and Management Training Pty Ltd (90197) College of Fashion Design (3798)			
Partner RTOs:	Yes			