

1. Policy objective

The objective of this policy is to ensure that information collected for and by Opengate Institute is in accordance with Privacy Act 1988 (Cth), Freedom of Information Act (1982), Australian Privacy Principles (APPs) (2014), and protected and only utilised for its primary purpose.

2. Scope

This Policy applies to all managers, officers, workers and contractors. The collected information will be either in electronic or in hard copy format.

3. Responsibility

The Manager is responsible for the implementation and monitoring of this policy will be responsible to ensure that staff and students are made aware of its application.

4. Policy statement

4.1 To fulfil our responsibilities as a Training Organisation Opengate Institute will collect, use, store, and disseminate personal information, as defined by the Privacy and Personal Information Protection Act 1998, in a manner consistent with the Information Protection Principles contained within that Act and those requirements as outlined in the Data Provisions in any relevant standards, including all data required for other required reporting.

4.2 Opengate Institute is committed to protecting the privacy of individuals. This includes personal, health, financial and other confidential information which is necessary for Opengate Institute to carry out all its functions.

4.3 Opengate Institute will take all reasonable steps to protect individual information from loss, misuse or unauthorised disclosure or destruction.

4.3 Opengate Institute will collect students' personal information by fair and lawful means which is necessary for the purpose of enrolment. Opengate Institute is committed to ensuring the confidentiality and security of the information.

5. Procedures

5.1 Managing personal information

When managing a student's personal information, Opengate Institute will comply with Government legislation and policy. Opengate Institute endeavours to balance the rights of privacy with the need to be accountable and transparent in its dealings. Opengate Institute manages students' personal information in an open and transparent way. However, certain information will not be available under freedom of information laws. This includes private information relating to another individual, Opengate Institute's internal working documents and material obtained in confidence.

The Documents and Record Register provides a framework and instructions to staff regarding how and why Opengate Institute collects, stores and uses students' personal information and how an individual may access his or her personal information. It also consists of a procedure for making complaints about Opengate Institute breaches.

5.2 Collection and Use of Information

Opengate Institute will not collect personal information unless the information is reasonably necessary for one or more of Opengate Institute's functions or activities. Any personal information supplied by individuals to Opengate Institute will only be used to provide information about study opportunities, to enable efficient administration, and to maintain proper academic records. Only authorised managers and other authorised persons have access to this information. All the information collected is governed by the APPs (2014).

Opengate Institute collects personal information for the following purposes;

- Statistical purposes for use by State and Commonwealth Administration
- Teaching purposes
- General student administration

Personal information will not be collected by unlawful or unfair means.

Opengate Institute may use personal information for the purposes of planning, reporting, communicating, research, evaluation, financial administration (including debt recovery), auditing, marketing, and for any other purposes where the individual has provided consent for such use.

Opengate Institute will not use the information without taking reasonable steps to ensure that, having regard to the purpose for which the information is proposed to be used, the information is accurate, up to date and complete.

If that is not practicable, as soon as practicable after Opengate Institute collects personal information about an individual, steps will be taken to notify the individuals about the personal information. Also, Opengate Institute will not use or disclose the information for marketing without prior written student consent.

5.3 Storage and Security of Personal Information

Opengate Institute will act lawfully and in a fair and nonintrusive way. Opengate Institute will ensure that the personal information that it collects is accurate, up to date, complete and relevant. Wherever possible, it will collect information directly from its students rather than from third parties. The members and staff will do their best to tell students if Opengate Institute collects information about them from a third party. When Opengate Institute collects information, it will advise of why it is being collected, and the law which requires it to be collected. Opengate Institute will take all reasonable steps to protect individual information from misuse, interference and loss, and from unauthorised access, modification or disclosure.

If (a) Opengate Institute holds personal information about an individual; and (b) the Opengate Institute no longer needs the information for any purpose for which the information may be used or disclosed by Opengate Institute and (c) the information is not contained in a commonwealth record; and (d) the Opengate Institute is not required by or under an Australian law, or a court/tribunal order, to retain the information, then Opengate Institute will take reasonable steps in circumstances to destroy the information or to ensure that the information is de-identified.

5.4 Disclosure of Personal Information

Personal information about student(s) studying with Opengate Institute may be shared with Australian Government and designated authorities. This information includes personal and contact details, course enrolment details and changes.

Opengate Institute will not disclose any personal information of a student, except as permitted under these policies and will not disclose personal information to a person, body or agency (other than the individual concerned) unless:

- The individual concerned has expressly or implicitly consented to the disclosure in writing
- The person disclosing the information 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 student or of another person
- The disclosure is required or authorised by or under law
- The disclosure is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty
- The protection of the public revenue
- The protection of the interests of the government, statutory authority or statutory office – holder as an employer

Opengate Institute will disclose information for the purpose of the protection of public revenue and will include a note of the disclosure in the student record files containing that information. Personal information may be shared with other institutes where students enrol or apply to enrol. In case of work-based training components and practical placement, Opengate Institute may notify Host Organisation (including approved entity, serviced providers of employer, agents or their authorised contractors) of any concerns, issues or opportunities relating to the practical placement, including student course progression.

5.5 Correction and Update of Personal Information

The Freedom of information Act 1982 and APPs Policy (2014) provide for persons to make an application for access to information (including personal information) held by Opengate Institute.

Opengate Institute will make all reasonable efforts to ensure that personal information recorded by the institute is kept up to date. If a student believes that the personal information retained by the institute is out of date or otherwise misleading or inaccurate, the student may request that this information be amended. Opengate Institute will amend the information as part of Privacy Policy and Procedure continuous improvement, if it is found that the information is out of date, misleading or inaccurate.

If Opengate Institute corrects and updates personal information about an individual that Opengate Institute previously disclosed to another education provider and the individual requests Opengate Institute to notify the other provider of the correction then Opengate Institute will take steps, as are reasonable in the circumstances, to give that notification unless it is impractical or unlawful to do so.

If Opengate Institute refuses to correct the information as requested by the individual, the institute will give the individual a written notice that sets out: (a) the reasons for the refusal; and (b) the mechanisms available to complain about the refusal; and (c) any other matter prescribed by the regulations. In the case of refusal, if an individual requests Opengate Institute to associate with the information a statement that the information is inaccurate, out of date, incomplete, irrelevant or misleading then Opengate Institute will take reasonable steps in the circumstances to associate the statement in such a way that will make the statement apparent to users of the information.

If a request is made for correction or for associating a statement as mentioned above, Opengate Institute will respond to the request within a reasonable period after the request is made. Opengate Institute will not charge the individual for making the request, for correcting the personal information or for associating the statement with the personal information.

5.6 Access to Personal Information

A student may access their own personal information held by Opengate Institute at no charge. Individuals will be advised of how they may access or obtain a copy of their personal information within 10 days of receiving the individual's written request.

Opengate Institute policy allows students to apply for and receive personal information held by Opengate Institute about students according to the above requirements. The request should be lodged in writing, addressed to the Student Services Manager, providing full details of the student's name, ID number and details of the specific information required.

Address:

Opengate Institute

Student Services Manager

Building P2, Yarramundi Lane

Western Sydney University, Hawkesbury Campus

Richmond, 2753

Tel: 02 – 4578 0400

admin@opengateinstitute.com