

112-PP-MEGA Privacy Policy

Relevant Standards SRTOs 2015: 3.6 (d) 8.5	Linked Documents Audit and Compliance Guidelines Documents and Records Management Policy USI Policy
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1. Purpose

This document outlines MEGA's policy regarding the collection, use, storage, disclosure of and access to personal information of past and present staff, students and other members of MEGA.

2. Scope

This policy applies to personal information collected by MEGA in relation to staff, students, prospective students, individual clients and other individuals.

This policy must be observed by all MEGA staff, consultants, external contractors and students who have access to personal information held by MEGA.

3. Definitions

Personal Information: Means information or an opinion (including information or an opinion expressed in surveys, and personal interviews), that is recorded in any form, and whether true or not, can identify an individual.

Sensitive Information: Is information or an opinion about an individual's including the following:

- Racial or ethnic origin
- Membership of a political association
- Religious beliefs or affiliations
- Membership of a professional or trade association
- Membership of a trade union
- Sexual preferences or practices
- Criminal record
- Health information.

LMS: Learning Management System

Learning Management System: Software that allows educational institutions to create and host courses on the Internet

USI: Unique Student Identifier

4. Legislative Context

- Information Privacy Act 2000
- Student Identifiers Act 2014
- Health Records Act 2001
- Commonwealth Copyright Act 1968
- Commonwealth Privacy Act 1988
- Freedom of Information Act 1982
- Public Records Act 1973

5. Policy Statement

5.1 MEGA shall ensure that it manages and monitors all personal information of students, employees and other stakeholders in accordance with the relevant privacy laws, including the Student Identifiers Act 2014, enacted in 2014.

5.1 The collection and use of personal or sensitive information must relate directly to the legitimate purposes of MEGA.

5.2 Individuals must be made aware of, or informed of, the purposes for which personal information or sensitive information is obtained.

5.3 MEGA will take all reasonable measures to store personal or sensitive information securely. Individuals are entitled to have access to their own records, unless prevented by law.

5.4 No third-party access to personal and or sensitive information will be granted unless required under law.

5.5 MEGA will ensure that the information it holds is current and update or amend as necessary.

5.6 MEGA will observe the Information Privacy Principles specified in the Information Privacy Act 2000, and the Health Privacy Principles specified in the Health Records Act 2001.

5.7 Where MEGA applies for a USI on behalf of an individual it will ensure that it has the authorisation of that individual and provide the required USI Privacy Notice as required under the Student Identifier Act 2014.

5.8 All data, personal information and documents provided by the student to assist MEGA in the application of USI will be shredded after completion of the process and not be retained as required under the Act.

6. How the Information may be collected?

MEGA may collect personal information directly from individuals either through personal interaction or print or electronic mediums including MEGA's website, Learning Management System (LMS) forms, surveys and correspondences.

MEGA may also collect personal information about an individual indirectly from education agents, employment agencies, past employers and commonwealth and state agencies.

MEGA will not collect sensitive information about an individual without the explicit consent of the individual or unless required under law. Health information may be collected if found necessary to prevent or lessen a serious and imminent threat to the life or health of any individual.

USI:

As the USI is a requirement for local/domestic students to enrol in and obtain competency records/AQF documentation, MEGA shall provide the prospective and enrolling students about the process to register/apply for a USI on its website, handbooks, and during orientation.

Where MEGA applies for a USI on behalf of an individual it will ensure that it has the authorisation of that individual and provide the required USI Privacy Notice as required under the Act.

All data, personal information and documents provided by the student to assist MEGA in the application of USI will be shredded after completion of the process and not be retained as required under the Act.

7. Use of Information

MEGA will use the information for the primary purpose for which it is collected. MEGA may also use the information it holds for statistical purpose including research, analysis of trends and reports without compromising or disclosing identify of any individuals except as outlined in “Disclosure of Information” below.

8. Disclosure of Information

MEGA will not without the prior consent of an individual disclose personal or sensitive information about that individual for a purpose other than the primary purpose of collection except in any of the following situations and MEGA reasonably believes that the use or disclosure is necessary to lessen or prevent either of the following:

- A serious and imminent threat to an individual’s life, health, safety or welfare
- A serious threat to public health, public safety or public welfare
- MEGA has reason to suspect that unlawful activity has been, is being or may be engaged in, and uses or discloses the personal information as a necessary part of its investigation of the matter or in reporting its concerns to relevant persons or authorities
- The use or disclosure is required or authorised by or under law
- The prevention, detection, investigation, prosecution or punishment of criminal offences or breaches of a law imposing a penalty or sanction
- The prevention, detection, investigation or remedying of seriously improper conduct
- The preparation for, or conduct of, proceedings before any court or tribunal
- The information is request or sought by Australian law and enforcement agencies.

Information held by MEGA can be provided, in certain circumstances, to the Australian Government and designated authorities and, if relevant, the Tuition Assurance Scheme and the ESOS Assurance Fund Manager. This information may include personal and contact details, course enrolment details, and the circumstances of any breach of a student visa condition.

9. Access, Storage and Security of Information

All the information will be stored in secured locations either on MEGA’s protected computer systems or locked cabinets. In addition, MEGA will take all reasonable steps to protect the personal and sensitive information it holds.

MEGA will take reasonable steps to destroy any personal or sensitive information if it is no longer needed for any purpose.

Only the staff and members of organisation authorised by the Chief Executive Office of MEGA will have access to the stored information for the specific purpose for which the access is required. Individuals may request access to their personal or sensitive information held by MEGA by contacting the Chief Executive Office. The Chief Executive Office has the right to refuse the access to the information if:

- Providing access would have an unreasonable impact on the privacy of other individuals
- The request for access is frivolous or vexatious
- Providing access would be unlawful and/or compromise any ongoing or pending investigations or legal proceedings
- Any law and enforcement agency has request MEGA not to provide the access.

10. Responsibilities

The Chief Executive Officer is responsible for implementation and administration of this policy.

All MEGA staff, consultants, external contractors and students who have access to personal information held by MEGA have the responsibility to observe this policy.

Admissions Officer or Admissions Manager will be responsible for the destructions/disposal of all documents, data and information collected for USI purposes.

Any complaints or breaches in relation to this policy should be reported to the Chief Executive Officer in person or by email to: ceo@mega.edu.au.

Revision History:

Version No:	Date	Description of modifications	Staff responsible
1	December 2017	First Review and alignment of PP to new National Code 2018 and SRTOs 2015.	CEO
2	January 2018	New PP approved	CEO
3	October 2018	Review of PP	CEO
4	November 2023	Review of PP in preparation for internal audit by RTO Advance	CEO
5	February 2024	Update additional information on the management and destruction of USI information collected after completion of tasks	CEO