

## **General Policy**

### **G06 Information Privacy Policy**

#### **1. Policy Statement**

SAE Institute recognises the right to privacy of client files and client communications. As an organisation, SAE Institute is committed to complying with the provisions of the relevant Data Protection legislation where the campus is located.

#### **2. Purpose**

To inform students and staff of SAE Institute policy in relation to the collection, storage, use, security and disclosure of personal information collected about them and the right to access personal information.

#### **3. Scope**

This policy applies in the context of SAE Institute operations in Europe, in the Licenced territory operations and all SAE campuses offering programmes in collaboration or operations with Middlesex University, and is applicable to all students enrolled with, or intending to enrol with SAE Institute, and to all staff employed with SAE Institute.

#### **4. Associated Policies and Documents**

This policy should be read in conjunction with the following policies and documents:

- G01 Code of Conduct
- G02 Public Information Policy.

#### **5. Policy**

Personal data shall only be collected in accord with the principles specified in Schedule 1 of the Data Protection Act 1998.

In complying with that Act, SAE Institute shall meet the minimum standards for the collection, use and disclosure of personal information in the following manner:

##### **5.1. Collection**

SAE Institute shall only collect personal information that is necessary to carry out legitimate activities. Information shall be collected in a legal and just manner and shall not, where reasonably possible, be intrusive.

If practical, personal information shall normally be collected directly from individuals. When collecting personal information, SAE Institute shall take reasonable steps to inform the person about:

- The identity of this organisation
- The purpose of the information collection.

## **5.2. Use and Disclosure**

SAE Institute shall only use or disclose information for the primary purpose (original reason for information being collected), for which it was collected.

SAE Institute shall not use or disclose information for a secondary purpose (any other purpose than the primary purpose) unless the individual has consented to the use or disclosure, or unless required by law.

**Please note:** SAE Institute may be requested to make personal information available to authorised government departments or agencies when required. For example, information about international students studying with SAE Institute may be required by the Immigration Office. This information may include personal and contact details, course enrolment details and changes, and the circumstance of any suspected breach of a student visa condition.

SAE Institute will in all cases normally accede to legitimate requests for information disclosure from authorised government agencies or departments, and SAE Institute will always comply with its legal obligations.

## **5.3. Data Quality**

SAE Institute shall take all reasonable steps to make sure that personal information is accurate, complete and up-to-date at the time of collection and will ensure to the best of its ability that any personal information collected is not misleading.

## **5.4. Data Storage and Security**

SAE Institute shall take all reasonable steps to ensure personal information is suitably and securely stored including ensuring that appropriate filing procedures are in place. SAE Institute shall take reasonable steps to ensure that the security of physical files, computers, networks and communications are maintained at all times.

SAE Institute shall also ensure personal information is safe from misuse, loss, and unauthorised access, alteration or disclosure. Personal information shall be destroyed or de-identified when it is no longer needed for either the primary or approved secondary purpose, subject to government or regulatory requirements for data maintenance and record keeping periods.

### 5.5. Openness

SAE Institute shall make available this Policy and the Public Information Policy (GO2) freely available to all staff and students. SAE shall also, on request and within reason, inform an individual of:

- The type of personal information that is collected and held
- The purpose for this information
- The method by which it is collected
- How it is used and disclosed.

### 5.6. Access and Correction

If requested, SAE Institute will provide individuals access under supervision to any personal information held about them free of charge subject to the provisions of sections (a) to (n) below, and if requested, the opportunity to have any relevant information updated. If requested, a copy of selected information which does not breach any other privacy or confidentiality requirements for others may be provided, if approved by the Campus Manager or the Regional Manager, and SAE Institute may choose to charge a fee to make a copy of personal information. Should a fee apply, it will not be excessive.

This information is provided on the condition that none of the following exceptions apply:

- a) providing access would pose a threat to the welfare, health or rights of any individual; or
- b) providing access would have an unreasonable impact upon the privacy or rights of other individuals; or
- c) the request for access is frivolous or vexatious; or
- d) 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
- e) 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
- f) providing access would be unlawful; or
- g) denying access is required or authorised by or under law; or
- h) providing access would be likely to prejudice an investigation of possible unlawful activity; or
- i) providing access would be likely to prejudice 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; or
- j) the enforcement of laws relating to the confiscation of the proceeds of crime; or
- k) the protection of the public revenue; or

- l) the prevention, detection, investigation or remedying of seriously improper conduct or prescribed conduct; or
- m) the preparation for, or conduct of, proceedings before any court or tribunal, or implementation of its orders by, or on behalf of, an enforcement body; or
- n) an enforcement body performing a lawful security function asks the organisation not to provide access to the information on the basis that providing access would be likely to cause damage to local, regional or national government security.

When requesting access to personal information, individuals shall:

- request to access their personal information formally in writing
- provide two (2) acceptable forms to prove their identity
- clarify to exactly what information access is sought and for what purpose
- allow 10 working days for processing of the request.

If an individual considers their personal information to be incorrect, incomplete, out of date or misleading, or their personal circumstances have changed, they can request that the information be amended or updated. Where a record is found to be inaccurate, a correction will be made. Where a student requests that a record be amended because it is inaccurate but the record is found to be accurate, the details of the request for amendment will be noted on the record.

### **5.7. Transborder Data Flow**

SAE Institute will only transfer personal information to a foreign government or company if:

- The foreign recipient has similar compulsory privacy limitations; or
- The individual has requested it or granted permission; or
- It is necessary to conduct business which involves the individual; or
- The request has the authorisation of a UK government agency.

### **5.8. Sensitive and Health Information**

SAE Institute shall not collect personal information that is of a sensitive nature unless it has been provided by the individual in relation to their studies or prior permission has been sought from the individual.

## **6. Publication and Consent**

This policy will be made available to students and prospective students by electronic or hardcopy means as appropriate. In order to ensure that students have given their informed consent for their personal information to be disclosed to certain third parties as outlined in this policy, SAE Institute will advise students on enrolment about this policy and

acceptance of enrolment shall signify provision of informed consent for the purposes and provisions of this policy.

**7. Version Control**

*July 2007 policy implemented (Governing Council)*

*September 2009 policy amendment (Governing Council)*

*October 2011 policy amendments approved (CEO and Managing Director)*

*April 2013: policy revisions approved (CEO, and Director of Academic Affairs)*

*April 2014: Policy to be reviewed.*