



MIT Communication with TEQSA Policy and Procedure

1. Purpose

The purpose of this policy and procedure is to ensure the Institute:

- maintains effective communication with TEQSA; and
- responds to requests by TEQSA in a timely and effective manner, whilst adhering to privacy principles and protecting confidential information.

2. Scope

This policy and procedure applies to all staff of the Institute.

3. Definitions

Term	Definition
Confidential information	<p>includes but is not limited to information regarding Institute:</p> <ul style="list-style-type: none">• students and associated student data, lists and agreements, student information and other personal information;• academic programs and components of academic programs;• business and marketing methods and strategies;• budgets, costings, financial affairs and accounting methods;• Intellectual Property/trade secrets and commercially valuable information;• manuals, procedures, academic and training materials, and computer programming information;• records of commercial discussions or dealings in relation to possible or actual arrangements with third parties;• legal advice;• staff information held under privacy principles, records of disciplinary proceedings against individual staff members;• research and development; or• any information that could reasonably be assumed to amount to commercial-in-confidence or confidential information <p>and also means Institute information considered confidential where the Institute reasonably believes that:</p> <ul style="list-style-type: none">• if the information were disclosed it would be in some way detrimental to MIT, or advantageous to others;• the information is confidential, secret and not in the public domain;• in light of the use by, or practice of, higher education providers, the information would be regarded as worthy of protection.

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Term	Definition
Nominated contact officers	Means the Institute CEO and Group General Manager.
Privacy principles	Means all personal, sensitive and health information collected, held or shared by the Institute in accordance with its privacy policy and the Australian Privacy Principles, and includes student information and data.
TEQSA	Means the Tertiary Education Quality and Standards Agency.

4. Policy Statement

- 4.1 The Institute is committed to compliance with TEQSA quality assurance and its risk and regulatory framework including the Higher Education Standards Framework (Threshold Standards). To ensure appropriate communication is maintained with TEQSA the Institute will:
- meet TEQSA Provider Information Requests within the prescribed deadlines;
 - provide timely advice on matters relating to key changes to Institute nominated contact officers;
 - consult with the TEQSA case manager and staff where appropriate, and encourage on-going and open exchange of information;
 - provide material change notifications and annual financial statements;
 - meet any advised conditions of registration or course accreditation;
 - endorse this policy and procedure and ensure its regular review.
- 4.2 TEQSA's regulatory processes may require information that is confidential to the Institute, including commercial-in-confidence information. The Institute may also determine that the information requested is confidential information or is subject to privacy principles.

5. Procedure

5.1 Institute response to TEQSA

- 5.1.1 When the Institute receives a request for information from TEQSA, the nominated contact officers will determine if information requested is confidential to the Institute.
- 5.1.2 The following information should not be disclosed to TEQSA:
- Confidential information; or
 - information which the Institute nominated contact officer considers should be treated as confidential; or
 - information that is held under privacy principles.

In such instances the Institute should contact its TEQSA case manager.

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- 5.1.3 The Institute will give TEQSA the reasons for requesting that the information be treated as confidential (without disclosing any confidential information to TEQSA as part of those reasons).
- 5.1.4 TEQSA may request further information from the Institute about a claim for confidentiality and will consider all requests that information be treated as confidential.
- 5.1.5 In appropriate cases, TEQSA may suggest that TEQSA and the Institute enter into a written arrangement setting out the basis on which the information will be treated as confidential. TEQSA may also suggest that the Institute gives TEQSA other information which is not confidential, or that the Institute gives TEQSA the information in a form, which is not confidential. e.g. By providing the document with the confidential information or information subject to privacy principles redacted.
- 5.1.6 Where TEQSA agrees to the Institute’s request for confidentiality, written confirmation of this should be obtained and recorded and the document marked “strictly confidential”.
- 5.1.7 When providing confidential information to TEQSA it should be expressly stated “the information is being provided by the Institute to TEQSA under a mutual understanding of confidentiality”.
- 5.1.8 The type of information requested will determine which of the nominated contact officers is responsible for responding to TEQSA, as follows:

Type of information	Position	Details
All strategic, external, media, financial or legal	CEO	Shesh Ghale Shesh.ghale@mit.edu.au
Accreditation and registration, and primary contact	Group General Manager	Austin Kijagulu Austin@mit.edu.au

5.2 Staff responsibilities with regard to communication with TEQSA

- 5.2.1 Where Institute staff receive a request for information from TEQSA, the request must be submitted to a nominated contact officer together with a prepared response (if applicable).
- 5.2.3 No staff member will provide a response to TEQSA directly, nor may they provide directly or indirectly any information relating to a TEQSA request or response to any third party.

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6. Responsibilities

6.1 The Institute CEO

The CEO is responsible for this policy and procedure, including its review.

6.2 The Group General Manager

The Group General Manager is responsible for the implementation of this policy and procedure by staff.

7. Implementation and communication

This policy and procedure will be implemented and communicated through the Institute via:

- Announcement on the Institute's webpage;
- Internal circulation to staff;
- Staff professional development.

Supporting documents and References

Government legislation:

Privacy Act 1988 (Cth)
Privacy Amendment (Private Sector) Act 2000 (Cth)

Institute documents:
MIT Employee Manual
Privacy Policy

Other:

TEQSA Approach to Confidential Information
TEQSA Policy on Public Disclosure

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