PROCEDURES RELATING TO PERSONAL INFORMATION

Definitions
For the purposes of this document:

The Act refers to the Higher Education Support Act 2003

Student/s refers to all persons enrolled with Northern Rivers Conservatorium Arts Centre Inc (NRCAC) including persons enrolled or seeking to enrol in a unit of study that meets the course requirements under sub clause 45(1) of Schedule 1A of the Act who are, or would be entitled to VET FEE-HELP assistance under clause 43 of Schedule 1A of the Act.

1. Overview
NRCAC complies with the requirements of Clause 23 of Schedule 1A of the Act and the Information Privacy Principles set out in the Privacy Act 1988 in relation to the collection of information relating to Students.

NRCAC will allow a Student to apply for and receive a copy of the VET personal information that the provider holds in relation to that Student.

2. Collection of Information
Personal information will not be collected unless:

• the information is collected for a purpose directly related to Students; and
• the collection of the information is necessary for or directly related to that purpose.

Personal information will not be collected by unlawful or unfair means.

Where personal information is collected for inclusion in a record or in a generally available publication NRCAC will take reasonable steps to ensure that, before the information is collected or, if that is not practicable, as soon as practicable after the information is collected, the Student concerned is generally aware of:

• the purpose for which the information is being collected;
• if the collection of the information is authorised or required by or under law the fact that the collection of the information is so authorised or required; and
• with whom the information may be shared (such as the Australian Government or the Tuition Assurance Scheme Provider).

Where NRCAC solicits and collects personal information for inclusion in a record or in a generally available publication it will take reasonable steps to ensure that:

• the information collected is relevant to that purpose and is up to date and complete; and
• the collection of the information does not intrude to an unreasonable extent upon the personal affairs of the Student.
Northern Rivers Conservatorium Arts Centre Inc

3. Storage and Security of Personal Information

NRCAC will ensure that a Student’s personal information is protected by such security safeguards as it is reasonable in the circumstances to take, against loss, against unauthorised access, use, modification or disclosure, and against other misuse.

NRCAC will ensure that if it is necessary for a Student’s personal information to be given to a person in connection with the provision of a service to NRCAC, everything reasonably within the power of NRCAC will be done to prevent unauthorised use or disclosure of that personal information.

NRCAC will maintain a record setting out:
- the nature of the records of personal information kept by NRCAC;
- the purpose for which each type of record is kept;
- the classes of individuals about whom records are kept;
- the period for which each type of record is kept;
- the persons who are entitled to have access to personal information contained in the records and the conditions under which they are entitled to have that access; and
- the steps that should be taken by persons wishing to obtain access to that information.

NRCAC will not use a Student’s personal information without taking reasonable steps to ensure that, having regard to the purpose for which the information is proposed to be used, the information is accurate, up to date and complete. NRCAC will not use a Student’s personal information except for a purpose to which the information is relevant.

4. Review and Access

An individual may request access to or obtain a copy of their personal records/information or for their personal information to be amended so that it is accurate.

Individuals are able to access their own records by requesting in writing to the Executive Director at Northern Rivers Conservatorium Arts Centre Inc, PO Box 1111, Lismore, NSW, 2480. There is no charge for an individual to access personal information that NRCAC holds about them; however NRCAC may charge a fee to make a copy.

If an individual considers their personal information to be incorrect, incomplete, out of date or misleading, they can request that the information be amended. Where a record is found to be inaccurate, a correction will be made. Where an individual 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. Disclosure

NRCAC will not disclose a Student’s personal information to a person, body or agency (other than the individual concerned) unless:
- the individual concerned is reasonably likely to have been aware that information of that kind is usually passed to that person, body or agency;
- the individual concerned has consented to the disclosure;
- NRCAC believes on 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 another person;
- the disclosure is required or authorised by or under law; or
Northern Rivers Conservatorium Arts Centre Inc

- 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 the public revenue.

Where personal information is disclosed for the purposes of enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the purpose of the protection of the public revenue, the record-keeper shall include in the record containing that information a note of the disclosure.

A person, body or agency to whom personal information is disclosed will not use or disclose the information for a purpose other than the purpose for which the information was given to the person.

6. Publication

These procedures will be published on the NRCAC website (www.nrcac.edu.au).
STUDENT ENROLMENT & ACCEPTANCE PROCEDURE

1) Applications are received by the Student Administrator on the official enrolment form.

2) An audition is scheduled by the Head of Music.

3) The Student Administrator advises prospective students of the audition date and time and sends information on the audition procedure.

4) The audition is conducted by the Head of Music and/or music staff depending on the student’s major.

5) After the audition students are advised by letter of their acceptance or otherwise. The acceptance letter provides information about the course, semester dates, orientation procedure and fees.

6) Students asked to indicate their acceptance of the course offer by filling in an attached form and returning it with payment of the $350 non-refundable deposit which will be deducted from their total fees.

7) On receipt of the acceptance a personal file is created for student’s paper based records and their details are entered on the student data base.

8) The first day of the first semester is set aside for orientation. Students receive the student handbook, semester timetable and are advised of any additional materials, books etc that may be required. They are introduced to staff members and fellow students and have their photographs taken for their student card. Tours of the building and grounds are conducted.

9) Students are asked to sign a Declaration of Understanding wherein they acknowledge having read and understood the policies and procedures relating to the NRCAC Code of Practice, general rules, and specifically policies on harassment, bullying and discrimination, fees, qualifications and assessment procedures, appeals, variation to enrolment, deferring/course withdrawal and the emergency evacuation procedure.

10) The Head of Department is responsible for training matters.

11) The Student Administrator is responsible for student management, fees and records.

12) The Director has overall responsibility.
FAIR TREATMENT AND EQUAL BENEFITS AND OPPORTUNITY POLICY

Overview
Northern Rivers Conservatorium Arts Centre Inc (NRCAC) supports the concept of equal opportunity and is committed to providing all staff, students and potential students with a working and learning environment which values diversity, respects differences and provides an environment that is safe, healthy, positive, supportive and free from all forms of harassment, bullying and discrimination.

Definitions
For the purposes of this document the following applies:

The Act refers to the Higher Education Support Act 2003

Student/s refers to all persons enrolled in a unit of study who are, or would be entitled to VET FEE-HELP assistance under clause 43 of Schedule 1A of the Act; and

Potential Students refers to all persons seeking to enrol in a VET unit of study that meets the course requirements under subclause 45(1) of Schedule 1A of the Act and who are, or would be, entitled to VET FEE-HELP assistance under clause 43 of Schedule 1A of the Act.

1.0 Fair Treatment
1.1 NRCAC will treat fairly all Students and Potential Students.

2.0 Student Selection
2.1 NRCAC has open, fair and transparent procedures, based on merit for making decisions about:
   a) the selection, from among Potential Students; and
   b) the treatment of Students.

2.2 Potential Students seeking to enrol in a VET unit of study with NRCAC, regardless of their background, circumstances or eligibility for funding will be assessed for entry to study through the same published entry requirements and through the same process.

2.3 The above undertakings do not prevent NRCAC taking into account, in making decisions about the selection and treatment of Students or Potential Students, educational disadvantages that a particular Student or Potential Student has experienced or the fact that the Student or Potential Student may be enrolled via a VET restricted access arrangement.

2.4 ENTRY REQUIREMENTS FOR VET FEE-HELP ENABLED COURSES
To be eligible for entry into the Diploma of Music applicants must have a Certificate IV in Music from either NRCAC or another institution OR demonstrate comparable skills and knowledge.

2.5 APPLICATION
Individuals who seek to enrol in a course with NRCAC must complete and submit the Application Form which is available from NRCAC or alternatively enrol via the website. Applications may be submitted to the Student Administrator.

The application should include evidence that the applicant meets the published entry requirements for the course.
2.6 ASSESSMENT AGAINST PUBLISHED ENTRY CRITERIA AND AUDITION

The Student Administrator assesses the application against the published entry requirements. Where the application is not complete or if further information is required to make an assessment of whether the applicant has met the published entry requirements for their chosen course, the applicant will be contacted and given the opportunity to provide further information.

The Student Administrator advises applicants of their audition date and time and sends information on the audition procedure.

The audition is conducted by the Head of Music and/or music staff depending on the student’s major.

Applicants who are not accepted into the course will be sent a letter clearly outlining the reasons why they have not been offered a place in the course. The letter will also advise the unsuccessful applicant about their right to appeal the decision and how to access the appeals process.

2.7 CONFIRMATION OF ENROLMENT

Successful applicants will be sent a letter confirming their place in the course. The applicant is sent information about the course, semester dates, payment options and details of student orientation.

3.0 Publication

3.1 This *Fair Treatment and Equal Benefits and Opportunity Policy* will be made available to Students and Potential Students through publication on the website: www.nrcac.edu.au.
STUDENT REFUND POLICY

Where NRCAC defaults, refunds must be the total amount of the course money received from the student. Students must be advised of this prior to payment of fees.

Refunds must be made within 2 weeks after the default date.

Students can have course fees refunded without penalty, other than the non-refundable deposit/administration fee should they choose to withdraw from the course within the first three weeks of semester. Students who withdraw within the first six weeks of semester will be charged on a pro-rate basis. Students withdrawing after this period are not entitled to have course fees refunded. In exceptional circumstances and on compassionate grounds, where a student applies in writing for a refund of fees paid, the Director and NRCAC Board will consider the case and may choose to refund course fees.

NRCAC will refund moneys paid for courses, other than the non-refundable deposit for course placement, wherever it is found that:

- NRCAC has not fulfilled its obligations to offer courses as specified in course handbooks and course outlines. * In some cases courses are specified to run only where there are sufficient numbers. This will be outlined in course brochures and other advertising material.

- NRCAC cannot fulfill its stated obligations with regard to a course it is running, or if a unit or class is discontinued for whatever reason.

- NRCAC will make every effort to complete all academic programs in any given academic year. If NRCAC ceases to operate as viable entity, and cannot, for any reason complete a study programme, students will be advised of alternative courses which will recognize completed units under the National Training Framework. Domestic students will have monies refunded for units not completed.

Where a student does not commence a course, they may apply in writing for a refund of fees paid, other than for the non-refundable deposit. Fees will be refunded within 4 weeks of the written application being received by NRCAC. NRCAC will supply documentation of fees paid and refunds given, specifying how the refund amount was calculated.

Where a student disputes the eligibility or amount of a refund, this refund agreement does not remove the right for the student to take further action under Australia’s consumer protection laws, or stop the student pursuing other legal remedies.
Northern Rivers Conservatorium Arts Centre Inc

STUDENT REVIEW PROCEDURES FOR RE-CREDITING A FEE-HELP BALANCE

Definitions

The Act: Refers to the Higher Education Support Act 2003

Student: Refers to students, who are Australian citizens or permanent humanitarian visa holders who will be resident in Australia for the duration of their VET Units of Study, and who access VET FEE-HELP for payment of their tuition fees in respect of the VET Unit of Study in which they are enrolled.

Census Date: A published date set by the provider, no earlier than 20% of the way through a VET Unit of Study.

Tuition Fees: Fees paid for a VET Unit of Study that is approved for VET FEE-HELP and applies to Students who are, or would be entitled to VET FEE-HELP assistance under clause 43 of Schedule 1A of the Act.

Unit or VET Unit of Study: A VET Unit of Study approved for VET FEE-HELP that a Student may undertake with the provider, for which the Student may access VET FEE-HELP assistance to pay for all or part of their tuition fees.

DIISRTE: The Department of Industry, Innovation Science, Research and Tertiary Education.

1.0 Incurring a VET FEE-HELP Debt
1.1 A Student who is, or would be, eligible for VET FEE-HELP and has requested VET FEE-HELP Assistance, who withdraws from a Unit on or before the census date will not incur a VET FEE-HELP debt for the tuition fees for that Unit.

1.2 Students who have requested VET FEE-HELP Assistance who remain enrolled after the published census date will incur a VET FEE-HELP debt for the Units in which they are enrolled. A Student who withdraws from a Unit after the published census date for that Unit will incur a VET FEE-HELP debt for that Unit.

2.0 Re-crediting a FEE-HELP Balance
2.1 Students who withdraw from a Unit after the published census date, or fail to complete a Unit, may apply to have their FEE-HELP balance re-credited with respect to the Unit if they believe special circumstances apply in accordance with the following procedures.

3.0 Special Circumstances
3.1 If a Student withdraws from a Unit after the published census date for that Unit, or has been unable to successfully complete a Unit and believes this was due to special circumstances, the Student may apply to have their FEE-HELP balance re-credited for the affected unit/s.

3.2 Northern Rivers Conservatorium Arts Centre Inc (NRCAC) will re-credit the Student’s FEE-HELP Balance if it is satisfied that special circumstances apply where:

• these circumstances were beyond the Student’s control; and
• these circumstances did not make their full impact on the Student until on, or after the census date; and
• these circumstances were such that it was impracticable for the Student to complete the requirements for the Unit.
Northern Rivers Conservatorium Arts Centre Inc

3.3 For circumstances to be beyond a Student’s control, the situation should be that which a reasonable person would consider is not due to the Student’s action or inaction, either direct or indirect, and for which the Student is not responsible. The situation must be unusual, uncommon or abnormal to be considered special circumstances.

3.4 Special circumstances do not include:

• lack of knowledge or understanding of requirements for VET FEE-HELP assistance; or
• a Student’s incapacity to repay a VET FEE-HELP debt (repayments are income contingent and the Student can apply to the Australian Taxation Office for a deferral of a compulsory repayment in certain circumstances).

4.0 Re-credit of a Student’s FEE-HELP Balance - The Process

4.1 Each application for re-credit of a Student’s FEE-HELP balance will be considered on its merits together with all supporting documentation substantiating the special circumstances claim.

4.2 The Head of Music, (Phone: 02 6621 2266) is the designated officer responsible for the assessment of a student’s request for a re-credit of their FEE-HELP balance due to special circumstances and for the initial decision regarding the request.

4.3 A student must apply in writing to the Head of Music at Northern Rivers Conservatorium Arts Centre Inc, PO Box 1111, Lismore, NSW, 2480 within 12 months of the withdrawal date, or if the Student has not withdrawn, within 12 months of the specified completion date of the Unit.

4.4 NRCAC has the discretion to waive this requirement if it is satisfied that it was not possible for the application to be made within the 12 month period. Relevant supporting documentation will be required to substantiate the claim.

4.5 The application for re-crediting a FEE-HELP balance must include details of the:

• unit(s) for which a Student is seeking to have a FEE-HELP balance re-credited and
• special circumstances as referred to above, including supporting documentation.

4.6 NRCAC will consider each application within 28 days of receipt of the application. It will consider each request to re-credit a FEE-HELP balance in accordance with the requirements of Schedule 1A of the Act. Applicants will be notified in writing of the decision within 28 days.

5.0 Review of Decision

5.1 Where NRCAC makes a decision NOT to re-credit a Student’s FEE-HELP balance that decision may be subject to review.

5.2 If a Student is not satisfied with the decision made by NRCAC, the Student may apply, within 28 days of the receipt of the original decision, for a review of the decision. The application for review must:

• be made within 28 days of receipt of the original decision;
• include the date of the original decision;
• state fully the reasons for applying for the review;
• include any additional relevant evidence.
Applications should be made in writing to the Executive Director at Northern Rivers Conservatorium Arts Centre Inc, PO Box 1111, Lismore, NSW, 2480 as the designated Review Officer of any decisions relating to a request for re-crediting of a FEE-HELP balance. The Review Officer is senior to the designated officer (the Head of Music) responsible for the original decision and was not involved in making the original decision to be reviewed.

The Review Officer will:

• acknowledge receipt of the application for review of a decision in writing within 10 working days; and
• inform the Student that if the Review Officer has not advised them of a decision within 45 days of receipt of the application for review, it is taken that the Review Officer has confirmed the original decision.

The Review Officer will then:

• review the information from the original decision and then assess any new evidence provided by the Student;
• provide written notice to the Student of the decision, setting out the reasons for the decision;
• inform the Student of their right to apply to the Administrative Appeals Tribunal if they disagree with the Review Decision, and timelines involved (see below).

Reconsideration by the Administration Appeals Tribunal

At the time of the original decision, and at the time of the subsequent review decision, the Student will be notified of their review rights and responsibilities. The relevant officer will inform a Student in writing of their right to appeal to the Administrative Appeals Tribunal (AAT) if they are not satisfied with the outcome and the contact details of the closest AAT office and the approximate costs of lodging an appeal. The application must be lodged at the AAT within 28 days of receiving written notice of the review decision. This time limitation can be extended in limited circumstances by order of the AAT.

Full details of the application process and fees payable are available on the AAT Registry’s website: www.aat.gov.au. An application fee may have to be paid, in the amount of $777 (2010-2011) and is subject to change. Applications cannot proceed until the fee has been paid or waived. Applications for fee waiver must be made to the AAT. Refer to the AAT website for more details.

Details of closest AAT office:
Administrative Appeals Tribunal
Level 4, Harry Gibbs Building
Commonwealth Law Courts
119 North Quay
Brisbane QLD 4000
Telephone (07) 3361 3000

The Secretary of DIISRTE, or the Secretary’s delegate, will be the respondent for cases that are brought before the AAT. Upon DIISRTE’s receipt of a notification from the AAT, DIISRTE will notify NRCAC that an appeal has been lodged. Upon receipt of this notification from DIISRTE, the Review Officer will provide DIISRTE with copies of all the documents that are relevant to the appeal within ten business days.
Northern Rivers Conservatorium Arts Centre Inc

7.0  Publication
7.1  These procedures are published on the NRCAC website (www.nrcac.edu.au) to ensure
     Students have up to date and accurate information publicly available to them.
Definitions
For the purposes of this document the following applies:

The Act refers to the *Higher Education Support Act 2003*

**Student/s** refers to all persons enrolled with Northern Rivers Conservatorium Arts Centre Inc (NRCAC) including persons enrolled in a VET unit of study that meets the course requirements under subclause 45(1) of Schedule 1A of the Act who are, or would, be entitled to VET FEE-HELP assistance under clause 43 of Schedule 1A of the Act. For the purposes of non-academic grievances the term Student also refers to a person seeking to enrol with NRCAC including persons seeking to enrol in a VET unit of study that meets the course requirements under subclause 45(1) of Schedule 1A of the Act who are, or would, be entitled to VET FEE-HELP assistance under clause 43 of Schedule 1A of the Act.

**Complainant** refers to Students (as defined above) who have lodged a grievance with NRCAC.

1. Overview
NRCAC is committed to providing an effective, efficient, timely, fair and confidential grievance handling procedure for all Students. This policy covers both academic and non-academic grievances and appeals.

Academic matters include those matters which relate to student progress, assessment, course content or awards in a VET course of study.

Non-academic matters include those matters which do not relate to student progress, assessment, course content or awards in a course and include grievances in relation to personal information that the provider holds in relation to the student. Non-academic grievances tend to arise from events occurring at a provider or from decisions made by a provider.

Complainants are entitled to access the grievance procedures regardless of the location of the campus at which the grievance has arisen, the Complainant’s place of residence or mode of study.

2. Responsibility
The Executive Director is responsible for implementation of this policy and procedure and ensuring that all staff are fully trained in its operation and Students and Complainants are made aware of its availability.

3. General principles
These principles, which will be adhered to by NRCAC, apply to all stages of this grievance procedure:

- The Complainant and any respondent will have the opportunity to present their case at each stage of the procedure.
- The Complainant and any respondent have the option of being accompanied/assisted by a third person (such as a family member, friend or counsellor) if they so desire.
- The Complainant and any respondent will not be discriminated against or victimised.
- At all stages of the process, discussions relating to grievances and appeals will be recorded in writing. Reasons and a full explanation in writing for decisions and actions taken as part of this procedure will be provided to the Complainant and/or any respondent if requested.
Northern Rivers Conservatorium Arts Centre Inc

• Records of all grievances will be kept for a period of five years. These records will be kept strictly confidential and stored at Northern Rivers Conservatorium Arts Centre Inc, PO Box 1111, Lismore, NSW, 2480.
• A Complainant shall have access to this grievance procedure at no cost.

4. Formal Grievance Procedure

4.1 Stage One
Formal grievances should be submitted in writing to the Head of Music at Northern Rivers Conservatorium Arts Centre Inc, PO Box 1111, Lismore, NSW, 2480.

The Head of Music will then assess the grievance, determine the outcome and advise the Complainant in writing of their decision within 10 working days.

The Complainant will be advised of their right to access stage two of this procedure if they are not satisfied with the outcome of Stage One.

4.2 Stage Two
If the Complainant is not satisfied with the outcome of Stage One they may lodge an appeal in writing with the Executive Director at Northern Rivers Conservatorium Arts Centre Inc, PO Box 1111, Lismore, NSW, 2480.

The Complainant’s appeal will be determined by the Executive Director who will conduct all necessary consultations with the Complainant and other relevant persons and make a determination of the appeal. The Complainant will be advised in writing of the outcome of their appeal, including the reasons for the decision within 10 working days.

The Complainant will be advised of their right to progress to Stage Three of the grievance procedure if they consider the matter unresolved.

4.3 Stage Three
If the Complainant is not satisfied with the outcome of their appeal then the services of independent mediator Lisa Frisen, Gold Coast Mediation and Dispute Resolution Services (accredited by LEADR, the Association of Dispute Resolvers) will be employed.

Costs of such mediation will be shared equally by NRCAC and the student.

If the Complainant remains unsatisfied with the outcome of the mediation process, they may contact the Australian Skills Quality Authority (ASQA). For contact details and information please see: http://www.asqa.gov.au/complaints/making-a-complaint.html.

NRCAC agrees to be bound by the recommendations arising from the external review of the complaint and the Executive Director will ensure that any recommendations made are implemented within 30 days of receipt of the recommendations.

5. Publication
This Student Grievance Policy and Procedure (Academic and Non-academic) will be made available to students and those seeking to enrol with NRCAC through publication on the website (www.nrcac.edu.au) and in the Student Handbook.

6. Approval
This Policy and Procedure was agreed to and ratified by the NRCAC Board on 30th October, 2012.