



New England College is the trading name of **New England Institute of Technology Pty Ltd**

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Privacy Policy and Procedure

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Document Control

Version History

Version	Date	Description
V1.0	05.07.2023	Policy defined and created

Review Process: This policy shall be reviewed annually in compliance with education industry standards including the National Vocational Education and Training Regulator Act 2011 (Cth) (NVETR Act), Privacy Act 1988 (Cth) (Privacy Act), Standards for Registered Training Organisations (SRTOs) 2015, the ESOS Act 2000 and the National Code of Practice for Providers of Education to Overseas Students 2018 and the ELICOS Standards 2018.



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Purpose

In the course of its business, New England College may collect information from individuals, including students (enrolled or prospective) staff and third parties either electronically or in hard copy format, including information that personally identifies individual users. New England College may also record various communications between individuals, groups, organisations and New England College.

When collecting, handling and storing personal information New England College 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.

Scope

The scope of this policy includes all New England College employees, students, prospective students, contractors, vendors, service providers, customers, agents and third parties that provide, have access to and/or utilise personal information collected and/or held by New England College.

Types of Information Collected

Information collected by New England College during the course of its business may include, but will not be limited to:

- Name, age, gender, tax file number, citizenship status, occupation
- Dates of birth;
- Nationality;
- Visa information,
- Overseas Student Health Care (OSHC),
- English language testing results
- Identification information, such as passport and/or driver's license
- Contact details such as but not limited to address, email address and/or mobile number;
- Educational background such as previously completed qualifications;
- Next of kin/emergency contacts;
- Health information (disability /immunization details etc);
- Course enrolment details and changes;
- Payment details such as credit card details, bank account and other financial details;
- Circumstances of any suspected breach of a student visa condition;
- Other information provided voluntarily. For example: response to surveys;
- Unique Student Identifier (USI);
- Data collected from assessments; including dates of assessment and assessment outcomes and,
- Audio or video recordings of students while in education or training programs or on our campus.



Collection and Use of Personal Information

New England College will only collect personal information from individuals by fair and lawful means which is necessary for the functions of New England College.

The means by which such information is collected includes, but is not limited to:

- Direct enquiries made by individuals or their authorised agents;
- Browsing New England College's website;
- Enrolment applications and supporting personal documents;
- Forms completed at the time of enrolment and/or orientation and during or after the enrolment period;
- Resumes and / or previously held qualifications provided by prospective staff members;
- Information collected from referees regarding potential employees;
- Standard employment forms (including bank account details) completed by staff members at the time of joining; and
- Training and assessment information collected by the New England College Learning Management System (LMS) and Student Management System (SMS) including information provided by students using any self-service functionality of these systems.

Information will only be collected from the individuals concerned, a nominated education agent engaged by a student to represent him or her or, in the case of a prospective student under the age of 18, a parent or legal guardian.

New England College will only collect sensitive information with the consent of the individuals and if that information is reasonably necessary for the functions of New England College.

The information requested from individuals by New England College will only be used to provide details of study opportunities, to enable efficient course administration, to maintain proper academic records, to provide access to Commonwealth funding (if applicable) and to report to government agencies, including the National Centre for Vocational Education and Research (NCVER), as required by law.

All direct marketing sent to individuals will include an option for the recipient to opt out of receiving marketing material from New England College.

If an individual chooses not to give New England College certain information, New England College may be unable to enrol that person in a course or supply them with appropriate information. Anonymity and pseudonymity are not practicable for the purpose of enrolling students, conducting teaching and learning activities, staffing and other functions of the business.

Disclosure of Personal Information

Personal information about students and staff at New England College may be shared with the Australian Government and designated authorities, including the Australian Skills Quality Authority (ASQA), the Department of Employment and Workforce Relations (DEWR) and the National Centre for Vocational Education and Research (NCVER) as governed by New England College's legislated obligations to these agencies. This information includes personal and contact details, course enrolment details and changes, assessment outcomes, training activity dates and in the case of international students the circumstances of any suspected breach of a student's visa conditions.



New England College is required by law (under the National Vocational Education and Training Regulator Act 2011 (Cth) (NVETR Act)) to disclose the personal information collected from students 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.

New England College is also authorised by law (under the NVETR Act) to disclose student's personal information to the relevant state or territory training authority.

New England College will not knowingly share any personal information with any third party other than any service providers who assist New England College with providing the information and/or services. New England College does not and will not sell or deal in personal information however may use information gathered in a general sense without any reference to an individual's name to create marketing statistics, to identify user demands and to assist it in meeting client needs generally. In addition, New England College may use the information that individuals provide to improve its website and online services but not for any other use.

New England College will not disclose an individual's personal information to another person or organisation unless:

- the individual concerned is reasonably likely to have been aware, or made aware, that information of that kind is usually passed to that person or organisation;
- the individual concerned has given written consent to the disclosure;
- New England College believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or of another person;
- the disclosure is required as per USI regulator guidelines or authorised by or under law; or
- the disclosure is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of the public revenue.

Where personal information is disclosed for the purposes of enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the purpose of the protection of the public revenue, New England College shall include in the record containing that information a note of the disclosure.

New England College will only disclose information to an overseas recipient if that disclosure relates to an individual's enrolment with New England College, and that individual is an authorised recipient such as a migration agent, education agent and/or listed emergency/next of kin contact. New England College will take all reasonable steps to ensure that any overseas recipient complies with the APPs. Overseas agents may collect information on behalf of New England College where an individual from a foreign country seeks to study in Australia.

Any person or organisation that collects information on behalf of New England College 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.



Security and Integrity of Personal Information

New England College is committed to ensuring the confidentiality, security and integrity of the personal information it collects, uses and discloses.

Collection of Information for a Purpose

New England College will take all reasonable steps to ensure that any personal information collected either electronically or in hard copy is relevant to the purpose for which it is collected, is accurate, up to date and complete.

Storage of Personal Information

New England College 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.

New England College will ensure security of personal and/ or sensitive information by:

- Storing printed records in lockable cabinets; and
- Restricting access to electronic records to authorised staff members only, through unique and password protected system logins.

Destroying Records of Personal Information

Where New England College has no further use for personal information for any purpose disclosed by New England College or is no longer required to maintain that personal information, all reasonable steps will be taken to destroy records of personal information or de-identify personal information.

Right to Access and Correct Records

Individual Rights

Individuals have the right to access or obtain a copy of the personal information that New England College holds about them. Requests to access or obtain a copy of personal information must be made in writing.

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

Email: info@nec.edu.au

Address: Level 5, 190 Queen Street, Melbourne VIC 3000

If New England College has reason to refuse to give the individual access to their information, the reason(s) for the decision will be stated in writing and the individual will be given the option of accessing the New England College Complaints and Appeals Policy.

Accessing Individual's Personal Information

There is no charge for an individual to access personal information that New England College holds about them; however, New England College may charge a fee to make a copy, including the reproduction of a certificate/statement of attainment/statement of results. Individuals will be advised of how they may access or obtain a copy of their personal information and any applicable fees within ten (10) working 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.



Correction of Personal Information

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.

In the event New England College corrects personal information about an individual that was previously disclosed to another Australian Privacy Principles (APP) organisation, New England College will take reasonable steps to give notification of correction of the information as soon as practical.

Complaints

Where an individual believes that New England College has breached an Australian Privacy Principle (APP) in relation to that individual, they may lodge a complaint in accordance with the New England College Complaints and Appeals Policy. This policy enables students, prospective students, staff and/or third parties to lodge grievances of a non-academic nature, including grievances about handling of personal information and access to personal records.

New England College will provide an outcome within ten (10) working days of receiving the completed complaint form and supporting documentation.

Related Documents and Legislation

- Australian Privacy Principles
- National Vocational Education and Training Regulator Act 2011 (Cth) (NVETR Act)
- National Vocational Education and Training Regulator (Data Provision Requirements) Instrument 2020
- Privacy Act 1988 (Cth)
- Privacy Amendment (Enhancing Privacy Protection) Act 2012.



Privacy Notice

New England College is required to provide all students with a Privacy Notice in accordance with Schedule 1 of the National VET Data Policy 2020.

A copy of this privacy notice, given below, is provided in full to all students during the enrolment process and is publicly accessible via the New England College website www.nec.edu.au.

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.

Where an individual refuses to provide personal information to New England College, the consequences may include that New England College is unable to enroll you as a student.

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.

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

Email: info@nec.edu.au

Address: Level 5, 190 Queen Street, Melbourne VIC 3000

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 NCVER 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 New England College 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.

Contact details are found in the footer of this document and via the New England College website www.nec.edu.au.