

# CONFIDENTIALITY OF STUDENT INFORMATION

## 1 Guiding principles

1.1 The interests of the individual concerned and the preservation of confidentiality and privacy are the paramount considerations. 1.2 Compliance with legal obligations of disclosure, as promulgated in various Acts of Parliament, is mandatory. 1.3 The establishment and maintenance of tight security of student records, and any records of grievances (academic or non-academic) is imperative and is the responsibility of all those who are authorised to access the information contained therein. 1.4 There is no universal principle of access. Information may be accessed or released only in accordance with this statement of policy and procedures. 1.5 Retention, archiving and retrieval of student records for a period of 30 years and transfer consistent with state or territory registering body requirements. There is a system in place to ensure that these records are retained for over 30 years and would be retrievable after 30 years. The students' academic and attendance records are archived in the ANZ bank each semester. Off-campus digital copies are retained by software consultants by agreement with the Academy. Copies of these records are available on CD on demand. The hard copies are currently securely archived on the Academy's premises. Authorised staff can retrieve these records on request. 1.6 There is a system in place to ensure that the records of grievances (academic or non-academic) are retained for seven years. Records of grievances are currently securely archived in the Academy's premises. Authorised staff can retrieve these records on request.

## 2 Procedure for release of information

2.1 Release to meet legal obligations Information may be released, on authority of the Director or Administration Manager, to the extent permitted and required by law under proper legal authority. The principal legal authorities and the information that may be released are as follows. 2.1.1 Subpoena Information to the extent required by the subpoena, as directed by the Administration Manager. 2.1.2 Search Warrant Information required by the Search Warrant, to the extent required by the Warrant. A receipt must be requested for all documents, files, and computer disks etc. removed from Academy premises. 2.1.3 Ombudsman's Requests Information which the Ombudsman is by law empowered to request or inspect. 2.1.4 Freedom of Information Act 1982 Except as provided in any Statute or Regulation of the Academy, information may be accessed by the Director or Delegated Officer, Student Administrator or Registrar on advice from the Administration Manager and released to the extent required to comply with lawful requests or determinations under the Freedom of Information Act 1982. 2.1.5 Professional Bodies Information may be released to recognised professional bodies to the extent required to meet their requirements for establishing the entitlement of students and graduates to practise in a profession. 2.1.6 Social Service Benefits, Austudy and Abstudy Legislation Information may be released to the extent required by legislation to the relevant bodies administering social service benefits, Austudy, Abstudy etc. Information may only be released in response to a written request by relevant bodies, or by the Director or Delegated Officer, Student Administrator or Registrar in accordance with established benefits-checking procedures. 2.1.8 Evidence Act 1958 Information may be released to the extent required pursuant to any compulsory procedure available under the Evidence Act 1958. 2.1.9 Other Legislation Information may be released to the extent required by any other present or future state or federal legislation. Authorisation to cover the release of information to meet legal obligations is built into the enrolment process when the student completes the Enrolment Declaration on the enrolment form.

2.2 Emergency Release In the event of accident or emergency, or a student becoming incompetent to manage his/her affairs, personal details may be released to the next of kin, the police, hospital, civil emergency services, or the student's legal personal representative by the Administration Manager.

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2.3 Releases by student authorisation Information may be released in accordance with the Enrolment Declaration or pursuant to a written authorisation signed by a student. An authorisation may permit the release either generally or to specific bodies or class of bodies of all or specific parts of information from the student's record. The signed authorisation must be retained on the student's hard copy file that is held by Records Management Services.

Student access to another student's record or computer record is prohibited unless authorised by the consenting student's written authorisation as stated in section 3.2 below.

Over and above the Enrolment Declaration a student may provide written authorisation for release of information on his/



her personal, academic and grievance records to any outside agency.

2.4 Release of information within the Academy  
2.4.1 Release to academic and general staff Information relevant to the conduct and administration of Academy functions, eg teaching and research, library and information services, student parking, fee collection, equity and access, and student conduct may, under delegation, be accessed by and communicated to staff responsible for the conduct of such functions. The information retrieved must be restricted to that necessary for the conduct of such functions.

If a student has, in writing, requested a staff member to provide the student with a reference, both the hard copy and computer record of the student may be viewed, but not removed, altered, printed or copied by the staff member.

2.4.2 Electronic Directory Services The provision of student information for external electronic directory services is prohibited.

Staff requiring student information or profiles for the purpose of, or derived from, internal electronic directory services are required to formally request this information from the Director or Delegated Officer, Administration Manager or Registrar. All formal written requests for information by staff need to be countersigned by the appropriate Faculty Coordinator or the Student Administrator. Staff may read but not delete, alter, distribute or reproduce student information or profiles without authorisation.

2.4.3 Student Photograph (Digital Image) Academic staff requiring student information including student photographs (digital image) for the purpose of class lists and research require authorisation from the Administration Manager as per section 3.2 below. Unless otherwise authorised, academic staff are restricted to accessing information related to their own classes and not the student population generally.

2.4.4 Computer Student User Account Registration For the purposes of creating computer student user account registration, staff may access and/or download student name, student number (or alternative identifier), division/department and student subject codes. If applicable, access to such data must have a self-destruct date for defined periods, after which the information must be deleted or overwritten.

2.4.5 Special Clearance Only the Director or Delegated Officer and the Administration Manager may take the hard copy file of a student's record from its storage place and remove it from the Academy's premises. Any such removal must be recorded by the Student Administrator.

2.5 Release to Student Bodies Student contact addresses, telephone numbers and other information collected by the Academy may, at the discretion of the Administration Manager, be provided to the Student Association or other properly constituted student bodies for efficient student business, eg mail outs, surveys. Authorisation shall be given by the student at the time of enrolment by completing the Enrolment Declaration.

2.6 Access by Students Students are entitled to access information on their personal enrolment, academic records and other records, including records of any grievances. Applications should be made either in writing or on presentation of appropriate identification to the Administration Office.

2.7 Transcript of Academic Record A student may request an official transcript of his/her academic record for a fee charged for each copy issued. A record may be withheld if the person requesting has any outstanding debt to the Academy. Official transcripts of academic records may only be issued by the Administration Manager.

2.8 Release to Outside Bodies No information held by the Academy relating to a student shall be released to outside bodies or persons, otherwise than as specified in section 2.1, without the student's written authority. In response to any reasonable inquiry whether a particular student is enrolled at the Academy, the Administration Manager or Delegated Officers may use their discretion in disclosing the information.

### **3 Formal Approval Procedure for Accessing Student Records**

The formal approval procedures for accessing student records are detailed below.

3.1 Enrolment Declaration On enrolment, students are requested to sign the following Enrolment Declaration: I authorise the Academy of Design Australia to obtain official records and other relevant information with respect to myself from other appropriate educational institution(s). I approve the release of details of my courses and grades at the Academy to other educational institutions and academically relevant professional bodies. I authorise the Academy to release formal details for educational purposes or to meet legal obligations or, in the case of an emergency, as authorised by the Administration Manager, in accordance with the Academy's policy and procedure covering confidentiality of



student records.

The signed enrolment declaration will cover most access requests under sections 2.1, 2.2, 2.4.1, 2.5 and 2.8 as stated in this policy.

3.2 Written Authorisation In cases not generally covered by the Enrolment Declaration the following procedure applies: 3.2.1 The Administration Manager's or Delegated Officers' approval must be granted for access to student records or computer records. 3.2.2 No access will be granted unless all documentation requirements are completed. This includes the completion of a written request lodged with the Administration Manager or Delegated Officers. 3.2.3 The Administration Manager or Delegated Officers shall have absolute discretion whether to grant or refuse access to student records and computer records. He/she may attach conditions to any grant of access, or may grant access to specific information only. 3.2.4 The Administration Manager shall confirm that the student has given written authorisation prior to approving the application for access to a student's record. 3.2.5 Written applications must address the following criteria for access:

- clearly state the type of information requested
- state the intended use of the information
- identify the people who will have access to the information
- include a statement that no unauthorised alterations shall be made
- include a statement outlining security measures, including provision for a self-destruction date for a defined period of time in the case of some electronically derived data.

3.2.6 After approval has been granted, access arrangements for hard copy records shall proceed under the supervision of an officer delegated by the Administration Manager. Unless otherwise specified access to hard copy records shall be viewing only. 3.2.7 After approval has been granted, access arrangements for electronically derived data must comply with the following practices:

- be processed only through the Administration Office
- use a self-destruction date, if applicable, or be deleted or overwritten, where a defined time period is stated
- no extracting or stripping of data, unless authorised to do so
- no inappropriate access or lifting of non-authorised information
- no alterations to information, unless authorised to do so.

#### **4 Records Management**

4.1 Copies of the Enrolment Declaration and of individual written requests and authorisations for release of information shall be retained on the student's hard copy file held by Records Management Services. 4.2 Copies of requests and authorisations for multiple information for the purposes of research questionnaires and surveys shall be retained on the appropriate central file held in Records Management Services. 4.3 All alterations to student records must be dated and signed by the Administration Manager. 4.4 Computer records shall be updated regularly and, if necessary, programs shall be produced to allow extraction of specified data as required by the Administration Manager. 4.5 Authors and programmers of computer records must employ a range of protection mechanisms including the function 'Access Denied', distinct network addresses and passwords and self-destruct dates. 4.6 The Administration Manager shall ensure compliance with the Higher Education Provider Guidelines - in particular sections 1.1.5 and 4.5 relating to records of grievances - and all other legislative requirements relating to access to, retention, closure, disposal and destruction of student records. 4.7 All authorised staff must present a valid staff identification card when requesting access to student records.

#### **5 Breaches**

5.1 The Administration Manager has overall responsibility for ensuring that all breaches of access to student records or computer records, and the unauthorised release of information therefrom, are dealt with by due process in accordance with the Academy's policies.

#### **6 Schedule of Delegations**

6.1 This schedule details major delegations for accessing individual student information held by the Academy of Design Australia. It is effective immediately and may be subject to amendment and/or modification from time to time. It does not apply to collated student information or statistics where individuals are unable to be identified. 6.2 The Administration Manager has overall responsibility for the Academy's student records and for the administration of the Academy of Design Australia's policy and procedure relating to confidentiality of student records. 6.3 The Administration Manager has discretionary powers and may delegate all or any of his/her responsibilities, duties and



functions to a prescribed officer/s of the Academy. 6.4 For the purposes of this procedure 'Delegated Officer' means those Academy personnel authorised under delegation from the Administration Manager to act on his/her behalf. The officer so delegated must act in accordance with the Academy's Policy and Procedures for Confidentiality of Student Records and the Statement to Students on Confidentiality of Personal Information. 6.5 For the purposes of this procedure 'Authorised Staff' means Academy staff who have received formal approval to have access to a student's record. 6.6 Student personal information generally covers factual data (name, student I.D. number, address, telephone number, age, enrolment status, employment details, digital image etc.), academic progress (course details, examination results, evaluation and assessment, academic standing etc.) and personal welfare (emergency contacts, family matters, medical matters and financial matters).