



**HIVE**  
HAMPTON INSTITUTE OF  
VOCATIONAL EDUCATION

## Privacy Policy and Procedures

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Through this policy, HIVE – Hampton Institute of Vocational Education ensures that all clients are aware of the privacy policy and procedure associated with enrolment in a course and/or service with HIVE.

### 1. Policy Objective

1.1. The objective of this policy is to ensure that information collected for and by HIVE – Hampton Institute of Vocational Education is within Privacy Act 1988 (Cth), Freedom of Information Act (1982), Australian Privacy Principles (APPs) (2014), and protected and utilised only in the light of its primary purpose.

### 2. Scope

2.1. This Policy applies to all learners, managers, officers, workers, and contractors. The collected information will be either in electronic or in hard copy format.

### 3. Responsibility

3.1. The Chief Executive Officer is responsible for the implementation and monitoring of this policy, and all Departmental General Managers will be responsible for ensuring that staff and learners are made aware of its application.

### 4. Policy Statement

4.1. To enable to fulfil our responsibilities as a Registered Training Organisation (RTO), HIVE will collect, use, store, and disseminate personal information, as defined by the Privacy and Personal Information Protection Act 1998, in a manner consistent with the Information Protection Principles contained within that Act and those requirements as outlined in the Data Provisions of the VET Quality Framework NVR Standards for RTOs, including all data required for AVETMISS and other required reporting.

4.2. HIVE takes privacy very seriously and is committed to protecting the privacy of individuals. This includes personal, health, financial, and other confidential information which is necessary for HIVE to carry out its functions;

4.3. HIVE will take all reasonable steps to protect individual information from loss, misuse, or unauthorised disclosure or destruction. The right to privacy is a value that is highly regarded;

4.4. HIVE learner's personal information will be collected by fair and lawful means, which is necessary for the purpose of enrolment and function of HIVE, and the institute is committed to ensuring the confidentiality and security of the information provided.

### 5. Procedures

#### 5.1. Managing personal information

When managing a learner's personal information, HIVE is required to comply with Government legislation and policy, as mentioned above. HIVE endeavours to balance the rights of privacy with the need to be accountable and transparent in its dealings. HIVE manages learner's personal information in an open and transparent way. However, certain information will not be available under freedom of information laws. This includes private information relating to another individual, HIVE's internal working documents, and material obtained in confidence. In addition, HIVE's Document and Record Register provides a framework and instructions to staff regarding how and why HIVE collects, stores, and uses the learner's personal information and how an individual may access their personal information held by HIVE. It also consists of a procedure for making complaints about HIVE breaches of the APPs and how HIVE will deal with a complaint.

#### 5.2. Collection and Use of Information

HIVE will not collect personal information unless the information is reasonably necessary for one or more of HIVE's functions or activities. Any personal information supplied by individuals to HIVE and/or its Training Representative (where applicable) will only be used to provide information about study opportunities, to enable efficient administration, and to maintain proper



academic records. Only authorised managers and other authorised persons have access to this information. All the information collected is governed by the APPs (2014). HIVE collects personal information for:

- Statistical purposes for use by State and Commonwealth Administration
- Teaching purposes by HIVE
- General learner administration Personal information will not be collected by unlawful or unfair means.

HIVE may use personal information for the purposes of planning, reporting, communicating, research, evaluation, financial administration (including debt recovery), auditing, marketing, and for any other purposes where the individual has provided consent for such use.

HIVE will not use the information without taking reasonable steps to ensure that, having regard to the purpose for which the information is proposed to be used, the information is accurate, up to date, and complete. At or before the time or, if that is not practicable, as soon as possible after HIVE collects personal information about an individual, HIVE will take steps to notify the individuals about the personal information. Also, HIVE will not use or disclose the information for the purpose of marketing without prior written learner consent.

### **5.3. Storage and Security of Personal Information**

HIVE and/or its Training Representative (where applicable) will act lawfully and in a fair and non-intrusive way. HIVE will ensure that the personal information that it collects is accurate, up to date, complete and relevant. Wherever possible, it will collect information directly from its learners rather than from third parties. The members and staff will do their best to tell learners if HIVE collects information about them from a third party. When HIVE collects information, it will advise why it is being collected and the law which requires it to be collected. HIVE will take all reasonable steps to protect individual information from misuse, interference, loss, and unauthorised access, modification, or disclosure. If (a) HIVE holds personal information about an individual; and (b) HIVE no longer needs the information for any purpose for which the information may be used or disclosed by HIVE; and (c) the information is not contained in a Commonwealth record; and (d) HIVE is not required by or under Australian law, or a court/tribunal order, to retain the information, then HIVE will take reasonable steps in the circumstances to destroy the information or to ensure that the information is de-identified.

### **5.4. Disclosure of Personal Information**

Personal information about learners studying with HIVE may be shared with the Australian Government and designated authorities. This information includes personal and contact details, course enrolment details, and changes and, for international learners, the circumstances of any suspected breaches of the learner's visa conditions. HIVE will not disclose any personal information of a learner, except as permitted under these policies. HIVE will not disclose personal information to a person, body, or agency (other than the individual concerned) unless:

- The individual concerned has expressly or implicitly consented to the disclosure in writing; or
- The person disclosing the information 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 learner or of another person; or
- The disclosure is required or authorised by or under the law; or

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, or for the protection of the interests of the Government, statutory authority or statutory office-holder as an employer; or

HIVE will disclose information for the purpose of the protection of public revenue. HIVE will include a note of the disclosure in the record containing that information. Personal information may be shared with other institutes where learners enrol or apply to enrol. In case of work-based training components and practical placement, HIVE will be required to notify Host Organisation (including approved entity, serviced providers of the employer, agents, or their authorised contractors) of any concerns, issues, or opportunities relating to the practical placement, including learner course progression.

For learners under the age of 18 years, personal information, attendance details, progress, and results may be disclosed to the respective parent(s)/guardian(s). Except in the case where information is released to a parent or guardian when HIVE releases information to a third party, it will advise the third party that they should not use the information for any purposes other than the purposes for which it was disclosed.



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### **5.5. Correction and Update of Personal Information**

The Freedom of Information Act 1982 and APPs Policy (2014) provide for persons (including HIVE learners) to make an application for access to information (including personal information) held by HIVE. HIVE will make all reasonable efforts to ensure that personal information recorded by HIVE is kept up to date. If a learner believes that the personal information retained by HIVE is out of date or otherwise misleading or inaccurate, the learner may request that HIVE amend his or her personal information. HIVE will amend the information as part of continuous improvement if it is found that the information is out of date, misleading, or inaccurate. If HIVE corrects and updates personal information about an individual that HIVE previously disclosed to another education provider and the individual requests HIVE to notify the other provider of the correction, then HIVE will take steps, as are reasonable in the circumstances, to give that notification unless it is impractical or unlawful to do so. If HIVE refuses to correct the information as requested by the individual, HIVE will provide the individual a written notice that sets out: (a) the reasons for the refusal; and (b) the mechanisms available to complain about the refusal; and (c) any other matter prescribed by the regulations. In the case of refusal, if an individual requests HIVE to associate with the information a statement that the information is inaccurate, out of date, incomplete, irrelevant, or misleading, then the HIVE will take reasonable steps in the circumstances to associate the statement in such a way that will make the statement apparent to users of the information. If a request is made for correction or for associating a statement as mentioned above, HIVE will respond to the request within a reasonable period after the request is made. HIVE will not charge the individual for making the request, for correcting the personal information, or for associating the statement with the personal information.

### **5.6. Access to Personal Information**

A learner may access their own personal information held by HIVE at no charge. Individuals will be advised of how they may access or obtain a copy of their personal information within ten days of receiving the individual's written request. HIVE policy allows learners to apply for and receive personal information that HIVE holds about learners according to the above requirements. The request should be lodged in writing, addressed to the Learner Services Manager, providing full details of the learner's name, ID number, and details of the specific information required.