



Australian College of Culinary and Management Pty Ltd (ACCM)

RTO-45886-CRICOS-04038J

STUDENT PERSONAL INFORMATION AND PRIVACY POLICY AND PROCEDURES

ESOS/NCP	<ul style="list-style-type: none"> ● ESOS Act (2000), Education for Overseas Students Amendment Act 2014 National Code of Practice for Providers of Education and Training to Overseas Students ● The National Code 2018: Standard ?
SRTOs 2015	<ul style="list-style-type: none"> ● Standards 3.6 (a) (c), 5.1, 5.2, 5.4 ● http://www.asqa.gov.au/users-guide-to-the-standards-for-registered-training-organisations-2015/users-guide-to-the-standards-for-registered-training-organisations-2015.html
Legislative Context	<ul style="list-style-type: none"> ● National Vocational Education and Training Regulator Act 2011 (Cth) ● Standards for Registered Training Organisations (RTOs) 2015 ● Education Services for Overseas Students (ESOS) Act 2000 ● VET Student Statistical Collection Guidelines ● Student Identifiers Act 2014 ● Equal Opportunity Act 1995 ● Human Rights and Equal Opportunity Commission Act 1986 (Cth) ● Disability Standards for Education 2005 (Cth)
Related Policies and forms	<ul style="list-style-type: none"> ● Entry Requirements Policy and Procedure ● Language Literacy and Numeracy Policy and Procedure ● Student Handbook ● RPL and Credit Transfer Policy and Procedure ● Admission and Enrolment Policy and Procedure ● Offer of enrolment letter and enrolment acceptance agreement.

1. Policy objective

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

2. Scope

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

2. Responsibility

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

4. Policy statement

4.1 To enable to fulfil our responsibilities as a Registered Training Organisation (RTO), ACCM 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 of the VET Quality Framework NVR Standards for RTOs, including all data required for AVETMISS and other required reporting.

4.2 ACCM takes privacy very seriously and is committed to protecting the privacy of individuals. This includes personal, health, financial and other confidential information which is necessary for ACCM to carry out its functions.

4.3 ACCM will take all reasonable steps to protect individual information from loss, misuse or unauthorised disclosure or destruction. The right to privacy is a value that is highly regarded.

4.5 ACCM students' personal information will be collected by fair and lawful means which is necessary for the purpose of enrollment and function of ACCM and the institute is committed to ensuring the confidentiality and security of the information provided.

4.6 ACCM's policy is to take reasonable steps to ensure that the personal information that we collect, use and disclose is accurate, up to date, complete and (in the case of use and disclosure) relevant.

5. Procedures

5.1 Managing personal information When managing a student's personal information, ACCM is required to comply with Government legislation and policy as mentioned above. ACCM endeavours to balance the rights of privacy with the need to be accountable and transparent in its dealings. ACCM 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, ACCM's internal working documents and material obtained in confidence. In addition, ACCM's Document and Record Register provides a framework and instructions to staff regarding how and why ACCM collects, stores and uses students' personal information and how an individual may access his or her personal information held by ACCM. It also consists of a procedure for making complaints about ACCM breaches of the APPs and how the ACCM will deal with a complaint.

5.2 Collection and Use of Information

ACCM will not collect personal information unless the information is reasonably necessary for one or more of ACCM's functions or activities. Any personal information supplied by individuals to ACCM and/or its Training Representative (where applicable) will only be used to provide information about study opportunities, to enable efficient

administration, and for course administration and training and assessment purposes. Only authorised staff have access to this information. All the information collected is governed by the APPs (2014).

ACCM collects personal information for reasons including:

- statistical purposes for use by State and Commonwealth administration;
- teaching purposes by ACCM; and
- general student administration.

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

ACCM 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.

ACCM 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.

At or before the time or, if that is not practicable, as soon as practicable after ACCM collects personal information about an individual, ACCM will take steps to notify the individuals about the personal information. Also, ACCM will not use or disclose the information for the purpose of marketing without prior written student consent. If an individual chooses not to provide ACCM with certain information, then ACCM may be unable to enrol the individual in a program and/or supply them with appropriate information.

5.3 Storage and Security of Personal Information

ACCM and/or its Training Representative (where applicable) will act lawfully and in a fair and non intrusive way. ACCM 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 ACCM collects information about them from a third party. When ACCM collects information it will advise of why it is being collected. ACCM will take all reasonable steps to protect individual information from misuse, interference and loss, and from unauthorised access, modification or disclosure. If (a) ACCM holds personal information about an individual; and (b) the ACCM no longer needs the information for any purpose for which the information may be used or disclosed by the ACCM; and (c) the information is not contained in a commonwealth record; and (d) the ACCM is not required by or under an Australian law, or a court/tribunal order, to retain the information, then ACCM will take reasonable steps in circumstances to destroy the information or to ensure that the information is de-identified. While ACCM strives to protect the personal information and privacy of website users, we cannot guarantee the security of any information that users disclose online: users disclose that information at their own risk. If individuals are concerned about sending their information over the internet, they may contact the ACCM by phone or post. If users become aware of any security breach, they must let us know as soon as possible.

ACCM holds personal information in a number of ways, including in electronic databases, email contact lists, and in paper files held in drawers and cabinets, locked where appropriate.

5.4 Disclosure of Personal Information

Personal information about student(s) studying with ACCM may be shared with the Australian Government and designated authorities. This information includes personal and contact details, course enrolment details and changes and, for international students, the circumstances of any suspected breaches of the student's visa conditions.

ACCM will not disclose any personal information of a student, except as permitted under these policies. ACCM 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; or
- 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; or
- the disclosure is required 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, or for the protection of the interests of the government, statutory authority or statutory office – holder as an employer; or

- 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.

ACCM will disclose information for the purpose of the protection of public revenue. ACCM will include a note of the disclosure in the record 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, ACCM may require to 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.

For students who are under the age of 18 years, personal information, attendance details, progress and results may be disclosed to the respective parent(s)/guardian(s). Except in the case where information is released to a parent or guardian, when ACCM releases information to a third party, it will advise the third party that they should not use the information for any purposes other than the purposes for which it was disclosed.

5.5 Correction and Update of Personal Information

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

ACCM will make all reasonable efforts to ensure that personal information recorded by ACCM is kept up to date. If a student believes that the personal information retained by ACCM is out of date or otherwise misleading or inaccurate, the student may request that ACCM amend his or her personal information. ACCM will amend the information, if it is found that the information is out of date, misleading or inaccurate. If ACCM corrects and updates personal information about an individual that ACCM previously disclosed to another education provider and the individual requests ACCM to notify the other provider of the correction then ACCM will take steps, as are reasonable in the circumstances, to give that notification unless it is impractical or unlawful to do so. If ACCM refuses to correct the information as requested by the individual, ACCM 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 ACCM to associate with the information a statement that the information is inaccurate, out of date, incomplete, irrelevant or misleading then the ACCM 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, ACCM will respond to the request within a reasonable period after the request is made. ACCM will not charge the individual for making the request, for correcting the personal information or for associating the statement with the personal information.

5.5 Access to Personal Information

A student may access their own personal information held by ACCM 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.

ACCM policy allows students to apply for and receive personal information that ACCM holds about student 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.

5.6 Direct Marketing

ACCM may use personal information of ACCM clients and non-clients, specifically their name and relevant address details and information about preferences for direct marketing, both as to the preferred communication channels for receiving direct marketing from ACCM and the types of products and services of interest, to let people know about ACCM services, facilities and benefits and those of third-party partners, contractors and/or suppliers to ACCM, where

we have the recipient's consent. ACCM is committed to abiding by the law in all jurisdictions. Where permitted by law to do so, ACCM or our partners, contractors and/or training representatives may contact persons for direct marketing purposes in a variety of ways, including by mail, email, SMS, telephone, or online advertising.

5.7 Communication of Individual Consent

Under Australian law, an individual may communicate their consent to ACCM's use of their personal data for Direct Marketing when:

- providing ACCM with their personal data through our website, online lead forms, clicking on the submit or register or equivalent button indicating their consent;
- providing the ACCM with their personal data through a form, signing on the form indicating their consent; or
- following the instructions in the document on which they are providing your personal data to ACCM.

5.8 Opting Out

Subject to the above, where an individual has consented to receive direct marketing communications from ACCM, their consent will remain current until they advise us otherwise. However, they can, at no cost, opt out at any time, in the following ways:

- clients and prospective clients of ACCM can update their communications preferences (including opting out of participating in surveys) by simply clicking on 'unsubscribe'; and/ or
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clients, prospective clients and non-clients of ACCM can send a letter to ACCM:

- advise ACCM team that if they receive a marketing call that they no longer wish to receive these calls; and
- use the unsubscribe facility that ACCM included in our commercial electronic messages (such as emails and SMS) to opt out of receiving those messages.

5.9 Notification of Source

If ACCM has collected the personal information that we use to send an individual direct marketing material from a third party (for example a direct mail database provider), under Australian law they can ask us to notify them of our source of information, and ACCM's policy is to do so unless this is unreasonable or impracticable.

For more information please ACCM website- <https://www.accm.vic.edu.au/policies>

1. VERSION HISTORY

Version	Date	Reason for upgradations	Prepared By
1.0	2021	initial document	CEO/ Director of ACCM
1.1	August 2022	Updated on registration	CEO/Director