

# SOUTHERN SCHOOL OF NATURAL THERAPIES

## PERSONAL INFORMATION PROCEDURES

### VET FEE-HELP

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#### **Related References**

- Higher Education Support Act 2003 (HESA)
- VET Provider Handbook
- VET FEE-HELP Guidelines
- VET Administration Guidelines
- VET Provider Guidelines, issued by the Department of Education, Employment and Workplace Relations (DEEWR)

#### **Related Standards**

- AQTF 2007 *Condition of Registration 1, Governance and 3, Compliance with Legislation*
- AQTF 2007 *Standards 2.1, 2.2, 2.6, 3.1 and 3.3.*

#### **Related Policies**

- Privacy Statement and Privacy Policy (SSNT)
- Grievances, Complaints and Appeals Policy and Procedures (Academic and Non-Academic)

Available at [www.southernschool.com.au](http://www.southernschool.com.au) or at SSNT Administration/ Student Services or library.

#### **Purpose**

This procedure describes how SSNT ensures compliance with requirements concerning procedures relating to personal information, for the purposes of VET FEE-HELP.

#### **Scope of Procedure**

This procedure applies to persons enrolled at SSNT and those employed or contracted to SSNT, particularly staff in the school's student/administration services.

#### **Responsible Authority**

The Principal is responsible for the school's compliance with these requirements.

## Policy

1. The Southern School of Natural Therapies (SSNT) complies with the relevant clauses of the **Commonwealth Privacy Act 1988** and **Information Privacy Principles** (IPP) as set out below. These principles apply to handling information obtained for the purposes of VET FEE-HELP assistance under Schedule 1A of the *Higher Education Support Act 2003 (HESA Schedule 1A)*.
2. The SSNT has a procedure under which enrolled students may apply for and receive a copy of VET personal information that the SSNT holds in relation to that student. The student can apply at the administration/student services reception at the first floor in building No. 25.
3. The SSNT must comply with:
  - a. the requirements of the *VET Provider Guidelines* relating to personal information in relation to students; and
  - b. the procedure referred to in subclause (2) above. (HESA pg 246)

## Procedure

The following is important for students with regard to personal information, privacy and informed consent, in order to provide information to the government to be able to receive VET FEE-HELP assistance and loans. It relates to the Information Privacy Principles of the *Commonwealth Privacy Act 1988*.

**Also refer to the SSNT's Privacy Policy and Personal information Procedures** available on the website and at the student services office.

<http://www.southernschool.com/html/student-centre/policies-procedure/index.php>

The SSNT complies with the Information Privacy Principles relating to information obtained by the provider for the purposes of VET FEE-HELP assistance and repayment of HELP loans.

Under the SSNT Privacy Policy a student can apply for and receive personal information that the SSNT holds about them [[HESA Schedule 1A cl23](#)].

Students can contact the Student Services for information concerning their personal data. A form will be available to complete and sign stating name, date, information required. Personal identification will be required to ensure that information is not disclosed incorrectly to a third party.

Under the Privacy Policy, no information can be given to a third party without specific instruction in writing signed by the student.

A student's information will be required, as specified, by the Department of Education Employment and Workplace Relations (DEEWR) for the purposes of providing VET FEE-HELP assistance and repayment of HELP loans. This information is collected in accordance with the Information Privacy Principles (IPP). Records are stored securely and are accurate, current and not misleading. Students have access to their own records

free of charge by applying at the administration services reception. Any corrections or amendments to the information should be noted on the record.

The personal information is only to be used for the purposes for which it was collected, or for other purposes where expressly allowed (Information Privacy Principle, IPP10). Personal information is only disclosed in accordance with IPP11. (Refer to *VET Provider Handbook 2008*, sec 9.)

The following should be noted, with regard to information collected for the purposes of VET FEE-HELP assistance and repayment of loans, privacy issues and informed consent.

### **Informed consent**

Students must give informed consent to their information being provided to the Australian Government. Therefore, in accordance with its obligations under IPP2, the SSNT (the provider) ensures that students are given appropriate privacy notices at the time they provide their personal information (ie. via application forms, websites and phone admission methods, and the *Request for VET FEE-HELP assistance* form).

For students applying for admission through a tertiary admission centre (TAC), this informed consent must be provided during this admission process.

For students applying directly to the SSNT, we are required to obtain the student's consent to provide personal information to DEEWR. The SSNT has two options for collecting this consent:

- the *Request for VET FEE-HELP assistance* form asks for the student's consent to provide information to DEEWR. If students submit such a form prior to the allocation of a CHESSN, this will satisfy the requirement; or
- if the SSNT's business processes require the CHESSN to be allocated prior to the submission of the *Request for VET FEE-HELP assistance* form, we will need to obtain the student's informed consent in another manner.

Appendix G of the *VET Provider Handbook* suggests the following wording:

"I understand that:

- The Southern School of Natural Therapies is collecting the information in this form for the purpose of assessing my entitlement to Commonwealth assistance under the *Higher Education Support Act 2003* and allocation of a Commonwealth Higher Education Student Support Number (CHESSN) to me;
- Southern School of Natural Therapies will disclose this information to the Department of Education, Employment and Workplace Relations (DEEWR) for those purposes;
- DEEWR will store the information securely in the VET FEE-HELP IT System/ Higher Education Information Management System;
- DEEWR may disclose the information to the Australian Taxation Office; and
- Southern School of Natural Therapies and DEEWR will not otherwise disclose the information without my consent unless required or authorised by law."

### **Privacy complaints and advice**

The SSNT has student grievance procedures for dealing with students'

complaints relating to non-academic matters [VET Provider Guidelines 6.5.1] (see 3.3.3). These procedures extend to, but are not limited to, complaints about breaches of personal information by the SSNT (including its officers, employees and those who perform services by or on behalf of the provider) relating to personal information obtained by the SSNT for the purposes of VET FEE-HELP assistance to students and the repayment of loans under HESA. (Refer to *Grievances Complaints and Appeals Policy and Procedures Non-Academic*. <http://www.southernschool.com/html/student-centre/policies-procedure/index.php> )

### **VET personal information**

Personal Information is:

- information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained from the information or opinion; and
- obtained or created by an employee of the SSNT (which includes a person who performs services for or on behalf of the SSNT) for the purposes of VET FEE-HELP assistance and repayment of HELP loans under HESA [HESA Schedule 1A cl72].

It is an offence under HESA for the SSNT (and its employees) to disclose, copy or record VET personal information that was not made for the purposes it was intended. HESA provides for a penalty of 2 years imprisonment [HESA Schedule 1A cl73]. A person commits an offence (penalty of 2 years imprisonment) if they cause any intentional access to or modification of VET personal information that is held in a computer with restricted access by or on behalf of the SSNT and they knew that access or modification was unauthorised [HESA Schedule 1A cl78].

## **2. VET FEE-HELP NOTICE TO STUDENTS PROCEDURES**

This information is based on the VET FEE-HELP Guidelines and concerns notifications to students as per chapter 2 of the Guidelines.

### **2.1 Notice To Students**

2.1.1 The SSNT, as a VET provider, undertakes to comply with the following requirements:

- a) *notice* that a VET provider must, under subclause 64(1) of Schedule 1A of the *Act*, give to a person who is enrolled with the VET provider for a VET unit of study and who is seeking Commonwealth assistance under Schedule 1A of the *Act* for the unit;
- b) information that a *notice* must contain under subclause 64(2) of Schedule 1A of the *Act*, and
- c) period within which a *notice* must be given under subclause 64(3) of Schedule 1A of the *Act*.

## **2.2 Notices That A Vet Provider Must Give To A Person**

2.2.1 The SSNT gives a *notice* to any person who meets the requirements of subparagraph 2.1.1(a) of these *Guidelines*.

## **2.3 Information That a Notice Must Contain**

2.3.1 The *notice* must include the title ‘Commonwealth Assistance Notice’.

2.3.2 The *notice* must include the following information, as applicable, to the person’s enrolment at the census date for the VET unit(s) of study to which the *notice* applies:

- a) the person’s name
- b) the name of the VET provider
- c) the person’s student identification number as issued by the VET provider
- d) the person’s Commonwealth Higher Education Student Support Number (CHESSN)
- e) the VET course(s) of study in which the person is enrolled with the VET provider for which a VET tuition fee(s) is recorded at the census date(s) contained in the *notice*
- f) the total amount of up-front VET payment
- g) the total amount of VET FEE-HELP assistance
- h) the total amount of the *VET FEE-HELP loan fee* and
- i) the total amount of VET FEE-HELP debt.

2.3.3 For each VET unit of study, the *notice* must include the following information, as applicable, to each person’s enrolment:

- a) the VET unit of study identification code
- b) the census date
- c) the VET tuition fee amount
- d) the amount of up-front VET payment
- e) the amount of VET FEE-HELP assistance
- f) the amount of the VET FEE-HELP loan fee and
- g) the amount of VET FEE-HELP debt.

2.3.4 A *notice* must prominently display the following statements:

“It is your responsibility to ensure that you have sufficient VET FEE-HELP balance to cover the VET FEE-HELP amounts indicated in this notice. You are eligible for the amounts of VET FEE-HELP assistance contained in this notice only if you have sufficient VET FEE-HELP balance to cover those amounts.”

and

“The information regarding Commonwealth assistance contained in this notice is correct only insofar as you have correctly advised the SSNT of your entitlement to that assistance under the *Higher Education Support Act 2003*.”

2.3.5 A *notice* must include information on the person's right, under subclauses 65(2) to 65(4) of Schedule 1A of the *Act*, to request the correction of information contained in the *notice*.

2.3.6 A *notice* may contain other information as determined by the SSNT.

## **2.4 Period Within Which A Notice Must Be Given**

2.4.1 A *notice* must be given within 28 days of the earliest census date indicated in the *notice* (under subparagraph 2.10.10(b) of the *Guidelines*).

## **PRIVACY ACT 1988 - SECT 14**

### **Information Privacy Principles**

The [Information Privacy Principles](#) (IPP) are applied at the Southern School of Natural Therapies and are as follows:

**In compliance with the Information Privacy Principles for VET FEE-HELP assistance and the repayment of HELP loans the SSNT Privacy statement includes the following:**

The SSNT collects individual information in its capacity as a private provider of education as a Registered Training Organisation (No 4095) in Victoria and is committed to complying with the provisions of the relevant privacy legislation (Commonwealth *Privacy Act 1988*).

The individual information covered is information which can be used to identify an individual and typically includes information such as name, address and date of birth and other appropriate information to enable it to conduct its lawful functions as required by the Higher Education Support Act, 2003. The SSNT will only collect information that is necessary for it to perform its functions. The SSNT will act lawfully and so far as is reasonable and practicable in a fair and non-intrusive way. Wherever possible, it will collect information directly from you rather than from third parties. The members and staff will do their best to tell you if the SSNT collects information about you from a third party.

Information will be collected and used in accordance with the privacy principles described in the legislation (see appendix 1), which sets standards in relation to the collection, storage, use or disclosure of individual information. When the SSNT collects information it will advise why it is being collected, and the law which requires it to be collected.

The SSNT will take all reasonable steps to protect individual information from loss, misuse or unauthorised disclosure or destruction.

To protect information from possible misuse the SSNT may require that inquirers establish their identity before discussing individual information.

The SSNT has delegated to the Principal via the **Manager-Student Services, Ms Cheryl Richter**, responsibility for overseeing the effective implementation of all privacy procedures including:

- Handling requests for information by government agencies, including DEEWR
- Handling requests by members of the public to access confidential information in the SSNT (No information can be given to a third party without specific instruction in writing signed by the student.)
- Updating and correcting information
- Handling complaints concerning the privacy laws or this policy by providing access to students to a fair and equitable grievance procedure should the need arise.
- Reviewing the internal procedures for maintaining consistency of dealing with individual information and the keeping of appropriate records in a secure manner.

This policy is displayed on the SSNT 's web site and is available at the offices of the SSNT at the Student Services or Alf Jacka library. Any individuals shall be able to obtain a copy of the policy on application.

## **Commonwealth Privacy Act 1988**

### **Information Privacy Principles**

#### **Principle 1. Manner and purpose of collection of [personal information](#)**

1. [Personal information](#) shall not be collected by the SSNT for inclusion in a [record](#) or in a [generally available publication](#) unless:

- (a) the information is collected for a purpose that is a lawful purpose directly related to the function or activity of the SSNT; and
- (b) the collection of the information is necessary for or directly related to that purpose.

***Personal information will be collected and used for VET FEE-HELP purposes according to these principles.***

2. [Personal information](#) shall not be collected by the SSNT by unlawful or unfair means. Your information will be collected as required for the application process for VET FEE-HELP.

#### **Principle 2. [Solicitation](#) of [personal information](#) from [individual concerned](#)**

Where:

- (a) the SSNT collects [personal information](#) for inclusion in a [record](#) or in a [generally available publication](#); and

(b) the information is [solicited](#) by the SSNT from the [student concerned](#);

the SSNT shall take such steps (if any) as are, in the circumstances, reasonable to ensure that, before the information is collected or, if that is not practicable, as soon as practicable after the information is collected, the [student concerned](#) is generally aware of:

(c) the purpose for which the information is being collected;

(d) if the collection of the information is authorised or required by or under law, the fact that the collection of the information is so authorised or required; and

(e) any person to whom, or any body or [agency](#) to which, it is the collector's usual practice to disclose [personal information](#) of the kind so collected, and (if known by the collector) any person to whom, or any body or [agency](#) to which, it is the usual practice of that first-mentioned person, body or [agency](#) to pass on that information.

***The SSNT will collect this information for the purposes of VET FEE-HELP assistance and the repayment of HELP loans.***

### **Principle 3. [Solicitation](#) of [personal information](#) generally**

Where:

(a) the SSNT collects [personal information](#) for inclusion in a [record](#) or in a [generally available publication](#); and

(b) the information is [solicited](#) by the SSNT;

the SSNT shall take such steps (if any) as are, in the circumstances, reasonable to ensure that, having regard to the purpose for which the information is collected:

(c) the information collected is relevant to that purpose and is up to date and complete; and

(d) the collection of the information does not intrude to an unreasonable extent upon the personal affairs of the [student concerned](#).

**The SSNT complies with these requirements.**

### **Principle 4. Storage and security of [personal information](#)**

A [record](#)-keeper who has possession or control of a [record](#) that contains [personal information](#) shall ensure:

(a) that the [record](#) is protected, by such security safeguards as it is reasonable in the circumstances to take, against loss, against unauthorised access, use, modification or disclosure, and against other misuse; and

(b) that if it is necessary for the [record](#) to be given to a person in connection with the provision of a service to the [record](#)-keeper, everything reasonably within the power of the [record](#)-keeper is done to prevent unauthorised use or disclosure of information contained in the [record](#).

***The SSNT only discloses to the Department of Education Employment and Workplace Relations, the information that is required for VET FEE-HELP assistance and repayment of HELP loans.***

### **Principle 5. Information relating to [records](#) kept by [record](#)-keeper**

1. A [record](#)-keeper who has possession or control of [records](#) that contain [personal information](#) shall, subject to clause 2 of this Principle, take such steps as are, in the circumstances, reasonable to enable any person to ascertain:

(a) whether the [record](#)-keeper has possession or control of any [records](#) that contain [personal information](#); and

(b) if the [record](#)-keeper has possession or control of a [record](#) that contains such information:

(i) the nature of that information;

(ii) the main purposes for which that information is used; and

(iii) the steps that the person should take if the person wishes to obtain access to the [record](#).

***Students can apply to the SSNT Administration for copies of information obtained and held about the student for VET FEE-HELP purposes. The Manager-Student Services, Ms Cheryl Richter, oversees this process.***

2. A [record](#)-keeper is not required under clause 1 of this Principle to give a person information if the [record](#)-keeper is required or authorised to refuse to give that information to the person under the applicable provisions of any law of the Commonwealth that provides for access by persons to documents.

3. A [record](#)-keeper shall maintain a [record](#) setting out:

(a) the nature of the [records](#) of [personal information](#) kept by or on behalf of the [record](#)-keeper;

(b) the purpose for which each type of [record](#) is kept;

- (c) the classes of [individuals](#) about whom [records](#) are kept;
- (d) the period for which each type of [record](#) is kept;
- (e) the persons who are entitled to have access to [personal information](#) contained in the [records](#) and the conditions under which they are entitled to have that access; and
- (f) the steps that should be taken by persons wishing to obtain access to that information.

4. A [record](#)-keeper shall:

- (a) make the [record](#) maintained under clause 3 of this Principle available for inspection by [members](#) of the public; and
- (b) give the Commissioner, in the month of June in each year, a copy of the [record](#) so maintained.

**The SSNT complies as required.**

#### **Principle 6. Access to [records](#) containing [personal information](#)**

Where a [record](#)-keeper has possession or control of a [record](#) that contains [personal information](#), the [individual concerned](#) shall be entitled to have access to that [record](#), except to the extent that the [record](#)-keeper is required or authorised to refuse to provide the [individual](#) with access to that [record](#) under the applicable provisions of any law of the Commonwealth that provides for access by persons to documents.

**The SSNT complies as required.**

#### **Principle 7. Alteration of [records](#) containing [personal information](#)**

1. A [record](#)-keeper who has possession or control of a [record](#) that contains [personal information](#) shall take such steps (if any), by way of making appropriate corrections, deletions and additions as are, in the circumstances, reasonable to ensure that the [record](#):

- (a) is accurate; and
- (b) is, having regard to the purpose for which the information was collected or is to be used and to any purpose that is directly related to that purpose, relevant, up to date, complete and not misleading.

2. The obligation imposed on a [record](#)-keeper by clause 1 is subject to any applicable limitation in a law of the Commonwealth that provides a right to require the correction or amendment of documents.

3. Where:

(a) the [record](#)-keeper of a [record](#) containing [personal information](#) is not willing to amend that [record](#), by making a correction, deletion or addition, in accordance with a request by the [individual concerned](#); and

(b) no decision or recommendation to the effect that the [record](#) should be amended wholly or partly in accordance with that request has been made under the applicable provisions of a law of the Commonwealth;

the [record](#)-keeper shall, if so requested by the [individual concerned](#), take such steps (if any) as are reasonable in the circumstances to attach to the [record](#) any [statement](#) provided by that [individual](#) of the correction, deletion or addition sought.

**The SSNT complies as required.**

**Principle 8. [Record](#)-keeper to check accuracy etc. of [personal information](#) before use**

A [record](#)-keeper who has possession or control of a [record](#) that contains [personal information](#) shall not use that information without taking such steps (if any) as are, in the circumstances, reasonable 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.

**The SSNT complies as required.**

**Principle 9. [Personal information](#) to be used only for relevant purposes**

A [record](#)-keeper who has possession or control of a [record](#) that contains [personal information](#) shall not use the information except for a purpose to which the information is relevant.

**The SSNT complies as required.**

**Principle 10. Limits on use of [personal information](#)**

1. A [record](#)-keeper who has possession or control of a [record](#) that contains [personal information](#) that was obtained for a particular purpose shall not use the information for any other purpose unless:

(a) the [individual concerned](#) has [consented](#) to use of the information for that other purpose;

(b) the [record](#)-keeper believes on reasonable grounds that use of the information for that other purpose is necessary to prevent or lessen a serious and imminent threat to the life or health of the [individual concerned](#) or another person;

(c) use of the information for that other purpose is required or authorised by or under law;

(d) use of the information for that other purpose is reasonably necessary for enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of the public revenue; or

(e) the purpose for which the information is used is directly related to the purpose for which the information was obtained.

2. Where [personal information](#) is used for enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of the public revenue, the [record](#)-keeper shall include in the [record](#) containing that information a note of that use.

**The SSNT complies as required.**

#### **Principle 11. Limits on disclosure of [personal information](#)**

1. A [record](#)-keeper who has possession or control of a [record](#) that contains [personal information](#) shall not disclose the information to a person, body or [agency](#) (other than the [individual concerned](#)) unless:

(a) the [individual concerned](#) is reasonably likely to have been aware, or made aware under Principle 2, that information of that kind is usually passed to that person, body or [agency](#);

(b) the [individual concerned](#) has [consented](#) to the disclosure;

(c) the [record](#)-keeper 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;

(d) the disclosure is required or authorised by or under law; or

(e) 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.

2. 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, the [record](#)-keeper shall include in the [record](#) containing that information a note of the disclosure.

3. A person, body or [agency](#) to whom [personal information](#) is disclosed under clause 1 of this Principle shall not use or disclose the information for a purpose other than the purpose for which the information was given to the person, body or [agency](#).

**The SSNT complies as required.**

**Also refer to SSNT Privacy Statement and Policy**

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