



## PRIVACY POLICY

Authorised By:	President (CEO)	Revision: 2.3
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Related Documents:	<a href="#">Tuition Assurance Policy</a>	
Responsible Officer:	Registrar	
Review:	Executive	

Any person who requires assistance in understanding any aspect of this document should contact the Responsible Officer

### 1. Overview

Tabor recognises its responsibility to collect, manage, use and disclose personal information in accordance with prevailing community standards of best practice. This policy explains:

- The kinds of personal information that Tabor collects and holds
- How, why and when it uses that personal information
- The complaints process to be used should an individual have a reasonable suspicion that a breach has occurred

### 2. Scope and Applications

This policy applies to personal information collected and held by Tabor and the people employed or engaged by Tabor. Any hardcopy or electronic record created by a staff member in the course of their duties is an official Tabor record and is therefore covered by this policy.

### 3. Policy Principles

- 3.1. Tabor will collect, manage, use, disclose and store personal information pertaining to prospective, current and former students and current and former staff in accordance with legislative requirements.
- 3.2. Publicly available publications containing information regarding an individual will not be stored.
- 3.3. Information concerning an individual who has been deceased for more than 30 years will not be stored.

## 4. Procedures

### 4.1 Collection

4.1.1 Tabor will not collect personal information unless the information is necessary for one or more of its functions or activities as a private provider of education, or the collection is required by law or the collection is necessary to prevent or lessen a serious and imminent threat to the life or health of any individual.

4.1.2 Tabor will collect personal information only by lawful and fair means and in collecting personal information will seek to ensure that the collection of the information does not intrude to an unreasonable extent upon the personal affairs of the individual concerned.

4.1.3 Any person collecting personal information on behalf of Tabor will take all reasonable steps to ensure that the information is relevant to the College's reasons for collecting it and is as up to date and complete as possible.

4.1.4 If it is reasonable and practicable to do so, Tabor will collect personal information about an individual only from that individual.

### 4.2 Use and Disclosure

4.2.1 Tabor will not use or disclose personal information about an individual for a purpose (the *secondary purpose*) other than the primary purpose of collection unless;

- the secondary purpose is related to the primary purpose of collection and the individual would reasonably expect Tabor to use or disclose the information for the secondary purpose; or
- Tabor reasonably believes that the use or disclosure is necessary to lessen or prevent a serious and imminent threat to an individual's life, health (including mental health) or safety or a serious threat to public health or public safety; or
- Tabor 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; or
- the use or disclosure is required or authorised by or under law; or
- Tabor reasonably believes that the use or disclosure is necessary for the prevention, detection, investigation, prosecution or punishment of criminal offences, breaches of a law imposing a penalty or sanction or breaches of a prescribed law

4.2.2 Tabor will make every effort to ensure that any person, body or agency to whom personal information is disclosed shall not use or disclose the information for a purpose other than the purpose for which the information was given to the person, body or agency.

4.2.3 Tabor participates in several surveys conducted by the Social Research Centre. In order to do so, Tabor will provide the SRC with your basic contact details (name, email, telephone). The SRC privacy policy can be found here: <https://www.srcentre.com.au/research-participants/privacy>

4.2.4 Tabor is required to share enrolment information with the Department of Human Services for students who are receiving Commonwealth benefits.

4.2.5 Tabor is required to share personal information with the Department of Education, the Australian Tax Office and the Tertiary Education Quality Standards Agency under authority of the Higher Education Support Act and the TEQSA Act.

4.2.6 In cases where voluntary disclosure is requested, students will need to grant permission for the sharing of information using the form at Appendix A.

### 4.3 Data Quality and Security

4.3.1 Tabor will take reasonable steps to make sure that the personal information it collects, holds, uses or discloses is accurate, relevant, up to date, complete, and not misleading.

4.3.2 Tabor will take reasonable steps to protect the personal information it holds from misuse and loss, and from unauthorised access, use, modification or disclosure.

4.3.3 If Tabor has to give information to a third party in connection with a provision of a service to Tabor, Tabor will do everything reasonably within its power to prevent unauthorised use or disclosure of the personal information.

4.3.4 Individuals may, in accordance with Australian Privacy Principle 2, choose to use a pseudonym in their dealings with the College. This however, is subject to exceptions as detailed in *Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth)*.

4.3.5 Tabor will not use any Government related identifiers in regard to personal information gathered and will (where applicable) use the unique identifier allocated by the College.

#### 4.4 Access and Correction

4.4.1. If Tabor holds personal information about an individual, it will provide the individual with access to the information on request by the individual and within a reasonable timeframe, except to the extent that:

- in the case of personal information providing access would pose a serious and imminent threat to the life or health of any individual; or
- providing access would have an unreasonable impact upon the privacy of other individuals; or
- the information relates to existing or anticipated legal proceedings between the organisation and the individual, and the information would not be accessible by the process of discovery in those proceedings; or
- providing access would reveal the intentions of the organisation in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
- providing access would be unlawful; or
- denying access is required or authorised by or under law; or
- providing access would be likely to prejudice an investigation of possible unlawful activity

4.4.2. Tabor will provide reasons for denial of access to or a refusal to correct personal information.

### 5. Up-front Payments Tuition Protection

Up-front payments tuition protection provides protection and assistance to support domestic higher education up-front paying students if their private higher education provider defaults.

A provider defaults in relation to a unit or course if it:

- fails to commence a unit or course,
- ceases to deliver a unit or course after the unit or course has started and before it has ended, or
- closes completely.

In the case of a provider defaulting in relation to a unit or course, affected students will be assisted to either:

- complete their studies in an equivalent or similar unit and/or course with the same or another higher education provider, or
- receive a refund for the up-front tuition fee payments paid towards their unit that they were undertaking when their provider defaulted.

If the defaulting provider is unable to assist affected students, the Higher Education Tuition Protection Director from the Tuition Protection Service (TPS) will step in to assist students.

## Personal information

Your personal information will be collected for the purposes of tuition protection.

Your personal information is protected by law, including under the *Privacy Act 1988* (Privacy Act).

Personal information is information or an opinion about an identifiable individual, or an individual who is reasonably identifiable:

- whether the information or opinion is true or not, and
- whether the information or opinion is recorded in a material form or not.

Personal information includes an individual's name and contact details.

## Purpose of collecting your personal information

As a registered higher education provider, Tabor is required by law (under the *Tertiary Education Quality Standards Act 2011* (TEQSA Act)) to collect your personal information for the purpose of administering tuition protection for domestic up-front paying students.

If you do not provide some or all of the personal information requested, in the case that Tabor defaults in relation to a unit or course you are enrolled in, you may not be able to be assisted through the:

- provision of a suitable replacement unit or course or
- provision of a refund of any up-front tuition fee payments you made in relation to your units.

## How Tabor and other bodies disclose your personal information

Tabor will collect, hold, use and disclose your information in accordance with the law, including the Privacy Act, TEQSA Act and the *Higher Education Support Act 2003*.

As a registered higher education provider, Tabor is required under the TEQSA Act to disclose the personal information we collect about you to the Department of Education, Skills and Employment (the department) for the purposes of administering tuition protection. A registered higher education provider may also disclose personal information to the Tertiary Education Quality and Standards Agency for the purposes of performing functions under the TEQSA Act.

The department may disclose your information to the Higher Education Tuition Protection Director in the event Tabor defaults or is viewed by the department to be at risk of defaulting. This is in order for the TPS to assist affected students under the TEQSA Act.

In the event Tabor defaults and you are assisted to complete your studies in an equivalent or similar unit and/or course with a replacement higher education provider, then Tabor and the Higher Education Tuition Protection Director may disclose your personal information to the replacement higher education provider in order for you to be enrolled in a replacement unit and/or course.

The department and the Higher Education Tuition Protection Director may also disclose some of your personal information to the Australian Government Actuary for the purposes of administering the up-front payments tuition protection levy payable by providers under the *Higher Education (Up-front Payments Tuition Protection Levy) Act 2020*.

Your personal information may also be disclosed to other parties where you have provided consent, or where it is otherwise permitted under law.

## Personal information Tabor must disclose

The personal information that Tabor may collect and disclose about you to the department in relation to up-front payment tuition protection includes your:

- name, date of birth, contact details and identifiers (e.g. Unique Student Identifier),
- study arrangements and details including enrolments and course progress, and
- payment arrangements, including tuition fees paid or payable, scholarships and payments by third parties.

**Please take note:** Once PRINTED, this is an UNCONTROLLED DOCUMENT. The current version of this document is kept on the Tabor Policy Repository.

For more information about what personal information Tabor collects and discloses to the department in relation to up-front payments tuition protection can be found in sections 11 and 12 of the *Tuition Protection (Up-front Payments Guidelines) 2020*, available on the Federal Register of Legislation at <https://www.legislation.gov.au/Series/F2020L01635>.

### **Contact information**

At any time, you may contact Tabor to:

- request access to your personal information,
- correct your personal information,
- make a complaint about how your personal information has been handled, or
- ask a question about this Privacy Notice.

You can contact Tabor by telephoning (08) 8373 8777 or emailing [studentservices@adelaide.tabor.edu.au](mailto:studentservices@adelaide.tabor.edu.au)

For more information about how the department will handle your personal information, please refer to the department's Privacy Policy at <https://www.dese.gov.au/privacy> or by requesting a copy from the department at [privacy@dese.gov.au](mailto:privacy@dese.gov.au).

To contact the department about your personal information please email [privacy@dese.gov.au](mailto:privacy@dese.gov.au).

For more information about how the Higher Education Tuition Protection Director will handle your personal information, please refer to the Tuition Protection Service Director's Privacy Policy at <https://tps.gov.au/StaticContent/Get/Privacy> or by requesting a copy from the TPS at [operations@tps.gov.au](mailto:operations@tps.gov.au).

To contact the TPS about your personal information please email [operations@tps.gov.au](mailto:operations@tps.gov.au).

## **6. Definitions**

See [Global Definitions](#)

## **7. Communication / Training**

- 7.1. Managers will communicate this policy to staff members involved in the collection and storage of information, and the policy will be posted on the Tabor website for student access.



## Appendix A - Consent for Tabor to Share Personal Information

By signing this form you are giving your consent for Tabor to share your personal information with the person or organisation you nominate on this form.

You can withdraw your consent at any time by contacting Tabor.

### YOUR DETAILS

Name: \_\_\_\_\_

Date of birth: \_\_\_\_\_ Student ID: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

### YOUR NOMINATED PERSON OR ORGANISATION

Name: \_\_\_\_\_

Organisation: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Relationship to you: \_\_\_\_\_

### WHAT INFORMATION CAN BE DISCUSSED

Choose what information Tabor can discuss:

- ☐ Financial
- ☐ Academic
- ☐ Details of complaints, grievances, appeals
- ☐ All aspects of my enrolment
- ☐ Other (please specify) \_\_\_\_\_

### YOUR SIGNATURE

Your signature: \_\_\_\_\_ Date: \_\_\_\_\_