

## IEFT PRIVACY POLICY

### **PURPOSE**

This policy sets out how IEFT collects, uses and processes personal data, as well as ensuring that information about staff members, students, alumni and/or stakeholders is kept confidential. Any information collected or provided to IEFT will be used only in the ways described in this policy and in accordance with IEFT's obligations as a higher education provider. IEFT acknowledges its obligation with regards to the collection, storage and use of information within the framework of the NSW Privacy and Personal Information Protection Act 1998, the Information Privacy Act 2002, the Privacy Amendment (Enhancing Privacy Protection) Act 2012, and the Office of the Australian Information Commissioner's Privacy Management Framework. These Acts and the Privacy Management Framework set out the principles and procedures that IEFT must abide by when it collects, stores, uses and discloses Personal Information.

### **SCOPE**

This policy applies to all members of the IEFT community.

### **RESPONSIBILITIES**

**The CEO** is responsible for the implementation of this policy.

**Line managers** are responsible for training new staff in privacy obligations and management.

**Any Staff Member** whose duties, scholarly work or activities as an employee of IEFT, collects personal information must ensure they meet their obligation to protect such personal information in accordance with the NSW Privacy and Personal Information Protection Act 1998, the Information Privacy Act 2002, the Privacy Amendment (Enhancing Privacy Protection) Act 2012, and the Office of the Australian Information Commissioner's Privacy Management Framework. Staff members are responsible for reporting unauthorised access to their email accounts or to documents stored electronically, to the CEO.

Students are responsible for reporting unauthorised access to their Edmodo accounts to the Dean (Emotionally Focused Therapy).

Group IT is responsible for promptly issuing new email passwords to affected users on receiving a report of unauthorised access and assessing whether any other action is required.

The Executive Management Committee is responsible for monitoring and reporting on IEFT's privacy management and any breach of this policy, and planning for prevention actions.

### **DEFINITIONS**

**Personal Information** is defined as any information that would allow an individual to be identified, or any information relating to the persons study or work at IEFT as an employee, contractor or supplier. This includes name, phone number, email address, address, bank details, nationality, date of birth, education history, enrolment history, physical characteristics, license, passport number, medical information, staff or student identification numbers, tax file number, or any other information that can identify an individual.

IEFT considers any information that an individual discloses in public online forums or other interactive media to be public information which therefore may not be covered by protections under the Acts.

**A Data Breach** is unauthorised access or disclosure of personal information, or loss of personal information. A data breach may result from malicious action, human error or a data systems failure<sup>1</sup>.

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<sup>1</sup> Office of the Australian Information Commissioner (2018). *Data Preparation and Response – a guide to managing data breaches in accordance with the Privacy Act 1988 (Cth)*. Retrieved from <https://www.oaic.gov.au/agencies-and-organisations/guides/data-breach-preparation-and-response>

## **POLICY**

### **1. Collection of Personal Information**

IEFT collects personal information from a variety of sources for staff, prospective and enrolled students, alumni, committee members and stakeholders. Information may be collected by:

- industry partner associations and host organisations providing work integrated learning experiences or other body which is a member or affiliated with IEFT;
- an application form, client consent form, student feedback survey, unit evaluation, assessment extension request, or critical incident report;
- a prospective student entering personal information into an online system;
- contact form on IEFT's website;
- email, telephone or mail;
- engagement via social media;
- interview or meeting with staff;
- participation in any course, workshop, activity, or event offered by IEFT;
- applications for employment, contract work or as a supplier to IEFT;
- where required to do so by law (for education, child protection, work health and safety or other legislation in Australia).

The information that IEFT may collect includes:

- names;
- date of birth;
- position titles;
- contact information, including email address, address, phone, Skype address;
- date of birth;
- demographic information such as postcode, age, and gender;
- course of study;
- unique student identifier;
- licence number, passport number, and Tax File Number;
- information about employment background, work experience, business or personal affairs;
- information about circumstances affecting study such as disability; and
- financial information and banking details.

### **2. Use of Personal Information**

IEFT will collect and use personal information for the following purposes:

- to provide information, educational products and services to students, and to request information to manage and administer those products and services (including enrolment, assessment, and issuing records of results and testamurs);
- to respond to queries relating to IEFT courses, units, workshops, requests for advice, complaints and services;
- to better understand student needs, and enable IEFT to improve its courses and services;
- for internal record keeping;
- to circulate promotional emails about new courses and services, special offers or other information relevant to studying at IEFT;
- to report on student outcomes according to requirements by the Tertiary Education Quality Standards Agency (TEQSA);
- to report to TEQSA and the Department of Education and Training on IEFT's key personnel and fit and proper persons responsible for management of IEFT; and
- to promote relevant study and work integrated learning opportunities;
- to review and revise courses according to student and staff feedback;. And

- to employ staff in IEFT.

### 3. Modes of Communication

IEFT may communicate with staff, prospective students, current course and CPD students, alumni, committee members and stakeholders by a variety of measures, including by telephone, email, SMS, social media, the IEFT website, or mail. Staff members, enrolled students and committee members are expected to maintain up to date contact details at all times.

### 4. Disclosure of Stored Personal Information

IEFT will provide access to personal information it holds:

- if IEFT obtains written permission from the relevant party to provide access to the information;
- under relevant legislation, and depending on circumstances:
  - The Department of Education and Training;
  - The Department of Home Affairs;
  - TEQSA;
  - Australian Tax Office;
  - Superannuation funds; and
  - Centrelink.

IEFT may disclose personal information in order to:

- assist with core functions such as the recruitment of students;
- verify educational information details upon request from third parties, such as verifying completion of courses, requests from potential employers to verify qualifications, and further enrolment into other higher education institutions;
- comply with IEFT's legal and regulatory obligations, including disclosure and reporting to Commonwealth, State and Territory government agencies for planning, evaluative, administrative and funding purposes. This may include:
  - disclosure and reporting to Commonwealth and State government agencies for the purpose of administering entitlements to financial assistance under Commonwealth and State government programs for supporting students, such as FEE-HELP;
  - disclosure to government agencies responsible for administering and regulating education and training providers in Australia, such as Tertiary Education Quality and Standards Agency (TEQSA), Australian Skills Quality Authority (ASQA), and Tuition Protection Service (TPS);
  - management of international students' enrolment in IEFT courses;
- notify credit reporting agencies and courts, tribunals, and regulatory authorities where students fail to pay for goods or services provided by IEFT to them, when internal avenues for remedy have been exhausted;
- respond to courts, tribunals, regulatory authorities, and law enforcement officers as required by law in connection with any actual or prospective legal proceedings, or in order to establish, exercise or defend IEFT's legal rights;
- communicate with relevant third party or parties, with relevant consent, if a matter involves third parties. When IEFT discloses personal information to third parties, it will request or otherwise seek confirmation that the third party follows Australian Law and Privacy Principles regarding management of personal information;
- pay wages, superannuation and other relevant employment benefits; and
- protect the safety of students and/or staff in the case of risk of safety.

IEFT does not typically or routinely disclose personal information to overseas recipients, unless consent has been given, or an exception under the Australian Privacy Principles applies, and will only disclose personal information to overseas recipients where reasonable steps have been taken to ensure the overseas recipient does not breach the Australian Privacy Principles in relation to personal information. In circumstances where information is disclosed to overseas recipients, those recipients are likely to be located in countries within regions in which we operate.

## **5. Change of Management of IEFT**

If there is a change of management of IEFT, or a sale or transfer of business assets, IEFT reserves the right to transfer to the extent permissible at law its user databases, together with any personal information and non-personal information contained in those databases. IEFT will only disclose information in good faith and will maintain the confidentiality of staff, student, alumni and stakeholders at all times.

## **6. Data Security**

IEFT is committed to ensuring that the information provided by staff, students, alumni, committee members and stakeholders is stored securely. In order to prevent unauthorised access or disclosure, IEFT has in place suitable physical, electronic and managerial procedures to safeguard and secure the information and protect it from misuse, interference, loss and unauthorised access, modification and disclosure.

IEFT takes seriously the risk of a breach of data security and takes reasonable steps to reduce the risk of a breach. Data security is included in IEFT's Risk Management Framework.

The Executive Management Committee monitors risk to data security. The CEO will immediately report a notified breach of data security to the Board of Directors, including a plan for how to reduce risk of harm to affected individuals (for example, change of password if an email or Edmodo account has been subject to unauthorised access).

The Board of Directors will report Notifiable Data Breaches to affected individuals and the Privacy Commissioner (in the case that stored information on Tax File Numbers has been accessed) when serious harm is likely and remedial action taken by IEFT has not reduced the risk of harm.

However, information transmitted over the Internet cannot be guaranteed to be secure. IEFT cannot guarantee the security of any electronic information that is transmitted or received.

## **7. Use of Cookies**

IEFT may use cookies on the website from time to time for statistical purposes only. A cookie is a small file which asks permission to be placed on the user's computer's hard drive. Once the user agrees, the file is added and the cookie helps analyse web traffic. Cookies allow web applications to respond to the user as an individual. The web application can tailor its operations to user needs and preferences by collecting and remembering information, following which the data is removed from the system. Cookies do not give IEFT access to users' computers or any information, other than data provided by users. Users can choose to accept or decline cookies.

IEFT may also use web beacons on the website from time to time. Web beacons or clear.gifs are small pieces of code placed on a web page to monitor the behaviour and collect data about visitors

viewing a web page. For example, web beacons can be used to count the users who visit a web page or to deliver a cookie to the browser of a visitor viewing that page.

## **8. Links to Other Websites**

The IEFT website may provide links to other websites of interest. IEFT does not have any control over other websites. Students should exercise caution when accessing such websites and look at the Privacy Policy applicable to the website in question.

## **9. Controlling Personal Information**

**9.1 Choice and Consent:** In order for IEFT to fulfil its duty in providing accredited higher education courses and services, staff and students will be required to disclose certain personal information. Personal information is covered within the framework of this Privacy Policy. IEFT will not sell, distribute or release personal information to third parties unless it has permission or is legally required to do so.

**9.2 Anonymity:** IEFT will provide prospective students with the option of remaining anonymous or using a pseudonym where it is lawful and practicable (for example, when making an enquiry). Generally it is not practicable or lawful for IEFT to deal with students anonymously or pseudonymously on an ongoing basis (for example, if the individual wishes to enrol in a course of study).

**9.3 Restrict Access:** Staff, students, alumni and stakeholders may choose to restrict the collection or use of personal information. Students who have previously agreed to IEFT using their personal information for marketing purposes may change their mind at any time by notifying the IEFT CEO.

**9.4 Access:** Staff, students, alumni and stakeholders may request access to personal information held by IEFT in accordance with the provisions of the Privacy Act. . A small administrative fee may be payable for the provision of personal information. IEFT will require evidence of identification prior to releasing information, and reserves the right to refuse to provide individuals with such information in certain circumstances as set out in the Act.

**9.5 Correction:** If a staff member, student, alumnus or stakeholder believes that personal information stored by IEFT is inaccurate, out of date, incomplete, irrelevant or misleading, a request for the information to be rectified or updated is to be submitted to the IEFT CEO. IEFT relies in part upon individuals advising us of any changes in their personal information. IEFT will respond to a request for correction of personal information within a reasonable timeframe of five working days, and will promptly correct such information within this timeframe.

**9.6 Unsubscribe:** Students, alumni and stakeholders may unsubscribe from the e-mail database, or opt out of communications by emailing the IEFT CEO.

## **10. Complaints**

In the case that a staff member, student, alumnus or stakeholder believes that IEFT has breached its privacy obligations or this policy, the relevant policy is to be followed in raising a grievance or making a complaint: Staff Grievance and Complaint Policy; or Grievance, Complaints and Appeals Policy and Procedure (for prospective and enrolled students). Complaints will be responded to within the framework of the relevant policy.

To contact IEFT about privacy concerns, please email the IEFT CEO.

**RELATED**

- Grievance Complaints and Appeals Policy
- Grievance Complaints and Appeals Procedure
- Media and Communication Policy
- Staff Grievance and Complaints Policy
- Student Information and Representation Policy
- Student Selection and Admission Policy
- Student Selection and Admission Procedure
- Risk Management Framework

Formal Complaints and Appeals Lodgement Form

A copy of the Australian Privacy Principles may be obtained from the website of The Office of the Federal Privacy Commissioner at [www.privacy.gov.au](http://www.privacy.gov.au).

**Version Control**

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<b>Version:</b>	V1.2	<b>Replaces Version:</b>	V1.1	<b>Next Review:</b>	2019