

ADELAIDE COLLEGE OF DIVINITY INC
Privacy of Information Guidelines

Preamble

It should be noted that the ACD policy documents, and *ACD*, also relate to the collection and use of information for academic administration and research purposes.

Legislation/Standards

Commonwealth Privacy Act 1988 – National Privacy Principles

AQTF Standards for Registered Training Organizations

Higher Education Provider Guidelines

National Protocols for Higher Education Approval Processes

National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students

Delegations

The ACD Board has delegated to the ACD Executive Officer the responsibility for ensuring that the ACD and ATCC comply with the required Privacy standards.

Approvals

This revised document was approved by the ACD Board/ACD President on 10 January 2005.

Associated Documents

ACD Guidelines on Confidentiality

Postgraduate Research Policy

Provisions

1. Collection of information

The ACD and the ATCC collect personal information from staff and students in their functions as:

- (a) A registered provider of educational courses for Australian and overseas students – (courses may include research that involves human subjects);
- (b) An employer of staff; and
- (c) A theological library that is available to students and the general public.

Information will be collected by lawful and fair means and not in an unreasonably intrusive way.

Students, employees, library users or subjects of research:

- (a) Will be told at the time that information is collected the purpose for which personal information is collected and the consequences of not providing the requested information; and
- (b) Are entitled to gain access to their own personal information that has been collected by the ACD or the ATCC.

2. Use and disclosure of information

The ACD and the ATCC will not use or disclose personal information about an individual for a purpose other than the primary purpose of collection without the consent of that individual, unless the secondary purpose is related to the primary purpose and a person would reasonably expect such disclosure.

3. Data Quality

The ACD and the ATCC will take reasonable steps to ensure that the personal information they collect, use or disclose is accurate, complete and up-to-date.

4. Data Security

The ACD and the ATCC will take reasonable steps to:

- (a) Protect the personal information they hold from misuse or loss and unauthorized access, modification or disclosure; and
- (b) Destroy or permanently de-identify personal information if it is no longer needed for any purpose.

5. Openness

The ACD and the ATCC will, on request by an individual, take reasonable steps to let that individual know, generally, what sort of personal information they hold, for what purposes and how they collect, hold, use and disclose that information.

6. Access and correction

The ACD and the ATCC will:

- (a) Provide access to the personal information they hold about an individual when requested by that individual; however, access may be denied in cases where the National Privacy Principles* provide exceptions.
- (b) Take reasonable steps to correct the information held if the individual is able to establish that the information is not accurate, complete and up-to-date;
- (c) Provide reasons for denial of access or refusal to correct personal information.

7. Identifiers

- (a) An identifier includes a number assigned by an organization to an individual to identify uniquely the individual for the purposes of the operations of the organization. However, the name or ABN of an individual is not an identifier.
- (b) The ACD and the ATCC will not adopt as their own identifier of an individual an identifier that has been assigned by:
 - 1. An agency; or an agent of that agency; or
 - 2. A contracted service provider for a Commonwealth contract acting in its capacity as contracted service provider for that contract.
- (c) The ACD and the ATCC will not use or disclose an identifier assigned to an individual by an agency, or by an agent or contracted service provider mentioned in sub-clause 7(b) unless:
 - 1. The use or disclosure is necessary for them to fulfill their obligations to the agency; or
 - 2. The individual has consented to the use or disclosure; or
 - 3. A person would reasonably expect such disclosure.

8. Anonymity

Whenever it is lawful and practicable, individuals must have the option of not identifying themselves when entering into transactions with the ACD or the ATCC.

9. Transborder data flows

The ACD and the ATCC may transfer personal information about an individual to someone in a foreign country only if that individual consents to the transfer or other relevant conditions to protect the information contained in the National Privacy Principles* are applicable.

10. Sensitive information

The ACD and the ATCC will not collect sensitive information about an individual unless:

- (a) The individual has consented;
- (b) Collection is required by law;
- (c) The collection is necessary to prevent or lessen a serious and imminent threat to the life or health of any individual; or
- (d) Other relevant conditions in the National Privacy Principles* are applicable.

11. Overseas students

Overseas students studying at the ACD who hold a student visa should note that:

- (a) Personal information provided to the ACD may be made available to Commonwealth and State agencies and the Fund Manager of the ESOS Assurance Fund, pursuant to obligations under the ESOS ACT 2000 and the National Code; and
- (b) The ACD is required, under s19 of the ESOS Act 2000, to tell the Department of Immigration and Multicultural and Indigenous Affairs about:
 - 1. certain changes to the student's enrolment: and
 - 2. any breach by the student of a student visa condition relating to attendance or satisfactory academic performance.

**Note: National Privacy Principles contained in the Commonwealth Privacy Act 1988*