

Privacy Policy

1. Background

In delivering higher education courses Gateway Business College (GBC) may collect information from students or prospective students, either electronically or in hard copy format, including information that personally identifies individuals. GBC may also record various communications between individuals and GBC.

In collecting personal information GBC complies with the requirements of the Australian Privacy Principles (APPs) set out in the Privacy Act 1988 (Cth) as amended by the Privacy Amendment (Enhancing Privacy Protection) Act 2012.

2. Purpose

The *Privacy Policy* ensures that any information collected by GBC that may identify an individual is kept confidential and secure and will be released to a third part only when prior written approval is received from the individual concerned.

This policy should be read in conjunction with the *Admissions Policy, Academic Governance Policy, Award of Grades Policy, Graduation, Transcripts and Testamur Replacement Policy and Record Management Policy*.

3. Scope

This policy applies to GBC staff, current and prospective students, education agents, related third parties, external Board and Committee members.

4. Definitions

Current student: A person enrolled in a GBC higher education course.

Prospective student: A person who intends to enrol in a GBC course.

Staff member: A person employed by GBC.

Contractor: A person employed by GBC as a casual employee or contracted by GBC.

5. Principles

5.1 Collection and use of personal information

GBC only collects personal information from individuals by fair and lawful means, which are necessary to fulfil the functions of GBC. GBC only collects sensitive information with the consent of the individual and if that information is reasonably necessary to fulfil the functions of GBC.

The information requested from individuals will only be used to provide details of study opportunities, to enable efficient course administration, to maintain proper academic and

pastoral records, to assess an individual's entitlement to fee assistance (if any), to identify a student as required by Commonwealth or State legislation, and to report to government agencies as required by law. If an individual chooses not to give GBC certain information then GBC may be unable to enrol that person in a course or supply them or the authorities with appropriate information.

Overseas education agents may collect required information on behalf of GBC where an individual from a foreign country seeks to study in Australia.

5.2 Disclosure of personal information

Personal information about students studying with GBC may be shared with the Australian Government and designated authorities, including the Tertiary Education Quality and Standards Agency (TEQSA), the Commonwealth Department with responsibility for administering the Higher Education Support Act 2003, Higher Education Support Act 2003, Education Services for Overseas Students (ESOS) Regulations, the Tuition Assurance Scheme manager, the Tuition Protection Service (TPS), and the Department of Immigration and Border Protection (DIBP). This information includes personal and contact details, course enrolment details and changes, and in the case of international students, the circumstance of any suspected breach of a student visa condition.

GBC will not disclose an individual's personal information to another person or organisation unless:

- The information is required to be disclosed to the Australian Government and designated authorities, including the Tertiary Education Quality and Standards Agency (TEQSA), the Commonwealth Department with responsibility for administering the Higher Education Support Act 2003, Higher Education Support Act 2003, Education Services for Overseas Students (ESOS) Regulations, the Tuition Assurance Scheme manager, the Tuition Protection Service (TPS) and the Department of Immigration and Border Protection (DIBP) and the individual is advised through this Policy and pre-enrolment information that such disclosure will occur;
- The individual concerned has given written consent to the disclosure;
- GBC 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;
- the disclosure is required or authorised by or under law; or
- the disclosure is reasonably necessary for the enforcement of 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 to the protection of the public revenue, GBC will include in the record containing that information a note of the disclosure.*

GBC takes all reasonable steps to ensure that any overseas recipient of information under one of the circumstances listed above complies with the APPs.

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Any person or organisation that collects information on behalf of GBC or to whom personal information is disclosed as described in this procedure is required to not use or disclose the information for a purpose other than the purpose for which the information was collected by them or supplied to them.

5.3 Right to access and correct records

Individuals have the right to access or obtain a copy of their personal information held by GBC. Requests to access or obtain a copy of personal information must be made in writing.

If an individual considers their personal information to be incorrect, incomplete, out of date or misleading, they can request that the information be amended. Where a record is found to be inaccurate, a correction will be made as soon as practical. Where an individual makes a request that a record be amended because it is inaccurate but the record is found to be accurate, the details of the request for amendment will be noted on the record. There is no charge for making a request to correct personal information.

5.4 Complaints about an alleged breach of the Australian Privacy Principles

Where an individual believes that GBC has breached a Privacy Principle in relation to that individual, they may lodge a complaint, using GBC's Student Complaints and Appeals process which enables students and prospective students to lodge grievances.

6. Procedures

6.1 Collection of information

Information will be collected through the GBC website, through email exchanges with students and prospective students, via its recruitment agents acting on behalf of GBC and through a variety of other means from time to time.

All information collected by any means is subject to the provisions of this Policy.

6.2 Disclosure of information

Personal information about students studying with GBC may be shared with the Australian Government and designated authorities, including the Tertiary Education Quality and Standards Agency (TEQSA), the Commonwealth Department with responsibility for administering the Higher Education Support Act 2003, Higher Education Support Act 2003, Education Services for Overseas Students (ESOS) Regulations, the Tuition Assurance Scheme manager, the Tuition Protection Service (TPS) and the Department of Immigration and Border Protection (DIBP). This information includes personal and contact details, course enrolment details and changes, and in the case of international students, the circumstance of any suspected breach of a student visa condition.

If a student wishes to authorise the disclosure of information to a third party not in the categories listed above they must authorise this disclosure in advance in writing.

Students should write to:

The Dean
Gateway Business College
Level 2, Suite 4B, 5A, 5B & 6A
1-17 Elsie Street

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Burwood, NSW 2134
Australia

6.3 Accessing Student records

All requests for access to student records must be made in writing. Written requests for access to, to obtain a copy of, or correct personal information held by GBC should be sent to:

The Dean
Gateway Business College
Level 2, Suite 4B, 5A, 5B & 6A
1-17 Elsie Street
Burwood, NSW 2134
Australia

There is no charge for an individual to access personal information that GBC holds about them. GBC may charge a fee to make a copy. Individuals will be advised of how they may access or obtain a copy of their personal information and any applicable fees within ten (10) days of making a written request. Where it is reasonable to do so, access to the information will be provided in the manner requested by the individual.

6.4 Publication

This Privacy Policy will be available to students and prospective students on the GBC website.

To ensure that students have given their informed consent for their personal information to be disclosed to any third parties outlined in this Policy, GBC will advise students prior to enrolment about this Policy and the student rights and obligations.

7. Records

Records associated with this policy will be maintained according to the Records Management Policy.

8. Related legislation

- Tertiary Education Quality and Standards Agency (TEQSA) Act 2011
- TEQSA Higher Education Standards Framework (Threshold Standards) 2021
- Australian Qualifications Framework (AQF).
- The National Code of Practice for Providers of Education and Training to Overseas Students 2018 (the National Code 2018)
- The Privacy Act 1988 (Cth) as amended by the Privacy Amendment (Enhancing Privacy Protection) Act 2012

9. Review

This policy will be reviewed by the Corporate Governance Board every three year, or more frequently should the Board deem it necessary.

Privacy Policy

Version Control

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