



## Privacy Notice

### Up-front Payments Tuition Protection (Domestic Students)

#### Up-front payments tuition protection

Up-front payments tuition protection provides protection and assistance to support domestic higher education up-front paying students if their private higher education provider defaults.

A provider defaults in relation to a unit or course if it:

- fails to commence a unit or course,
- ceases to deliver a unit or course after the unit or course has started and before it has ended, or
- closes completely.

In the case of a provider defaulting in relation to a unit or course, affected students will be assisted to either:

- complete their studies in an equivalent or similar unit and/or course with the same or another higher education provider, or
- receive a refund for the up-front tuition fee payments paid towards their unit that they were undertaking when their provider defaulted.

If the defaulting provider is unable to assist affected students, the Higher Education Tuition Protection Director from the Tuition Protection Service (TPS) will step in to assist students.

#### Personal information

Your personal information will be collected for the purposes of tuition protection.

Your personal information is protected by law, including under the *Privacy Act 1988* (Privacy Act).

Personal information is information or an opinion about an identifiable individual, or an individual who is reasonably identifiable:

- whether the information or opinion is true or not, and
- whether the information or opinion is recorded in a material form or not.

Personal information includes an individual's name and contact details.

#### Purpose of collecting your personal information

As a registered higher education provider, Kaplan is required by law (under the *Tertiary Education Quality Standards Act 2011* (TEQSA Act)) to collect your personal information for the purpose of administering tuition protection for domestic up-front paying students.

If you do not provide some or all of the personal information requested, in the case that Kaplan defaults in relation to a unit or course you are enrolled in, you may not be able to be assisted through the:

- provision of a suitable replacement unit or course or
- provision of a refund of any up-front tuition fee payments you made in relation to your units.

#### How Kaplan and other bodies disclose your personal information

Kaplan will collect, hold, use and disclose your information in accordance with the law, including the Privacy Act, TEQSA Act and the *Higher Education Support Act 2003*.

As a registered higher education provider, Kaplan is required under the TEQSA Act to disclose the personal information we collect about you to the Department of Education, Skills and Employment



(the department) for the purposes of administering tuition protection. A registered higher education provider may also disclose personal information to the Tertiary Education Quality and Standards Agency for the purposes of performing functions under the TEQSA Act.

The department may disclose your information to the Higher Education Tuition Protection Director in the event Kaplan defaults or is viewed by the department to be at risk of defaulting. This is in order for the TPS to assist affected students under the TEQSA Act.

In the event Kaplan defaults and you are assisted to complete your studies in an equivalent or similar unit and/or course with a replacement higher education provider, then Kaplan and the Higher Education Tuition Protection Director may disclose your personal information to the replacement higher education provider in order for you to be enrolled in a replacement unit and/or course.

The department and the Higher Education Tuition Protection Director may also disclose some of your personal information to the Australian Government Actuary for the purposes of administering the up-front payments tuition protection levy payable by providers under the *Higher Education (Up-front Payments Tuition Protection Levy) Act 2020*.

Your personal information may also be disclosed to other parties where you have provided consent, or where it is otherwise permitted under law.

### **Personal information Kaplan must disclose**

The personal information that Kaplan may collect and disclose about you to the department in relation to up-front payment tuition protection includes your:

- name, date of birth, contact details and identifiers (e.g. Unique Student Identifier),
- study arrangements and details including enrolments and course progress, and
- payment arrangements, including tuition fees paid or payable, scholarships and payments by third parties.

For more information about what personal information Kaplan collects and discloses to the department in relation to up-front payments tuition protection can be found in sections 11 and 12 of the *Tuition Protection (Up-front Payments Guidelines) 2020*, available on the Federal Register of Legislation at <https://www.legislation.gov.au/Series/F2020L01635>.

### **Contact information**

At any time, you may contact Kaplan (by emailing [privacy@kaplan.edu.au](mailto:privacy@kaplan.edu.au)) to:

- request access to your personal information,
- correct your personal information,
- make a complaint about how your personal information has been handled, or
- ask a question about this Privacy Notice.

Kaplan's full contact details are provided in Kaplan's Privacy Policy.

For more information about how the department will handle your personal information, please refer to the department's Privacy Policy at <https://www.dese.gov.au/privacy> or by requesting a copy from the department at [privacy@dese.gov.au](mailto:privacy@dese.gov.au).

To contact the department about your personal information please email [privacy@dese.gov.au](mailto:privacy@dese.gov.au).

For more information about how the Higher Education Tuition Protection Director will handle your personal information, please refer to the Tuition Protection Service Director's Privacy Policy at <https://tps.gov.au/StaticContent/Get/Privacy> or by requesting a copy from the TPS at [operations@tps.gov.au](mailto:operations@tps.gov.au).

To contact the TPS about your personal information please email [operations@tps.gov.au](mailto:operations@tps.gov.au).