

PRIVACY NOTICE & POLICY

Privacy Notice

Students providing personal information to The Eagle Academy should be aware that by law personal information may be made available to Commonwealth and State agencies and the Director of the Tuition Protection Scheme, pursuant to obligations under the ESOS Act 2000 or other relevant legislation, and the current National Code. The Eagle Academy is required, under s19 of the ESOS Act 2000, to tell the Department about certain changes to the student's enrolment and any breach by the student of a student visa condition relating to attendance or satisfactory academic performance. This information includes personal and contact details, course enrolment details and changes, and the circumstance of any suspected breach by the student of a student Visa condition.

Your personal information may be used or disclosed by The Eagle Academy for statistical, administrative, regulatory and research purposes. The Eagle Academy may disclose your personal information for these purposes to:

- Commonwealth
- and State or Territory government departments and authorised agencies; and
- NCVER.

Why we collect your personal information

As a registered training organisation (RTO), we collect your personal information so we can process and manage your enrolment with us. If you refuse to provide personal information, we will not be able to enrol you as a student.

How we use your personal information

We use your personal information to enable us to deliver courses to you, and otherwise, as needed, to comply with our obligations as an RTO.

How we disclose your personal information

We are required by law (under the *National Vocational Education and Training Regulator Act 2011* (Cth) (NVETR Act)) to disclose the personal information we collect about you to the National VET Data Collection kept by the National Centre for Vocational Education Research Ltd (NCVER). The NCVER is responsible for collecting, managing, analysing and communicating research and statistics about the Australian VET sector.

We are also authorised by law (under the NVETR Act) to disclose your personal information to the relevant state or territory training authority.

How the NCVER and other bodies handle your personal information

The NCVER will collect, hold, use and disclose your personal information in accordance with the law, including the *Privacy Act 1988* (Cth) (Privacy Act) and the NVETR Act. Your personal information may be used and disclosed by NCVER for purposes that include populating authenticated VET transcripts; administration of VET; facilitation of statistics and research relating to education, including surveys and data linkage; and understanding the VET market.

The NCVER is authorised to disclose information to the Australian Government Department of Education, Skills and Employment (DESE), Commonwealth authorities, State and Territory authorities (other than registered training organisations) that deal with matters relating to VET and VET regulators for the purposes of those bodies, including to enable:

- administration of VET, including program administration, regulation, monitoring and evaluation
- facilitation of statistics and research relating to education, including surveys and data linkage
- understanding how the VET market operates, for policy, workforce planning and consumer information.

The NCVER may also disclose personal information to persons engaged by NCVER to conduct research on NCVER's behalf.

The NCVER does not intend to disclose your personal information to any overseas recipients.

For more information about how the NCVER will handle your personal information please refer to the NCVER's Privacy Policy at www.ncver.edu.au/privacy.

If you would like to seek access to or correct your information, in the first instance, please contact your RTO using the contact details listed below.

DESE is authorised by law, including the Privacy Act and the NVETR Act, to collect, use and disclose your personal information to fulfil specified functions and activities. For more information about how the DESE will handle your personal information, please refer to the DESE VET Privacy Notice at <https://www.dese.gov.au/national-vet-data/vet-privacy-notice>.

Surveys

You may receive a student survey which may be run by a government department or an NCVER employee, agent, third-party contractor or another authorised agency. Please note you may opt out of the survey at the time of being contacted.

Contact information

At any time, you may contact The Eagle Academy to:

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

Email: info@eagleacademy.com.au

Postal Address: 56 Nerang Street, Southport Q 4215

Privacy Policy

This privacy policy outlines how The Eagle Academy manages and uses: personal information as required by the Australian Privacy Principles (“**APPs**”) contained in the Privacy Act 1988 (Cth) (**Privacy Act**). This privacy policy is available on our website (<https://eagleacademy.com.au/downloads/>) or in printed form by request.

We collect and hold personal information (including sensitive information) about: all employees, students, agents and other people who come into contact with us. We will inform the party/s concerned of the reason for collecting, using, storing or disclosing such information as well as inform them of the main consequences if all or part of the information is not provided.

Anonymity and pseudonymity

An individual will have the option of not identifying themselves or using a pseudonym when dealing with us except: when we are required or authorised by law or a court/tribunal to deal with individuals who have identified themselves; or it is impractical for us to deal with an individual who has not identified themselves in the circumstances.

Information Collected

The information we may collect and hold could include: names and contact details; visa and/or passport details; identification information or records; academic results; relevant sensitive information; financial and business details; current and previous employment information; and other information reasonably necessary for or directly related to one more of our functions or activities.

Collection of Information

We collect personal information in a number of ways: forms completed and submitted to us; other documents submitted to us; correspondence with us; from freely available “public domain” information sources; meetings and interviews; and telephone calls. On some occasions we will collect information about parents/guardians from their child/children and vice versa. We may also collect personal information from third parties when reasonably

necessary. We will only collect personal information that is necessary for its functions or activities, lawful, without unwarranted coercion and in a way that is not unreasonably intrusive. If personal information is collected from someone other than the individual, we will take reasonable steps to ensure that the individual is made aware of the information received.

Retention of Information

The Standards for Registered Training Organisations requires that we retain data relating to AQF Qualifications for a period of 30 years. We will take reasonable steps to destroy or permanently de-identify personal information if it is no longer required, is not contained in a Commonwealth record, and we are not required by or under an Australian law, or a court/tribunal order, to retain the information.

Sensitive information

Sensitive information we collect is used for the following primary purposes: to provide schooling and educational services to students; to look after students' educational, social and medical wellbeing; to provide students with a safe learning environment; and to satisfy our legal obligations and our duty of care. Sensitive information will be used and disclosed only for these purposes unless we obtain consent from the relevant individual, or unless required or permitted by law.

Unsolicited Information

If we receive unsolicited personal information, we will, within a reasonable period, determine whether or not the information could have been collected by lawful and fair means. If we determine that we are not permitted to collect the personal information, and the information is not contained in a Commonwealth record, we will, as soon as practicable, destroy the information or de-identify that information but only if it is lawful and reasonable to do so.

Use and Disclosure of Information

We will use your information to provide the services you have requested, manage those services in order to provide the optimum level of service, and conduct appropriate pre-enrolment or pre-employment checks E.g. reference checking. We will take reasonable steps to make sure that any personal information used or disclosed is relevant and appropriate to the purpose of use or disclosure.

The Eagle Academy may disclose personal information to the following kinds of entities; your authorised representative or legal advisors, banks or credit providers for payroll purposes, government and statutory authorities, where required by law, for example the reporting of training results; Australian Taxation Office; or nominated superannuation fund.

For other secondary purposes information will only be disclosed if; we have obtained consent, it is directly related to the primary purpose, the use or disclosure of the information is required or authorised by or under an Australian law or court/tribunal order, we reasonably believe that the use or disclosure is necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

Direct Marketing

The Eagle Academy may send marketing publications (e.g. correspondence & newsletters) to students, parents/guardians, staff, agents and other members of the community. An individual may request not to receive direct marketing communications from us and may request that we do not disclose their personal information in direct marketing by contacting us using the contact details set out below.

We may use or disclose personal information (other than sensitive information) about an individual for the purposes of direct marketing if we collected the information from the individual, the individual consented to the disclosure of information for direct marketing and/or the individual would reasonably expect us to use or disclose the information for that purpose.

Cross-Border Disclosure

We may transfer personal information regarding international students and their parents/guardians to recipients located in the country where the relevant international student's parent(s)/guardian(s)/agent(s) are based. We will take reasonable steps to ensure that the overseas recipient does not breach the Australian Privacy Principles in relation to the information. We may disclose information if it is required or authorised by or under an Australian law or a court/tribunal order. Otherwise, we will not disclose any personal information (including sensitive information) to overseas recipients without obtaining consent from the relevant individual.

Government Related Identifiers

We will not adopt a government related identifier of an individual as our own identifier of the individual unless; we are required or authorised by or under an Australian Law or a court/tribunal order, the identifier is prescribed by the regulations and the adoption or the use or disclosure occurs in the circumstances prescribed by the regulations. We will not use or disclose a government related identifier of an individual unless the use or disclosure of the identifier is reasonably necessary to verify the identity of the individual for the purposes of our activities or functions, to fulfil our obligations to a government agency of State or Territory authority or the use or disclosure of the identifier is required or authorised by or under an Australian law or a court/tribunal order.

Accessing Information

An individual has the right to access any personal information held by The Eagle Academy, subject to some restrictions listed in Federal Government legislation. This information can be accessed by contacting us using the contact details set out below. We will endeavour to provide the requested information to an individual as soon as reasonably practicable. This process may involve verification of identity and specification on information requested. There may also be fees involved to cover the cost of verifying an individual's identity and locating, retrieving, reviewing and copying any material that was requested. Fees will be quoted and must be paid prior to this process being completed.

There may be situations where access to personal information we hold about an individual is denied. These situations would include; where access would be unlawful, release of the information would have an unreasonable impact on the privacy of others, the request for access is vexatious, denying access is required or authorised by or under an Australian law or a court/tribunal order or where the release may result in a breach of our duty of care to any individual involved.

Information Correction

The Eagle Academy strives to ensure that personal information held is correct, complete and up to date. You may request that we update or correct personal information by contacting us via the contact details below. After receiving a request to update or correct personal information we will action the change as soon as reasonably practicable. If we refuse to correct personal information we will give the individual a written notice, as requested by the individual, setting out the reasons for the refusal except to the extent that it would be unreasonable to do so, the mechanisms available to complain about the refusal and any other matter prescribed by the regulations.

Information Removal

You may request that we remove personal information by contacting us via the contact details below. After receiving a request to remove personal information we will action the change as soon as reasonably practicable. If we refuse to remove personal information we will give the individual a written notice, as requested by the individual, setting out the reasons for the refusal except to the extent that it would be unreasonable to do so, the mechanisms available to complain about the refusal and any other matter prescribed by the regulations.

Security

We are committed to protecting the personal information and the privacy of individuals. We have in place steps to protect the information we hold from misuse, interference and loss and from unauthorised access, modification or disclosure by use of various methods, including locked storage of paper records and password protected access rights to computerised records.

Complaints

If an individual believes that we have breached the APPs, the Privacy Act, or any related privacy code they may make a complaint by completing a complaint form and sending it to the CEO. Once we have received such a complaint we will take all steps that we consider reasonably necessary to remedy any actual breach which has arisen as soon as reasonably practicable. Complaints may also be made directly to the Office of the Australian Information Commissioner by visiting the following website: <http://www.oaic.gov.au/>