



Privacy Policy

1. Purpose

This document outlines Oak Leaf's policy regarding the collection, use, storage, disclosure of and access to personal information of past and present staff, students and other members of Oak Leaf.

2. Scope

This policy applies to personal information collected by Oak Leaf in relation to staff, students, prospective students, individual clients and other individuals.

This policy must be observed by all college staff, consultants, external contractors and students who have access to personal information held by Oak Leaf.

3. Definitions

Personal Information: Means information or an opinion (including information or an opinion expressed in surveys, and personal interviews), that is recorded in any form, and whether true or not, can identify an individual.

Sensitive Information: Is information or an opinion about an individual's including the following:

- Racial or ethnic origin
- Membership of a political association
- Religious beliefs or affiliations
- Membership of a professional or trade association
- Membership of a trade union
- Sexual preferences or practices
- Criminal record
- Health information

LMS: Learning Management System

Learning Management System: Software that allows educational institutions to create and host courses on the Internet

USI: Unique Student Identifier

4. Legislative Context

- Information Privacy Act 2000
- Student Identifiers Act 2014
- Health Records Act 2001
- Commonwealth Copyright Act 1968
- Commonwealth Privacy Act 1988
- Freedom of Information Act 1982
- Public Records Act 1973



5. Policy Statement

5.1 Oak Leaf shall ensure that it manages and monitors all personal information of students, employees and other stakeholders in accordance with the relevant privacy laws, including the Student Identifiers Act 2014, enacted in 2014.

5.1 The collection and use of personal or sensitive information must relate directly to the legitimate purposes of Oak Leaf.

5.2 Individuals must be aware of, or informed of, the purposes for which personal information or sensitive information is obtained.

5.3 Oak Leaf will take all reasonable measures to store personal or sensitive information securely. Individuals are entitled to have access to their own records, unless prevented by law.

5.4 No third-party access to personal and or sensitive information will be granted unless required under law.

5.5 Oak Leaf will ensure that the information it holds is current and update or amend as necessary.

5.6 Oak Leaf will observe the Information Privacy Principles specified in the Information Privacy Act 2000, and the Health Privacy Principles specified in the Health Records Act 2001.

5.7 Where Oak Leaf applies for a USI on behalf of an individual it will ensure that it has the authorisation of that individual and provide the required USI Privacy Notice as required under the Act.

6. How the Information may be collected?

Oak Leaf may collect personal information directly from individuals either through personal interaction or print or electronic mediums including Oak Leaf's website, Learning Management System (LMS) forms, surveys and correspondences.

Oak Leaf may also collect personal information about an individual indirectly from education agents, employment agencies, past employers and commonwealth and state agencies.

Oak Leaf will not collect sensitive information about an individual without the explicit consent of the individual or unless required under law. Health information may be collected if found necessary to prevent or lessen a serious and imminent threat to the life or health of any individual.

USI: As the USI is a requirement for local/domestic students to enrol in and obtain competency records/AQF documentation, Oak Leaf shall provide the prospective and enrolling students about the process to register/apply for a USI on its website, handbooks, and during orientation. Where Oak Leaf applies for a USI on behalf of an individual it will ensure that it has the authorisation of that individual and provide the required USI Privacy Notice as required under the Act.

7. Use of Information

Oak Leaf will use the information for the primary purpose for which it is collected.

Oak Leaf may also use the information it holds for statistical purpose including research, analysis of trends and reports without compromising or disclosing identify of any individuals except as outlined in "Disclosure of Information" below.

8. Disclosure of Information

Oak Leaf will not without the prior consent of an individual disclose personal or sensitive information about that individual for a purpose other than the primary purpose of collection except in any of the following situations;

Oak Leaf reasonably believes that the use or disclosure is necessary to lessen or prevent either of the following:

- A serious and imminent threat to an individual's life, health, safety or welfare
- A serious threat to public health, public safety or public welfare
- Oak Leaf has reason to suspect that unlawful activity has been, is being or may be engaged in, and uses or discloses the personal information as a necessary part of its investigation of the matter or in reporting its concerns to relevant persons or authorities
- The use or disclosure is required or authorised by or under law
- The prevention, detection, investigation, prosecution or punishment of criminal offences or breaches of a law imposing a penalty or sanction
- The prevention, detection, investigation or remedying of seriously improper conduct
- The preparation for, or conduct of, proceedings before any court or tribunal
- The information is request or sought by Australian law and enforcement agencies

Information held by Oak Leaf can be provided, in certain circumstances, to the Australian Government and designated authorities and, if relevant, the Tuition Assurance Scheme and the ESOS Assurance Fund Manager. This information may include personal and contact details, course enrolment details, and the circumstances of any breach of a student visa condition.

9. Access, Storage and Security of Information

All the information will be stored in secured locations either on college's protected computer systems or locked cabinets. In addition, Oak Leaf will take all reasonable steps to protect the personal and sensitive information it holds. Oak Leaf will take reasonable steps to destroy any personal or sensitive information if it is no longer needed for any purpose.

Only the staff and members of organisation authorised by the Chief Executive Office of Oak Leaf will have access to the stored information for the specific purpose for which the access is required. Individuals may request access to their personal or sensitive information held by Oak Leaf by contacting the Chief Executive Office. The Chief Executive Office has the right to refuse the access to the information if;

- Providing access would have an unreasonable impact on the privacy of other individuals
- The request for access is frivolous or vexatious
- Providing access would be unlawful and/or compromise any ongoing or pending investigations or legal proceedings
- Any law and enforcement agency has request Oak Leaf not to provide the access

10. Responsibilities

The Chief Executive Officer is responsible for implementation and administration of this policy.

All college staff, consultants, external contractors and students who have access to personal information held by Oak Leaf have the responsibility to observe this policy. Any complaints or breaches in relation to this policy should be reported to the Chief Executive Officer in person or by email to: info@oakleaf.edu.au

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