

## HPPG005 Privacy Policy and Procedures

<b>Date of Approval</b>	Jan 2020
<b>Original Version</b>	1.0
<b>Approved by</b>	CEO
<b>Latest review date</b>	Sep 2023
<b>Latest version</b>	2.0
<b>References and Legislative Context</b>	<p>The National Code 2018: Standard 3  National Vocational Education and Training Regulator Act 2011  The Education Services for Overseas Students Act 2000 (ESOS Act) and subsequent amendments.  The Freedom of Information Act 1982 (FOI Act)  The Privacy Act 1988 (Commonwealth): Schedule 1 of the Privacy Amendment (Enhancing Privacy Protection) Act 2012.</p>

### 1. Purpose and Legislative Background

HILTON ACADEMY collects and stores personal information on our students and industry clients. HILTON ACADEMY complies with the Privacy Act 1988 (Commonwealth).

This policy describes how HILTON ACADEMY collects, manages, uses, discloses, protects, and disposes of personal information in accordance with the thirteen Australian Privacy Principles (APPs) outlined in Schedule 1 of the Privacy Amendment (Enhancing Privacy Protection) Act 2012.

### 2. Scope

This policy applies to all staff, students and third parties involved who will have access to any personal and confidential information and that, such information needs to be protected.

### 3. Policy

#### 3.1 Privacy for Agents/ third parties:

**3.1.1** HILTON ACADEMY is required to collect Agent’s information which may be shared with the Commonwealth or state and territory agencies including the Australian Government as relevant for the purposes of

- a) promoting compliance with the ESOS Act and the National Code;
- b) assisting with the regulation of Agents;
- c) promoting compliance with the conditions of a particular student visa or visas, or of student visas generally; or
- d) facilitating the monitoring and control of immigration.

**3.1.2** Agents should also note that information about Agents who have agreements with HILTON ACADEMY can be accessed by all CRICOS providers through PRISMS. Information that is provided includes:

- a) the outcome of the enrolments
- b) the percentage of completed CoEs by the Agent
- c) the number of CoEs created with the Agent’s involvement against the total number of CoEs created for the provider.

### 3.2 Privacy for students and staff:

HILTON ACADEMY takes the privacy of students very seriously and complies with all legislative requirements. These include the Privacy Act 1988 and Australian Privacy Principles (effective from 12th March 2014).

- 3.2.1 HILTON ACADEMY will retain personal information about student enrolment. This includes student personal details, ethnicity and individual needs, and student education background. HILTON ACADEMY will also retain records of your training activity and are required to do this in accordance with the National Vocational Education and Training Regulator Act 2011.
- 3.2.2 Your personal information is retained within our hard copy filing system and our computer systems. Your information is collected via the enrolment form and through your completion of administrative related forms and based on your training outcomes. Hard copy files are secured in lockable filing cabinets which are monitored throughout the day and secured in the evening. Electronic data retained on our computer systems is protected via virus protection software and firewall protection. Our data is backed up continuously to our server which is secure.
- 3.2.3 HILTON ACADEMY is required by the National Vocational Education and Training Regulator Act 2011 to securely retain your personal details for a period of 30 years from the date your enrolment has completed. The purpose of this is to enable your
  - a) participation in accredited training to be recorded for future reference and to allow you to obtain a record of your outcome if required.
  - b) In some cases, HILTON ACADEMY is required by law to make student information available to Government agencies such as the National Centre for Vocational Education and Research or the Australian Skills Quality Authority. In all other cases HILTON ACADEMY will seek the written permission of the student for such disclosure. HILTON ACADEMY will not disclose your information to any person or organisation unless HILTON ACADEMY has written instructions from you to do so. If you require your records to be accessed by persons such as your parents, you need to authorise this access otherwise this access will be denied.
  - c) You have the right to access information that HILTON ACADEMY is retaining that relates to you. Further instructions are provided on how to access records within the section titled “Access to your records”.
  - d) If you have concerns about how HILTON ACADEMY manages your personal information, HILTON ACADEMY encourages you to inform our staff and discuss your concerns. You are also encouraged to make a complaint directly to us using our internal complaint handling arrangements outlined in this handbook. Under the Privacy Act 1988 (Privacy Act) you also have the right to make a complaint to the Office of the Australian Information Commissioner (OAIC) about the handling of your personal information. You can find more information about making a privacy complaint at OAIC- Privacy Complaints.

## 4. Management action & Responsibility

---

- 4.1 The **Academic Manager** is responsible for implementing this policy.
- 4.2 **All staff** holds the responsibility for Privacy of data collected by HILTON ACADEMY.
- 4.3 **CEO** is responsible for overall management of this policy.

## 5. Definitions

Under the Privacy Act 1988 and Privacy Amendment (Enhancing Privacy Protection) Act 2012 (s6(1)), personal and sensitive information is defined as follows:

- 5.1 Personal information:** “information or an opinion about an identified individual, or an individual who is reasonably identifiable: (a) whether the information or opinion is true or not; and (b) whether the information or opinion is recorded in a material form or not.”
- 5.2 Sensitive information:** “(a) information or an opinion about an individual’s: (i) racial or ethnic origin, or (ii) political opinions, or (iii) membership of a political association, or (iv) religious beliefs or affiliations, or (v) philosophical beliefs, or (vi) membership of a professional or trade association, or (vii) membership of a trade union, or (viii) sexual preferences or practices, or (ix) criminal record, that is also personal information; or (b) health information about an individual; or (c) genetic information about an individual that is not otherwise health information; or (d) biometric information that is to be used for the purposes of automated biometric verification or biometric identification; or (e) biometric templates”.

## 6 Legislative Context

The legislative base for this policy is as follows:

- National Vocational Education and Training Regulator Act 2011 (Cth)
- The ESOS Act 2000
- Education Services for Overseas Students (ESOS) Regulations 2001
- The National Code 2018

## 7 Policy Control

Version	Date	Changes / Updates	Approved
1.0	May 2020	RTO Policy and Procedure of HILTON ACADEMY	CEO
1.1	September 2022	Updated Addresses	CEO
2.0	September 2023	Sep 2023 updated: 1. Policy Code added HPPG005. 2. Content changed: - Added: References and Legislative Context - Added head title: 1,2,3,4,5 - Added title and sub-title: Clause 5: 5.1-5.2	CEO