

Privacy Policy and Procedure



1. Scope

This policy is applicable to all prospective, current and former students of Holmes Institute (Holmes) and persons involved with the collection or management of student personal information at Holmes including staff and contractors.

2. Purpose

This policy provides clear principles and guidance on how Holmes collect, store, use and disseminate student personal information.

3. Policy Principles

3.1 Holmes Institute adheres to the privacy legislative requirements including the:

- Privacy Act 1988 (Cth) and the Australian Privacy Principles (APPs)
- Privacy and Data Protection Act 2014 (VIC)
- Privacy and Personal Information Protection Act 1998 (NSW)
- Information Privacy Act 2009 (QLD)
- Freedom of Information Act 1982 (Cth).
- Higher Education Support Act 2003 (HESA).

3.2 In compliance with the associated privacy legislation, Holmes:

- a. Has a structured and transparent management system of personal information, including an up-to-date Privacy Policy and Procedure, and privacy statement on its website;
- b. Gives notice about collection of personal information where applicable;
- c. Advises how personal information can be used and disclosed;
- d. Ensures student personal information that it uses or discloses is accurate, up-to-date, complete and relevant, having regard to the purpose of the use of disclosure;
- e. Keeps personal information secure; and
- f. Provides students with access to and the opportunity to correct their personal information.

3.3 Holmes will only collect student personal information for the purpose of enrolment and the provision of the education services, such as:

- a. To respond to a student's queries and requests;
- b. To keep a record of communication with in order to meeting our legal, regulatory and operational duties;
- c. To protect Holmes and students from fraud and other illegal activities;
- d. To keep record of a student's academic progress;
- e. To process payments and to prevent fraudulent transactions;

- f. To provide information by email, web, text, social media and telephone about relevant services and events;
 - g. To manage FEE-HELP related matters;
 - h. To send communications required by law or which are necessary to provide information about Holmes' changes to the services the Holmes provides;
 - i. To comply with our contractual or legal obligations to share personal information if necessary, as described in Section 3.7.
- 3.4 When collecting student personal information, Holmes will endeavour to collect the minimum necessary for Holmes to provide services. Personal information collected by Holmes may include the students'
- a. Name;
 - b. Address;
 - c. Telephone number(s);
 - d. Date of birth;
 - e. Gender;
 - f. Citizenship;
 - g. Passport;
 - h. Visa details;
 - i. Identity card;
 - j. Emergency contact details;
 - k. Bank account or other financial details;
 - l. Educational history, including qualification, academic records, transcripts, English proficiency certificates; and
 - m. Disabilities or other health information.
- 3.5 All students need to inform Holmes as soon as practical (and international students are required by their visa conditions to inform Holmes within 7 days) about any changes in their address and contact details.
- 3.6 Holmes' information and databases are private and confidential. Student personal information is held in Holmes' databases and appropriately secured from misuse, interference and loss and from unauthorised access, modification or disclosure.
- 3.7 Student personal information may only be disclosed:
- a. To the Australian Government and designated authorities where the request is justified by law, including to the:
 - i. Department of Education, Skills and Employment;
 - ii. Department of Home Affairs;
 - iii. Tertiary Education Quality and Standards Agency;
 - iv. Tertiary Education Quality and Standards Agency
 - v.
 - vi.
 - vii. State and Federal Police Force;
 - viii. The external complaints or dispute agencies that students lodge their

- complaints with;
- ix. Educational Agents;
 - x. Holmes' contracted and professional services providers Holmes may enter into arrangements with which may provide a service to students, such as banks, IT provider and health insurance companies.
- b. On the reasonable grounds that the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the student or of other people;
 - c. To external debt collection agency to recover overdue tuition and non-tuition fees;
 - d. To Holmes' legal advisers or other professional advisers or consultants engaged by Holmes;
 - e. To any third party by which the student provides their authorised consent, such as employment verification organisations or other education providers; or
 - f. As otherwise required by law.
- 3.8 The information disclosed may only include personal information, course enrolment details and changes, and the circumstances of any suspected breach of student visa conditions.
- 3.9 When student personal information is shared with the third party listed in Section 3.7, the collection and use of the data will be under the terms of that third party's own privacy policy and Holmes is not liable for any misuse of that data after it has been passed on to that third party.
- 3.10 Students will be provided access to their personal information via the Student Management System for verification purposes. Where any inaccurate information is identified and communicated by the student, Holmes will rectify the information to ensure its accuracy.
- 3.11 The Complaints and Appeals Policy and Procedures may be accessed by students if they have complaints in respect to their personal information or any potential privacy breaches by Holmes. Should matters relating to privacy not be resolved, students may escalate matters to the Office of the Australian Information Commissioner: <https://www.oaic.gov.au/privacy/privacy-complaints/>.

4. Procedure Principles

Collection and Use of Information

- 4.1 Holmes collects student personal information via the enrolment application form which is verified and updated through the orientation process as well as during the student's course of study.
- 4.2 All students must sign a declaration confirming that they understand and agree to the use of their personal information and appropriate disclosure, as outlined in Section 3.7, as a part of their application and written agreement with Holmes.
- 4.3 Holmes ensures that individual student personal information is up to date and will request students provide their latest personal information each trimester. The

information will be updated within five working days in the Student Management System by Student Services staff.

Access and Correction of Personal Information

- 4.4 Students may request access to their personal information by contacting staff at reception of each campus. The student will be asked to state their past contact details for verification purposes before the records are amended. There are no fees for students to access their personal information.
- 4.5 Holmes will respond to external requests for access to students' personal information as outlined in Section 3.7, within a reasonable period after the request is made. Holmes is not obliged to provide a student with notice should an external request be made to access a student's personal information provided that an external request is legally made.

Publication of Personal Information

- 4.6 Holmes will not publish any personal information without student's consent.
- 4.7 The signed student declaration in the Application Form and the Letter of Offer and Acceptance authorises Holmes and its representatives to use student information to improve Holmes' products and services.
- 4.8 Whenever a student provides Holmes with their consent to use their personal information they have the right to change their mind at any time and withdraw that consent.

Storage and Security of Personal Information

- 4.9 Holmes keeps all personal information records secure to prevent it from misuse, loss, or any unauthorised access, modification or disclosure (refer to the Records Management Policy and Procedures).
- 4.10 Student records which are no longer required are appropriately destroyed in accordance with the appropriate legislative requirements.
- 4.11 For the students on a FEE-HELP loan, Holmes will retain a student's TFN until such time as:
 - a. Holmes is satisfied that it has correctly calculated the debt for the final unit of study in the course for which the student has sought HELP;
 - b. The student's account with Holmes is finalised; and
 - c. The Australian Taxation Office (ATO) has been notified of the final debt.

Complaints and Appeals

- 4.12 If a student has a complaint or would like to appeal a Holmes decision regarding their privacy and personal information, the Holmes Complaints and Appeals Policy and Procedures will apply.
- 4.13 If a student is dissatisfied with Holmes' response to their appeal, they can lodge a complaint with the Office of the Australian Information Commissioner. Information is available at <https://www.oaic.gov.au/privacy/privacy-complaints/>.

Version Control and Accountable Officers

It is the joint responsibility of the Implementation Officer and Responsible Officer to ensure compliance with this policy.

Responsible Officer		Chief Executive Officer	
Implementation Officers		Manager Governance and Compliance	
Review Date		January 2026	
Approved by			
Governing Council			
Associated Documents			
Application Form Code of Conduct Policy Complaints and Appeals Policy and Procedures Letter of Offer and Acceptance Records Management Policy and Procedures			
Version	Brief Description of the Changes	Date Approved	Effective Date
1	New Policy	26 th March 2021	26 th March 2021
1.1	<ul style="list-style-type: none"> Added content about FEE-HELP management Added more scenarios of the disclosure of student personal information 		
1.2	<ul style="list-style-type: none"> Removal of reference to VET agencies. 	4/1/2023	4/1/2023