

Privacy statement

Personal information

The Tuition Protection Service (TPS) Director - a Commonwealth statutory officer - is subject to the [Privacy Act 1988](#) (Cth) (the Privacy Act) including the [Australian Privacy Principles](#) (APPs) contained in the Privacy Act. The TPS Director is supported by staff in the Department of Education, Skills and Employment (the department) and consultants who assist in the performance of the TPS Director's functions. This privacy statement and the TPS Director's Privacy Policy applies to the TPS Director and staff and consultants assisting the TPS Director. The TPS Director also adheres to applicable [guidelines](#) issued to agencies by the Office of the Australian Information Commissioner.

The TPS Director's Privacy Policy has been developed in accordance with APP 1 and embodies the commitment to protecting personal information. The complete privacy policy provides more detailed information, including how to make a complaint, access and request corrections to your personal information. The policy can be requested from the TPS at operations@tps.gov.au.

You should read our privacy policy if you are:

- a student;
- parent or guardian of a student under 18;
- a registered training organisation;
- a course provider approved under the [VET Student Loans Act 2016](#) (VSL Act);
- a registered higher education provider under the [Tertiary Education Quality and Standards Agency Act 2011](#) (TEQSA Act);
- a higher education provider approved under the [Higher Education Support Act 2003](#) (HESA);
- an Australian education provider registered to provide courses to people studying in Australia on a student visa under the [Education Services for Overseas Students Act 2000](#);
- an employee of an education provider;
- a contractor, consultant, or supplier of goods or services to the TPS Director;
- an applicant for a tenderer for a contract provided by the TPS Director;
- a policy stakeholder who works with the TPS Director;
- a person whose information may be given to the TPS Director by a third party, including other Australian Government agencies;
- any other individual whose personal information we may collect, hold, use and disclose.

Collection of your information

Personal information may be collected from providers about students for the purposes of administering tuition protection under the ESOS Act, VSL Act, HESA and the TEQSA Act. It may be collected directly from you, or on your behalf from a representative you have authorised.

Personal information such as names and contact details may also be collected about employees of an education provider when dealing with providers for the purposes of administering the tuition protection service.

We may also obtain personal information collected by other Australian Government Departments or agencies, state or territory governments, other third parties, or from publicly available sources. This will only occur when you consent or in circumstances where it is unreasonable or impractical to collect the information directly from you. It will also occur when we are required or authorised to do so by law.

The TPS webpage is accessed through the department's website. Information on the collection of your information—including personal information—via the department's website is outlined in the [department's privacy policy](#).

Purpose of collecting your information

Your personal information is collected for the purposes of administering the Tuition Protection Service. We will only collect information for a lawful purpose that is reasonably necessary or directly related to one or more of our functions and activities, or where otherwise required or authorised by law.

If you do not provide some or all the personal information requested, we may be unable to assist you if your education provider fails to start, or is unable to complete the delivery of, your course of study (a default).

We are authorised to collect personal information (which may include sensitive information) under a range of Acts, including but not limited to:

- *Education Services for Overseas Students Act 2000;*
- *Higher Education Support Act 2003;*
- *VET Student Loans Act 2016;*
- *Tertiary Education Quality and Standards Act 2011.*

Disclosure of your personal information

Your personal information may be disclosed to third parties, including but not limited to:

- a contracted service provider engaged by the TPS Director to assist in the performance of the TPS Director's statutory functions;
- education providers to facilitate replacement course arrangements;
- government departments, including the Service Delivery Office within the Department of Finance (Finance), the department, Department of Home Affairs, Services Australia, Overseas Student Ombudsman, VSL Ombudsman, Tertiary Education Quality and Standards Agency, Australian Skills Quality Agency and the Australian Government Actuary.

The TPS Director does not generally disclose personal information to overseas recipients. However, we may disclose personal information overseas where recipients of TPS communications use an email account that stores data on an overseas server or where a student undertakes study overseas with an Australian registered higher education provider.

We will not disclose your personal information to an overseas recipient unless certain conditions are met, for example, you give your consent, or the disclosure is authorised by law.

It is not practicable to list every country to which we may provide personal information as this will vary depending on the circumstances.

Your personal information may also be disclosed to other parties where you have agreed or is otherwise permitted under the Privacy Act.