

Melbourne Rudolf Steiner Seminar Ltd

ABN 78 081 055 110 RTO 3948 CRICOS Provider 01812M VET Student Loan Provider: 7052

Advanced Diploma of Rudolf Steiner Education

Course code: 10825NAT, CRICOS course code 107755A

PRIVACY POLICY

Overview

The Melbourne Rudolf Steiner Seminar (the Seminar) recognises the importance of protecting the privacy and the rights of all individual stakeholders of the Seminar –students, staff, tutors, directors and other persons--in relation to their personal information. This policy outlines how we collect and manage your personal information.

We respect your rights to privacy under the Privacy Act 1988 and we comply with the Act's requirements in respect of collection, management and disclosure of your personal information.

The Seminar publishes its Privacy Policy on its website. Where required or requested, a hardcopy or digital copy will be supplied free of charge.

The Seminar is committed to ensure that all matters concerning privacy are handled in an open and transparent way. The Seminar reviews and updates its *Privacy Policy* regularly to take into account new laws and changes to the Australian Privacy Principles.

Anonymity and pseudonymity

Individuals have the option of not identifying themselves, or of using a pseudonym, when dealing with a matter concerning the privacy policy. However, this does not apply if:

- a) There is a requirement by the Australian Law, a court or tribunal order to deal with individuals who have identified themselves
- b) It is impractical to deal with an individual who has not identified themselves.

Purpose for collection of personal information

The Seminar collects personal information to be able to carry out its functions and activities under:

- ASQA Standards for Registered Training Organisations (RTOs) 2015
- the National Vocational Education and Training Regulator Act 2011 (NVR Act)
- the Education Services for Overseas Students Act 2000 (ESOS Act),
- VET Student Loans legislation and policy documents,

- The Office of the Australian Information Commissioner,
- the Freedom of Information Act 1982 (FOI Act).

The Seminar also collects personal information according to appropriate legislation concerning employment services, human resource management and other corporate service functions.

All personal information of students collected directly relates to supporting the students during their time of study at the Seminar. It is required for:

- Providing services to students
- Looking after student's educational, social and medical well-being
- Professional Experience support
- Processing applications for enrolment
- VET Student Loans applications
- Maintaining academic, financial and compliance records
- Information required by federal and state governments and laws
- Marketing where specific consent is given

Types of personal information

Personal information includes a broad range of information, or an opinion, that could identify an individual.

The type of information the Seminar collects may include but is not limited to, personal information, including sensitive information, about students, tutors and staff.

Personal information may include:

- an individual's name, signature, address, phone number or date of birth
- academic records
- CVs
- driver's license, passport or birth certificate information
- financial hardship information
- employee record information
- photographs
- biographies including racial or ethnic origin, philosophical beliefs
- interview notes
- notes relating to complaints handling
- health information
- financial information relating to tuition and VSL loans

Collection of personal information

Personal information is generally collected directly from you or an authorised representative.

Occasionally we collect information from a third party. This data collection would only occur where you have agreed, or would reasonably expect us to collect your personal information in this way.

The Seminar will generally collect personal information about an individual through administration forms, emails, meetings and interviews, and telephone calls. In some circumstances the Seminar may request personal information about an individual from a third party, for example a reference from another RTO.

Solicited personal information:

- is collected for a purpose that is a lawful, directly related to a function or activity of the Seminar and is necessary and related to that purpose;
- shall not be collected by unlawful or unfair means;
- is collected in circumstances where the individual is aware of any matters which require collection of personal information;
- is collected on the basis of the individual being notified before the information is collected or, if that is not practicable, as soon as practicable after the information is collected;
- is collected on the basis that the individual concerned is generally aware of

- i) the purpose for which the information is being collected
- ii) whether the collection of the information is required by law

iii) 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 where information is collected for a record, the information collected is relevant to that purpose and is up to date and complete; and the collection of the information does not intrude to an unreasonable extent upon the personal affairs of the individual concerned.
(See Informed Consent for Information Given to the Australian Government)

- is collected in a timely and thorough way such that it is accurate, up to date, complete and not misleading;

If there is ever a need for the Seminar to solicit sensitive personal information (eg information or opinion about an individual's racial or ethnic origin or criminal record), then it will only do so with the individual's consent.

Unsolicited personal information

If the Seminar receives unsolicited personal information, then the Seminar will, within a reasonable timeframe, determine whether this information could have been collected as solicited personal information under the Australian Privacy Principle 3.

The Seminar may use or disclose this personal information if it determines it could not have collected the personal information otherwise, and that the information is not contained in a Commonwealth record.

The Seminar will destroy the information if it is lawful and practicable and as soon as it is practicable.

Use and disclosure of personal information

Australian privacy law allows an organisation to use or disclose your personal information for the reason they collected it (the primary purpose), including for direct marketing activities; however personal information would generally not be used for direct marketing except if the individual would reasonably expect the Seminar to use or disclose the information for the purpose of direct marketing. Sensitive personal information collected by the Seminar will not be used or disclosed for the purpose of direct marketing. If you wish not to receive any direct marketing communication from the Seminar you may unsubscribe by letting us know via phone or email and you will be taken off the list of recipients immediately.

The Seminar will not use or disclose your personal information for another reason (a secondary purpose) unless an exception applies. Exceptions include:

- you've consented in your enrolment agreement to the Seminar using or disclosing your personal information for a secondary purpose such as using a photograph of yourself or of your work for marketing purposes
- the Seminar uses or discloses your personal information because they think it's reasonably necessary for enforcement-related activities carried out by, or on behalf of, an enforcement body
- a secondary purpose is required or authorised under an Australian law, or court or tribunal order.

Disclosure of personal information to overseas recipients

Where a student undertakes a practical placement overseas, relevant personal information may be disclosed to the relevant school/organisation. The student will be fully aware of the information disclosed.

The Seminar will ensure that all overseas organisations are informed and required to adhere to Australian Privacy Principles when collecting and disclosing information about students from the Seminar.

Adoption, use or disclosure of government related identifiers

The Seminar will not adopt a government-related identifier (such as a Medicare number) as its own identifier unless this is required by Australian law or court order.

The Seminar will not use or disclose a government-related identifier unless:

- The disclosure of the identifier is reasonably necessary for the Seminar to verify the identity of the individual for the purposes of the Seminar's activities and functions;
- The disclosure of the identifier is reasonably necessary for the Seminar to fulfil its obligations to an agency or a state or territory authority;
- The use of the identifier is required or authorised by or under an Australian law or court order;
- A permitted general situation exists in relation to the use or disclosure of the identifier;
- the Seminar reasonably believes that the use or disclosure of the identifier is reasonably necessary for one or more enforcement activities conducted by, or on behalf of, an enforcement body.

Integrity of Personal information

Dealing with requests for correction of personal information

If a request is made for correction of personal information, then the Seminar:

- must respond to the request within a reasonable period after the request has been made.
- must not charge the individual for the request, for correcting the personal information or for associating the statement with the personal information (as the case may be).
- the Seminar will take care to ensure that the personal information collected is accurate, up-to-date and complete.
- the Seminar takes such steps as are reasonable in the circumstances to ensure that the personal information that the Seminar uses or discloses is--having regard to the purpose of use or disclosure--accurate, up-to-date, complete and relevant.
- If the Seminar holds personal information about an individual and believes the information to be inaccurate, out of date, incomplete,

irrelevant or misleading, then the Seminar will take steps that are reasonable in the circumstances to correct that information to ensure that, having regard to the purpose for which it is held, the information is accurate, up-to-date, complete, relevant and not misleading.

Notification of correction to third parties

If the Seminar corrects personal information about an individual, steps (if any) as are reasonable in the circumstances to give that notification to a relevant third party are taken, unless it is impracticable or unlawful to do so.

Refusal to correct information

If the Seminar refuses to correct the personal information as requested by the individual, the Seminar must give the individual a written notice that sets out:

- the reasons for the refusal except to the extent that it would be unreasonable to do so; and
- the mechanisms available to make a complaint about the refusal; and
- any other matter prescribed by the regulations.

Request to associate a statement

If:

- the Seminar refuses to correct the personal information as requested by the individual; and
- the individual requests the entity to associate with the information a statement that the information is inaccurate, out-of-date, incomplete, irrelevant or misleading;

then the Seminar must take such steps as are reasonable in the circumstances to associate the statement in such a way that will make the statement apparent to users of the information.

Security of personal information

Storage of personal information:

- Secure storage arrangements including limiting access to coordinators and administrators, locked filing cabinets and computer access security are in place to protect privacy of personal information from misuse, interference and loss as well as from unauthorised use, modification or disclosure.

Access to personal information

- The Seminar ensures that individuals have access within a reasonable period after a request has been made to their own personal information at no charge.
- An individual may request in writing access to all or part of their record held by the Seminar.
- This request is forwarded by the Seminar to the relevant staff on the same day, and, where there is an urgent request, the information is intended to be supplied within the next 3 working days.
- Where any record is found to be inaccurate, a correction is made. Where an individual requests amendment of inaccurate information but the record is found to be accurate, the details of the request are noted.

Exception to access: The Seminar is not required to give access to personal information if:

- the Seminar reasonably believes that giving access would pose a serious threat to the life, health or safety of any individual, or to public health or public safety; or
- giving access would have an unreasonable impact on the privacy of other individuals; or
- the request for access is frivolous or vexatious; or
- the information relates to existing or anticipated legal proceedings between the entity and the individual, and would not be accessible by the process of discovery in those proceedings; or
- giving access would reveal the intentions of the Seminar in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
- giving access would be unlawful; or
- denying access is required or authorised by or under an Australian law or a court/tribunal order; or
- both of the following apply:
 - the Seminar has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to the the Seminar's functions or activities has been, is being or may be engaged in;
 - giving access would be likely to prejudice the taking of appropriate action in relation to the matter; or
- giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
- giving access would reveal evaluative information generated within the entity in connection with a commercially sensitive decision-making process.

If access to the personal information is refused by the Seminar, then the Seminar will give written notice to the individual that sets out:

- the reasons for the refusal, unless this is unreasonable to do so
- the mechanisms available to complain about the refusal
- any other matter prescribed by the regulations

Use of Personal Information

All personal information collected by the Seminar is only to be used for the purposes for which it was collected or other purposes allowed by the Privacy Act 1988 as below:

- the individual concerned has consented to the use of the information for that other purpose;
- the Chief Executive Officer of the Seminar 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;
- use of the information for that other purpose is required or authorised by or under law;
- 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
- the purpose for which the information is used is directly related to the purpose for which the information was obtained.

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.

Disclosure of Personal Information:

Personal Information will only be disclosed in accordance with the *Privacy Act 1988* where:

- (a) the individual concerned is reasonably likely to have been aware, or made aware that information of that kind is usually disclosed 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.

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.

Complaints in relation to Privacy and Personal Information:

If you believe that your privacy has been breached, please contact the office either personally or by email to office@steinerseminar.edu.au, and provide details of the incident so that the Seminar can investigate it. If you wish to file a complaint about any of the procedures connected with this Privacy Policy and how the Seminar has handled privacy matters, you may use the Seminar Communication Policy, which also encompasses complaint or appeal forms (This policy is available on our website steinerseminar.net.au .)

Consent to the handling of personal information

In certain situations Australian privacy law requires that an organisation needs your consent to collect your personal information, and to use or disclose it.

Your consent is generally needed for the collection of your sensitive information or to use or disclose your personal information for a purpose other than the purpose it was collected for.

Express consent

You give express consent if you give it openly and obviously, either verbally or in writing. The Seminar will get your express consent before handling your sensitive information.

Implied consent

The Seminar does not need your express consent to handle your non-sensitive personal information; but we need to reasonably believe that they have your implied consent. Unless the Seminar presents you with an opt-out option we cannot assume your implied consent.

Can you withdraw your consent?

You can withdraw your consent at any time by calling or writing to the Seminar.

If you are unsure what consent involves, please see

<https://www.oaic.gov.au/privacy/australian-privacy-principles/australian-privacy-principles-guidelines>