

## 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

## 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.

### Why we collect your personal information

As a registered training organisation (RTO), we collect your personal information so we can process and manage your enrolment in a vocational education and training (VET) course with us.

### How we use your personal information

We use your personal information to enable us to deliver VET courses to you, and otherwise, as needed, to comply with our obligations as an RTO.

### How we disclose your personal information

We are required by law (under the National Vocational Education and Training Regulator Act 2011 (Cth) (NVETR Act)) to disclose the personal information we collect about you to the National VET Data Collection kept by the National Centre for Vocational Education Research Ltd (NCVER). The NCVER is responsible for collecting, managing, analysing and communicating research and statistics about the Australian VET sector.

We are also authorised by law (under the NVETR Act) to disclose your personal information to the relevant state or territory training authority.

### How the NCVER and other bodies handle your personal information

The NCVER will collect, hold, use and disclose your personal information in accordance with the law, including the Privacy Act 1988 (Cth) (Privacy Act) and the NVETR Act. Your personal information may be used and disclosed by NCVER for purposes that include populating authenticated VET transcripts; administration of VET; facilitation of statistics and research relating to education, including surveys and data linkage; and understanding the VET market.

The NCVER is authorised to disclose information to the Australian Government Department of Employment and Workplace Relations (DEWR), Commonwealth authorities, State and Territory authorities (other than registered training organisations) that deal with matters relating to VET and VET regulators for the purposes of those bodies, including to enable:

- administration of VET, including program administration, regulation, monitoring and evaluation
- facilitation of statistics and research relating to education, including surveys and data linkage
- understanding how the VET market operates, for policy, workforce planning and consumer information.

The NCVER may also disclose personal information to persons engaged by NCVER to conduct research on NCVER's behalf. The NCVER does not intend to disclose your personal information to any overseas recipients.

For more information about how the NCVER will handle your personal information please refer to the NCVER's Privacy Policy at:

- [www.ncver.edu.au/privacy](http://www.ncver.edu.au/privacy)

If you would like to seek access to or correct your information, in the first instance, please contact your RTO using the contact details listed below.

DEWR is authorised by law, including the Privacy Act and the NVETR Act, to collect, use and disclose your personal information to fulfil specified functions and activities. For more information about how the DEWR will handle your personal information, please refer to the DEWR VET Privacy Notice at:

- <https://www.dewr.gov.au/national-vet-data/vet-privacy-notice>

### Surveys

You may receive a student survey which may be run by a government department or an NCVET employee, agent, third-party contractor or another authorised agency. Please note you may opt out of the survey at the time of being contacted.

### Contact information

At any time, you may contact Macquarie Education Group Australia Pty Ltd t/a MEGA Education (MEGA Education) on L9, 225 Clarence Street Sydney NSW 2000 to:

- Request access to your personal information
- Correct your personal information
- Make a complaint about how your personal information has been handled
- Ask a question about this Privacy Notice.

For more information of MEGA's Privacy Policy please visit our website with the following link:

- <https://www.mega.edu.au/wp-content/uploads/2024/03/112-PP-MEGA-Privacy-Policy-V5-February-2024.pdf>

## 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. This may include, but not limited to, personal information given by the student during the application for enrolment, e-Confirmation of Enrolment (eCOE) issued, academic records, passport biometric information etc.

**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.

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

**USI:** Unique Student Identifier

## 4. Legislative Context

- Information Privacy Act 2000
- Privacy Act 1988 (Privacy Act)
- Student Identifiers (SI) Act 2014
- Health Records Act 2001
- Commonwealth Copyright Act 1968
- Commonwealth Privacy Act 1988
- Freedom of Information Act 1982
- Public Records Act 1973
- National Vocational Education and Training Regulator (Data Provision Requirement) Instrument 2020
- National Vocational Education and Training Regulator Act 2011 (NVETR Act)
- Standards for Registered Training Organisations (RTOs) 2015

## 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. Such a request must be made directly by the student in person on campus.

**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](mailto: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               |
| 6           | March 2024    | Update PP as per feedback from internal audit by RTO Advance on Privacy and collection of information                  | CEO               |
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