

Policies and Procedures

Student Privacy Policy

Policy Number: 1.6.2.30
Responsible Officer: Deputy Vice-Chancellor, Learning, Teaching and Student Services
Policy Editor/Contact: Deputy Vice-Chancellor, Learning, Teaching and Student Services
Approving Authority: Senate (Special Senate Meeting 1 of 2018)
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1. Purpose

- 1.1. This University Policy details what data may be collected by the University, for what purpose, how it should be secured, who may access it, and the University complaints procedures. The Policy applies to data held about all students, including students who are members of staff.
- 1.2. The University routinely collects data from students who interact with the University. The Constitution of Fiji (and other regional countries) includes reference to the right to privacy, the confidentiality of personal information and communications, and respect for private and family life. However, there is currently no formal Privacy Act such as exists in many other countries. Many Fijian and regional corporates have a privacy policy or similar document. There are a number of relevant Acts such as regional Public Record Acts. These serve to protect the right of access to personal information held by organisations such as the University. They state that people should be provided with reasonable access to their personal information, and should have the right to correct any errors in that information.

2. Policy

2.1. Gathering of Information

- a) Information shall be collected by the University only for the purpose intended, such as the evaluation of eligibility for enrolment or progression to further study.
- b) Information shall be gathered from the individual concerned, and where possible verified with documentary evidence.
- c) Where collection of information is required by law, the University shall identify the specific law under which the collection of the information is required, and inform the individual whether the supply of that information is voluntary or mandatory. The Office of the DVC LTSS shall be responsible for informing the individual in such cases.
- d) The University shall make clear the consequences for an individual if all or any part of the requested information is not provided, and the rights of access to and correction of information provided (see clauses below).

2.2. Use of Information

- a) Except where specified otherwise, information gathered shall not be used in a form in which the individual concerned is identified.

- b) Information gathered shall not be published in a form that could reasonably be expected to identify the individual concerned. No liability shall be accepted by the University when an individual is inadvertently identified.

2.3. **Security of Information**

The University shall take all reasonable care to ensure that information obtained from an individual in whatever form is reasonably protected. . To access institutional data, including student data, approval from the Vice-Chancellor & President must be sought.

2.4. **Personal Access to Information**

- a) Where the University holds information in such a way that it can readily be retrieved, the individual concerned shall be entitled to seek confirmation of whether or not the University holds such information, and provide reasonable access to that information.
- b) When an individual is given access to their information, they shall be advised that they may request the correction of that information.
- c) The University shall, if requested by the individual concerned or on its own initiative, take all reasonable steps to correct any information found to be incorrect.
- d) If the University is for any reason not willing to correct information considered incorrect by the individual, the University shall, if so requested attach to the information, in such a manner that it will always be read with the information, any statement provided by that individual of the correction sought, and the reasons the request was denied.
- e) The University shall hold personal information only for as long is required for the purposes for which the information may reasonably or lawfully be used.

2.5. **Third-Party Access to Information**

- a) The University shall not disclose the information to any third party unless the University believes, on reasonable grounds, that the disclosure of the information is one of the purposes in connection with which the information was obtained or is directly related to the purposes in connection with which the information was obtained.
- b) The University shall disclose the information to any third party if it on reasonable grounds believes that the source of the information is a publicly available publication (such as in USP publications), or that the disclosure is to the individual concerned, or a third party authorized by the individual concerned.
- c) The University shall not withhold information from a third party if it on reasonable grounds believes that it is compelled to disclose it by Law, or that failure to disclose the information is necessary to prevent or lessen a serious threat to public health or public safety, or the life or health of the individual concerned or another individual.
- d) The University shall not withhold information from a third party if on reasonable grounds it believes it is to be used in a form in which the individual concerned is not identified, or will be used for statistical or research purposes and will not be published in a form that could reasonably be expected to identify the individual concerned. Such release of information shall be approved by the University Research Ethics Committee.
- e) Disclosure of information to a third party shall be approved by the Deputy Vice Chancellor Learning, Teaching & Student Services.

- f) Notwithstanding the above clauses, the University shall upon request provide student data such as confirmation of enrolment, academic performance and the like, to student sponsors, including Government authorities (such as the MoE) and parents, without prior approval from the DVC LTSS.

3. Complaints Process

- 3.1. An individual student may make a complaint to the University alleging a breach of this Policy only if it relates to his or her student data held by the University.
- 3.2. A complaint under this Policy must be made in writing, and shall be lodged with the Group Manager Student Administrative Services, who shall refer it to the Deputy Vice Chancellor Learning, Teaching & Student Services.
- 3.3. Upon receiving a complaint the Deputy Vice Chancellor Learning, Teaching & Student Services shall confirm receipt of the complaint to the individual in writing within seven (7) days of receiving the complaint.
- 3.4. If the Deputy Vice Chancellor Learning, Teaching & Student Services chooses not to investigate the complaint, he/she shall inform the complainant within seven (7) days of receiving the complaint.
- 3.5. If the Deputy Vice Chancellor Learning, Teaching & Student Services chooses to investigate the complaint, he/she shall investigate the complaint within fourteen (14) days of receiving the complaint.
- 3.6. If the Deputy Vice Chancellor Learning, Teaching & Student Services believes there is sufficient evidence to warrant an investigation, he/she shall form an advisory committee comprising: the Director Assurance & Compliance, the Executive Director Human Resources, and a representative from the academic staff. The advisory committee shall investigate the complaint within fourteen (14) days of receiving the complaint, and provide a written report to the Deputy Vice Chancellor Learning, Teaching & Student Services.
- 3.7. The Deputy Vice Chancellor Learning, Teaching & Student Services shall, if satisfied that a breach of this Policy has occurred, refer the matter to the Vice-Chancellor & President who shall consider the evidence and proceed as per the Ordinance for the Discipline of Academic, Professional, Administrative, Library & Technical, Intermediate & Junior, and Hourly Paid Staff.
- 3.8. A complainant dissatisfied with the decision of the Deputy Vice Chancellor Learning, Teaching & Student Services may appeal to the Vice-Chancellor & President in writing, within seven (7) calendar days of receiving the decision about their complaint.