

## PRIVACY POLICY AND PROCEDURE

<b>Policy Owner</b>	CEO
<b>Approved by</b>	Board of Directors
<b>Approved</b>	05 March 2020
<b>Commenced</b>	05 March 2020
<b>Review by</b>	December 2021
<b>Relevant Legislation</b>	<ul style="list-style-type: none"> <li>• <a href="#">Australian Privacy Principles</a></li> <li>• <a href="#">Australian Securities and Investment Commission Act 2001</a></li> <li>• <a href="#">Australian Taxation Office</a></li> <li>• <a href="#">Corporations Act 2001</a></li> <li>• <a href="#">Education Services for Overseas Students (ESOS) Act 2000 and Regulations 2019</a></li> <li>• <a href="#">Fair Work Act 2009</a></li> <li>• <a href="#">Fair Work Regulations 2009</a></li> <li>• <a href="#">Health Records Act 2001 (Vic)</a></li> <li>• <a href="#">Health Records and Information Privacy Act 2002 (NSW)</a></li> <li>• <a href="#">Higher Education Standards Framework (HESF) 2015</a></li> <li>• <a href="#">Higher Education Support Act 2003</a></li> <li>• <a href="#">National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 (The National Code)</a></li> <li>• <a href="#">NSW Educations Standards Authority</a></li> <li>• <a href="#">Privacy Act 1988</a></li> <li>• <a href="#">Privacy Amendment (Enhancing Privacy Protection) Act 2012</a></li> <li>• <a href="#">Privacy and Data Protection Act 2014 (Vic)</a></li> <li>• <a href="#">Privacy and Personal Information Protection Act 1988 (NSW)</a></li> <li>• <a href="#">Tertiary Education Quality and Standards Agency (TEQSA) Act 2011</a></li> </ul>
<b>Responsible Division</b>	CEO's Office

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## 1. Policy Statement

### 1.1 Authority

The Australian Institute of Music Limited (AIM), known as ‘the Institute’, is governed by the Board of Directors (BoD) with academic authority delegated to the Academic Board (AB). The BoD and AB share joint responsibility for ensuring that all general and academic policies and procedures follow ‘best practice’ principles for Higher Education and other sectors of educational delivery, in compliance with relevant Australian legislation and current regulatory requirements.

The Institute uses and discloses personal information for the purposes disclosed at the time of collection, or otherwise as set out in this Policy.

### 1.2 Application

This privacy policy applies to:

- Students
- Employees, (staff), including a current or past employee
- Contractors
- Consultants or supplier of goods or services to us
- Visitors
- Agents or other representatives
- A participant in a program or service delivered by AIM;

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- A person whose information may be given to AIM by a third party, including other Australian Government agencies;
- A person seeking employment with AIM
- Any other individual whose personal information AIM may collect or hold from time to time.

### 1.3 Purpose

The purpose of this privacy policy is to:

- describe the types of personal information that AIM may collect, hold, use and disclose;
- outline AIM's personal information handling systems and practices;
- enhance the transparency of AIM's management of personal information;
- explain AIM's authority to collect personal information, why it may be held by AIM, how it is used and how it is protected;
- notify whether AIM is likely to disclose personal information to overseas recipients and, if possible, to whom;
- provide information on how an individual can access their personal information, correct it if necessary and make a complaint if they believe it has been wrongly collected or inappropriately handled.

### 1.4 Principles

A number of principles under AIM's approach to privacy:

- all methods for collecting personal information will be fair and lawful
- collection of personal information will be for proper and reasonable purposes
- collection of personal information via third parties will be handled sensitively
- personal information will be handled confidentially and kept securely
- disclosure of personal information to third parties will only be made as necessary and in accordance with this policy
- staff and students will have access to personal information held by AIM as appropriate
- communications with the Institute may be monitored (including emails, telephone) for security and dispute resolution purposes, where it is lawful to do so,

### 1.5 Scope

This *Privacy Policy and Procedure* applies to the collection, storage, use and disclosure of personal information by AIM. It also sets out information about how the Institution may give access to personal information.

### 1.6 Coverage

This policy and procedure applies to the AIM Sydney and Melbourne campuses and other locations (including partnerships) where AIM activities may be delivered.

### 1.7 Special Conditions or Exceptions

Nil

## 2. Procedures

### 2.1 Collection

#### 2.1.1 Students

When enrolling into a course of study, AIM will collect the following information:

#### Personal Information

- name
- address

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- contact details
- date of birth
- citizenship
- educational history and prior academic results
- work history (if required as a basis of admission)
- emergency contact details
- details of parents or guardians (for students under 18 years of age at the time of enrolment)
- credit card details.

Additional information may be collected during a course of study and dealings with the Institute.

The Institute may collect other personal information:

- which may identify racial or ethnic origins (including proficiency in languages other than English)
- information about health or disability (where this is relevant to accommodating specific needs)
- membership of professional or industry associations (where required as a basis of admission or for credit transfer/recognition of prior learning)

### Government related information

- tax file number
- passport number
- Confirmation of Enrolment (COE) number
- student concession number and Commonwealth Higher Education Student Support Number (CHESN), which may be necessary to verify a person's identity, to confirm eligibility for enrolment or to administer entitlement to financial assistance.

The Institute may collect personal information because it is required to do so by laws that require the Institute to report to Commonwealth, State and Territory government agencies for planning, evaluative, administrative and funding purposes.

Other educational institutions where necessary to verify qualifications and course credits for enrolment and assessment purposes:

- from organisations where a work integrated learning placement, internship or practical component is completed as part of an AIM course
- from an employer if a course of study is being supported or incorporated into employment
- from education agents
- from other educational institutions and organisations that work with the Institute to recruit students into courses of study or with whom progression or articulation agreements are in place
- from other educational institutions or organisations that work in partnership or affiliation with the Institute to provide, promote, accredit or recognise courses of study
- from third parties for the purpose of direct marketing of services.

### **2.1.2 Employees (staff) and Contractors**

#### Personal information

When making an enquiry about, or applying for, a position with AIM, the following information may be collected:

- name
- home address
- qualifications and work history
- contact details (including telephone, and personal email address).

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Information may be collected from third parties such as referees. When providing contact details of referees, consent is being given to the Institute to collect personal information from the named referees.

When the Institute is proposing to offer an employment position, additional personal information may be collected, such as:

- date of birth,
- tax file number,
- emergency contact details,
- ABN (if relevant),
- bank account details,
- superannuation information,
- visa, passport and licence details (if relevant)
- qualification information and copies of transcripts
- awards,
- publications,
- details relating to working with children and police checks.

For unsuccessful candidates, application information such as resumes, cover letters and interview notes may be maintained on file for future opportunities, when a candidate has provided permission to do so.

During employment with the Institute other personal information may be collected, including:

- records of work performance,
- medical certificates,
- nationality,
- membership of a professional or industry association,
- trade union membership,
- overseas health cover
- information concerning any disputes relating to employment.

### 2.1.3 Visitors to AIM Website

AIM uses cookies and measurement tools on its websites, as do third parties such as analytics, advertising or advertisement serving partners, who may monitor unidentifiable statistics relating to website access and usage. The Institute uses and discloses the unidentifiable information collected through the use of cookies and measurement tools in accordance with this *Privacy Policy and Procedure*. This includes using the information to report statistics, analyse trends, diagnose problems and improve the quality of the Institute's products and services.

The Institute may combine its cookies and information (collected through the cookies and measurement tools) on Institute websites with other information (including information collected by third parties using their own cookies and measurement tools) to provide better or more relevant services and information.

#### 2.1.3.1 Deleting Information

If an individual does not want information collected through the use of cookies and/or measurement tools, they may be able to delete or reject cookies and/or some of the measurement software features through their browser or the settings section of their mobile or tablet device. Disabling these features may cause some of

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the functions on the Institute's website to work less effectively.

### 2.1.3.2 Sharing Information Through Third Parties

The Institute provides links to external websites, as well as to third party websites that allow interaction and sharing of content including social media buttons such as Facebook share, Twitter, Pinterest and Google+. These linked sites, applications and widgets are not under the Institute's control and the Institute does not accept responsibility for the conduct of companies linked to the Institute's websites, or their collection of information through these third party applications or widgets. Before disclosing information on any other website, or using these applications or widgets, users are advised to examine the terms and conditions of using that website and the relevant third party's data collection practices and privacy policy.

The internet is not always a secure method of transmitting information. While the Institute takes reasonable steps to ensure all information it receives is maintained securely, the Institute cannot ensure that communications conducted via the internet will be secure.

### 2.1.4 Social Networking Services

AIM uses social networking services, including but not limited to, Twitter, Facebook, Instagram, LinkedIn and YouTube to communicate with the public about the institute. When communicating with the Institute using these services AIM may collect personal information, but AIM only uses it to help us to communicate with individuals and the public. The social networking service will also handle personal information for its own purposes. These services have their own privacy policies. The privacy policies for [Twitter](#), [Facebook](#), [Instagram](#), [LinkedIn](#) and YouTube (a [Google](#) company) are available on their websites.

### 2.1.5 Email lists, registrations and feedback

AIM will collect provided information when signing up to mailing lists and registering for AIM events, or when submitting feedback on experience with AIM's website.

AIM gathers information through emails by use of, email tags (for example [Pardot](#)), to see what was clicked and what pages were viewed as a result of emails.

AIM also uses a third party application (for example [HotJar](#)) to record user feedback onsite as well as an embedded 'Contact Us' web form.

### 2.1.6 eForms

In certain circumstances, AIM uses eForms (lodged via Formstack) for individuals to communicate with the institute, for example: lodge a grievance or complaint, request a refund or book a room.

[Formstack](#) uses 256bit SSL encryption when collecting information. Notifications are sent from the Formstack server straight to [Microsoft](#) Office 365 accounts, two of the most secure platforms available.

## 2.2 Collecting and holding personal information

AIM collects and holds personal information for the purpose of offering and providing educational products and services and requests information to manage and administer those products and services. When the Institute collects personal information about individuals who are not current students, Institute graduates or employees, the Institute generally does so for the purposes for which the information was provided. All appropriate personal information will be held by the Institute to satisfy record-keeping obligations.

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The Institute also collects and holds personal information of staff members for the purpose of meeting the business needs of the Institute, or for a directly related purpose, including for example, establishing, managing or terminating an employment relationship with the Institute, for audit and compliance purposes as well as emergency situations whereby personal information may be required for the safety of the staff member. As per the [Fair Work Act 2009 \(cth\)](#) and the [Fair Work Regulations 2009 \(cth\)](#) AIM as an employer is required to make and keep employee records for seven years, of the kind prescribed by the regulations.

### 2.2.1 Anonymity

The Institute will provide individuals with the option of remaining anonymous or using a pseudonym in their dealings with the Institute where it is lawful and practicable (for example, when making an enquiry). Generally, it is not practicable or lawful for the Institute to deal with individuals anonymously or pseudonymously on an ongoing basis (for example, if the individual wishes to enrol in a course of study).

### 2.3 Security of Information

The Institute collects and holds personal information in paper-based and electronic records and systems. Personal information may be collected in paper-based documents and converted to electronic form for storage (with the paper-based document either being archived or securely destroyed).

The Institute uses physical security, password protection and other measures to ensure that all personal information is protected from misuse, interference and loss; and from unauthorised access, modification and disclosure.

### 2.4 Use and disclosure of personal information

Personal information will not be used or disclosed for any other purposes, unless consent has been given or the Institute is authorised or required to do so by law.

Personal information will generally only be used or disclosed as follows:

- To provide the products, services or information requested from the Institute (including enrolment, assessment and issuing certificates of completion and testamurs).
  - Personal information may also be disclosed to third parties (where applicable) to assist the Institute with functions such as recruitment of students, work integrated learning placements or providing overseas student health cover
- To register and administer events, promotions or competitions
- To verify personal information details upon request from third parties, such as completion of courses, a request from a potential employer verifying a qualification and further enrolment into another institution
- To comply with the Institute's legal and regulatory obligations, including disclosure and reporting to Commonwealth, State and Territory government agencies for planning, evaluative, administrative and funding purposes. This may include:
  - disclosure and reporting to Commonwealth and State government agencies (including State Training Authorities) for the purpose of administering entitlements to financial assistance under Commonwealth and State government programs for supporting students, such as FEE-HELP
  - disclosure to government agencies responsible for administering and regulating education and training providers in Australia, such as Tertiary Education Quality and Standards Agency (TEQSA), Australian Skills Quality Authority (ASQA), NSW Education Standards Authority (NESAA), Tuition Protection Service (TPS),
  - tuition assurance scheme providers, and



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- disclosure to government agencies with responsibility for administering immigration and student visa arrangements (including disclosure of suspected breaches of student visa conditions).
- For students under 18, information regarding attendance, progress and general well-being may be provided in order to keep parent(s) and/or guardian(s) adequately informed
- To assist the Institute to make its sites, service and products more accessible and valuable to students
- For staff recognition purposes, such as birthday celebrations and qualifications gained, with permission of the staff member
- In exceptional circumstances, permission for a manager to access their team member's mobile phone number for the purpose of making contact to make urgent staffing arrangements. The appropriateness to do so is determined on a case by case basis by the People and Culture team.
- To perform various administrative or management functions including administering billing and debt recovery; training of staff and contractors and managing their work performance and career progression, quality assurance and evaluation; maintenance and testing of information technology systems; obtaining advice from consultants and professional advisers; management of legal liabilities and claims (including liaising with legal representatives and insurers).

### 2.5 Direct Marketing

AIM uses and discloses the personal information it collects for direct marketing purposes. Individuals may contact the Institute to request not to receive direct marketing communications. Direct marketing may include providing individuals with information regarding products, services and new developments. If an individual does not wish to receive marketing material, the Institute will still contact them in relation to the ongoing relationship for example, the Institute will still send individuals invoices and information that are relevant to their course of study.

### 2.6 Access and Correction of Personal Information

Staff or students may access their personal and sensitive information that AIM holds about them at any time. Users who have any problem accessing their personal information or who would like to request a copy of their personal information should contact AIM's Privacy Contact Officer.

For current and former students, simple enquiries regarding personal information (such as confirming current contact details or confirming results) must be sent to the Academic Administration team at [registrar.department@aim.edu.au](mailto:registrar.department@aim.edu.au).

For current and former staff, contact People and Culture at [people@aim.edu.au](mailto:people@aim.edu.au).

In limited circumstances, access to personal information may be declined in accordance with the *Australian Privacy Principles*. For example, if AIM believes:

- that giving access may endanger the life, health or safety of any individual, or endanger public health or safety
- giving access would have an unreasonable impact on the privacy of other individuals
- a request is frivolous or vexatious
- personal information is part of existing or anticipated legal proceedings between the individual and the organisation

The Institute endeavours to keep all personal information accurate, up-to-date and complete; however, if information held by the Institute is considered to be inaccurate, out-of-date, incomplete, irrelevant or misleading, a request can be made for a correction of the information.



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Staff or students may also request that their personal information be deleted in certain circumstances, for example, if they feel the information held by AIM is not correct or relevant for the purposes for which it was collected. Please contact the Institute's designated Privacy Contact Officer.

After receiving such a request, the Institute will take reasonable steps to correct and/or delete the information.

The Institute may, however, refuse a request to access, correct or delete personal information in certain circumstances as provided by legislative and regulatory requirements. In such instances, the Institute will provide a reason for the decision.

### 2.7 Privacy Breaches and Complaints Process

Any complaint about a breach of this *Privacy Policy and Procedure* or the *Privacy Act* can be considered by contacting the appropriate Privacy Officer. AIM will handle any complaints in accordance with the procedures set out below:

- Any staff or student who discovers or is notified about a breach of privacy must immediately notify the relevant Privacy Officer and the head of the relevant department. The head of department must contain the breach as follows:
  - make sure immediately that there can be no further breaches, and if possible retrieve the personal information disclosed or request that it be destroyed or deleted;
  - determine who is to lead any required investigation (e.g. head of department or delegate); and
  - maintain any evidence of the breach that might be needed in an investigation.
- The head of department must evaluate the risks associated with the breach as follows:
  - assess the extent of the breach (to only one person or more) and the extent of the personal information involved;
  - assess the cause ('human error' can often indicate some operational cause such as lack of training or awareness of privacy requirements, for example); and
  - assess the potential harm from the breach (harm to the individual whose personal information has been disclosed and harm to the Institute).
- The head of department must notify affected individuals as follows:
  - decide whether the individual whose personal information has been disclosed needs to be notified (this will depend largely on the assessment of potential harm);
  - decide who will do the notifying (assess the need for seniority) and by what means (telephone suggests urgency and immediate response);
  - decide what to tell the affected person (how it happened; the extent of the breach; what has been done to control or reduce potential harm; what has or will be done to prevent it happening again); and
  - decide whether anyone else needs to be notified (depending on the level of perceived harm, for example if credit card details have been disclosed).
- The head of department must determine what short and longer-term steps need to be taken to ensure this sort of breach does not occur again.
- The head of department must provide a brief report to the Privacy Officer on the breach, the investigation and the steps that have been and will be taken to prevent future breaches.

## 3. Accountabilities

### 3.1 Policy Owner

- **CEO:** has overall responsibility for this policy and procedure and is responsible for monitoring and facilitating the implementation and regular review.

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## 3.2 Responsible Officers

- **Privacy Officers:**
  - **Academic Administration Manager:** all related non-staff and non-student matters
  - **Head of Student Experience and Success:** all student related matters
  - **Head of People and Culture:** all staff related matters

## 4. Supporting Information

### 4.1 Supporting Documents

- [Office of the Australian Information Commissioner](#)

### 4.2 Related Documents

- [IT Data Privacy](#)
- *Student Administration and Records Management Policy and Procedure*

### 4.3 Superseded Documents

- Nil

## 5. Definitions and Acronyms

TERM/ACRONYM	DEFINITION
<b>AIM referred to as the 'Institute'</b>	The Australian Institute of Music Limited ABN: 89 003 261 112; PRV: 12050; CRICOS 00665C.
<b>Complaint</b>	Refers to a declared dispute, formal accusation or documented expression of dissatisfaction with a decision, action, process or omission, which the complainant considers likely to be unjust, wrongful or discriminatory, to which within the control of the Institute and for which the Institute is asked to officially respond - in this case regarding academic matters. Informal questions of concern requiring explanation and/or moderation are referred to as grievances (refer to Grievance below).
<b>Complainant</b>	Person making a complaint.
<b>Consultant</b>	A professional who provides expert advice in a particular area
<b>Contractor</b>	A person or company that performs work on a contract basis
<b>Personal Information</b>	Information or an opinion about an identified individual or an individual who is reasonably identifiable from the information or opinion. The information or opinion does not have to be true or recorded in a material form.
<b>Prospective Student</b>	Any person seeking to enrol in the Institute.
<b>Staff (Employee)</b>	Any person currently employed by the Institute.
<b>Student</b>	Any person currently enrolled by the Institute, noting that grievances or complaints from former students must be made within 30 days of their leaving the Institute.
<b>Visitor</b>	Family, friends, contractors

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### 6. Approval and Review Details

Version	Date Approved by Leadership Group	Date Approval Academic Board	Date Approved by Board of Directors	Amendment Details
1.0	14/02/2020	N/A	05/03/2020	New Policy

### 7. Flowchart – Showing process and decision points (pending)