



<b>Institution</b>	Mercury Institute of Victoria
<b>Policy Name</b>	Privacy Policy
<b>Policy Governance</b>	Compliance Manager
<b>Reference to Standards</b>	Standards for RTO 2015 - Standard 3 Clause 3.6, Standard 5 Clause 5.1 - 5.3  National Code 2018 - Standard 3 Formalisation of enrolment and written agreements
<b>Date of Approval</b>	April 2022
<b>Review Date</b>	April 2023

## PURPOSE

To ensure Mercury Institute of Victoria maintains the privacy of personal information provided to Mercury Institute of Victoria from Staff and Students.

Mercury Institute of Victoria establishes this policy and procedure to:

- Comply with the requirements of Standards for RTO 2015 - Standard 3 Clause 3.6, Standard 5 Clause 5.1 - 5.3
- Comply with the requirements of the National Code 2018 - Standard 3 Formalisation of enrolment and written agreements

## SCOPE

This document describes Mercury Institute of Victoria Privacy Policy. The Commonwealth Privacy Act 1988 requires companies to comply with the National Privacy Principles. Mercury Institute of Victoria is committed to the Australian Privacy Legislation in the way it collects, uses, secures and discloses personal information.

## 1. POLICY

### Privacy Principles



- Personal information is collected from individuals in order that Mercury Institute of Victoria can carry out its business functions. Mercury Institute of Victoria only collects and stores information that is directly related to its business purposes and legal requirements of providing nationally recognised training and assessment.
- In collecting personal information, Mercury Institute of Victoria complies with the requirements set out in the Privacy Act 1988 and the relevant privacy legislation and regulations of the states/territories in which the RTO operates.
- This means Mercury Institute of Victoria ensures each individual:
  - Knows why their information is being collected, how it will be used and who it will be disclosed to.
  - Is able to access their personal information upon request.
  - Does not receive unwanted direct marketing.
  - Can ask for personal information that is incorrect to be corrected.
  - Can make a complaint about Mercury Institute of Victoria if they consider that their personal information has been mishandled.

### 1. Collection of information

- In general personal information will be collected through course application and/or enrolment forms, training records, assessment records and online forms and submissions.
- The types of personal information collected include:
  - personal and contact details
  - employment information, where relevant
  - academic history
  - for international students, current course information including CRICOS code, agreed starting date, expected completion date if the student did not start on the agreed date
  - information about any terminations for change to identity and duration of the course for international students
  - English language proficiency for international students, including the name of the test and the score received



- visa information for international students, including the Department of Home Affairs office where the visa application was made and current local Department of Home Affairs office
- passport information for international students including whether the student was in Australia when they became an accepted student
- background information collected for statistical purposes about prior education, schooling, place of birth, disabilities and so on
- training, participation and assessment information
- breaches of student visa conditions relating to attendance and/or course progress
- fees and payment information
- information required for the issuance of a USI.

### 2. Unique Student Identifiers (USI)

- All students participating in nationally recognised training from 1 January 2015 are required to have a Unique Student Identifier (USI) and provide it to Mercury Institute of Victoria upon enrolment. Alternatively, Mercury Institute of Victoria can apply for a USI on behalf of an individual.
- The Student Identifiers Act 2014 authorises the Australian Government's Student Identifiers Registrar to collect information about USI applicants. When Mercury Institute of Victoria applies for a USI on behalf of a student who has authorised us to do so, we need to collect personal information about the student which will be passed on to the Student Identifiers Registrar. This will include:
  - name, including first or given name(s), middle name(s) and surname or family name
  - date of birth
  - city or town of birth
  - country of birth
  - gender
  - contact details, so the Student Identifiers Registrar can provide individuals with their USI and explain how to activate their USI account.



- In order to create a USI on behalf of a student, Mercury Institute of Victoria will be required to verify the identity of the individual by receiving a copy of an accepted identification document. This document will only be used for the purposes of generating the USI and confirming the identity of the individual with the Registrar. Once the USI has been generated and validated, the identity documents used or collected for this purpose will be securely destroyed.
- The information provided by an individual in connection with their application for a USI:
  - is collected by the Registrar as authorised by the Student Identifiers Act 2014.
  - is collected by the Registrar for the purposes of:
    - applying for, verifying and giving a USI
    - resolving problems with a USI
    - creating authenticated vocational education and training (VET) transcripts
  - may be disclosed to:
    - Commonwealth and State/Territory government departments and agencies and statutory bodies performing functions relating to VET for:
      - the purposes of administering and auditing VET, VET providers and VET programs
      - education related policy and research purposes
      - to assist in determining eligibility for training subsidies
    - VET Regulators to enable them to perform their VET regulatory functions
    - VET Admission Bodies for the purposes of administering VET and VET programs
    - current and former Registered Training Organisations to enable them to deliver VET courses to the individual, meet their reporting obligations under the VET standards and government contracts and assist in determining eligibility for training subsidies
    - schools for the purposes of delivering VET courses to the individual and reporting on these courses



- the National Centre for Vocational Education Research for the purpose of creating authenticated VET transcripts, resolving problems with USIs and for the collection, preparation and auditing of national VET statistics
  - researchers for education and training related research purposes
  - any other person or agency that may be authorised or required by law to access the information
  - any entity contractually engaged by the Student Identifiers Registrar to assist in the performance of his or her functions in the administration of the USI system
  - will not otherwise be disclosed without the student's consent unless authorised or required by or under law
- The consequences to the student of not providing the Registrar with some or all of their personal information are that the Registrar will not be able to issue the student with a USI, and therefore Mercury Institute of Victoria will be unable to issue a qualification or statement of attainment.

### 3. Storage and use of information

- Mercury Institute of Victoria will store all records containing personal information securely and take all reasonable security measures to protect the information collected from unauthorised access, misuse or disclosure. Personal information will be stored in paper-based files that are kept in a secure location and electronically in a secure environment to which only authorised staff have access.
- The personal information held about individuals will only be used to enable efficient student administration, provide information about training opportunities, issue statements of attainment and qualifications to eligible students, and to maintain accurate and detailed records of student course participation, progress and outcomes. Information about international students may also be shared to promote compliance with the conditions of student visas and the monitoring and control of visas.
- Mercury Institute of Victoria may use the personal information provided by an individual to market other internal products and services to them. An individual may opt out of being



contacted for marketing purposes at any time by contacting our office. Information will not be passed onto any third party marketing companies without the prior written consent of the individual (use *Access and Authorisation Form*).

#### 4. Disclosure of information

- The personal information about students enrolled in a Course with Mercury Institute of Victoria may be shared with the Australian Government and designated authorities, such as ASQA (the RTO's registering body) and its auditors, the USI Registrar (as per above), DET, TPS and DHA, Apprenticeship Network Provider, State Training Authority (VRQA), Skills First, and the National Centre for Vocational Education Research (NCVER). This includes personal details, contact details, course enrolment information, unit outcomes, AQF certification and statement issuance and information about training participation and progress.
- Mercury Institute of Victoria will not disclose an individual's personal information to another person or organisation unless:
  - They are aware that information of that kind is usually passed to that person or organisation.
  - The individual has given written consent.
  - Mercury Institute of Victoria believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious threat to the life or health of the individual concerned or another person.
  - The disclosure is required or authorised by, or under, law.
  - 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 public revenue.
- Any person or organisation to which information is disclosed is not permitted to use or disclose the information for a purpose other than for which the information was supplied to them.

#### 5. Access to and correction of records

- Individuals have the right to access or obtain a copy of the information that Mercury Institute of Victoria holds about them including personal details, contact details and



information relating to course participation, progress and AQF certification and statements of attainment issued.

- Requests to access or obtain a copy of the records held about an individual must be made by contacting our office using the *Records Request Form*. The individual must prove their identity to be able to access their records.
- There is no charge for an individual to access the records that Mercury Institute of Victoria holds about them. Arrangements will be made within 10 days for the individual to access their records.

### 6. Complaints about privacy

- Any individual wishing to make a complaint or appeal about the way information has been handled within Mercury Institute of Victoria can do so by following Mercury Institute of Victoria's *Complaint and Appeal Policy and Procedure*.