

## Policy

### Policy Overview:

To ensure that the RTO is committed to meet its legal and ethical obligations in regard to, the collection, storage and disclosure of personal information it holds in regard to its student population, staff, other clients, and interactions with external RTO's whilst adhering to the 2015 SNR standards, Privacy Act 1988 (Cth) and the Privacy Amendment (Private Sector) Act 2000 (Cth) and the Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth).

### Objective:

To deliver a national process outlined in the RTOs procedures concerning the collection and handling of personal information ensuring the RTO maintains confidentiality, integrity and security at all times.

### Scope:

This policy applies to the personal information of students and people making enquiries about our services.

### Staff Responsible:

- National Compliance and Quality Manager
- State Managers
- Operation Managers
- Administration Staff
- Sales Staff
- Training and Assessment Staff

### Compliance Standards:

This policy relates to the following 2015 SNR Standards 7.5, 8.1, 8.5, 8.6

### Related Policies/Templates/Documents:

- D-001 Student Information Guide
- F-011 Code of Conduct for Students
- F-150 Code of Conduct for Trainers and Assessors
- F-151 Code of Conduct for Administration Staff
- F-152 Code of Conduct for Sales Staff
- F-316 Student information release form
- P- 003 Record Management and Maintenance Policy
- P-043 Issuing AQF Certification Documentation Policy

## Definitions:

**Personal Information** under the Privacy Act 1988 (Cth) is defined as information or an opinion, whether true or not and whether recorded in a material form or not, about an identified individual, or an individual who is reasonably identifiable.

**Sensitive Information** under the Privacy Act 1988 (Cth) is defined as information or an opinion, about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices, or criminal record that is also personal information.

**Information** may include students name, address and contact details and details concerning their career aspirations and educational qualifications either electronically or in hard copy format, including information that personally identifies individual people.

## **1. Privacy Introduction**

1.1 The RTO is committed to providing quality training and assessment services in accordance with the National VET Regulator, the Privacy Act 1988 and associated National Privacy Principles (NPPs) by safeguarding information obtained by the RTO implementing effective administrative and records management procedures in place of all students and others associated with the RTO by:

### **1.1.1 The collection of information**

1.1.1.1 In the course of its business, the RTO will collect information from students, potential students, and other clients either electronically or in hard copy format; including information that personally identifies individual people. Such information is only for the purpose of carrying out its role in providing Training and Assessment to its clients.

1.1.1.2 The RTO will record various communications between the RTO and students, prospective students, other clients and associated RTOs.

1.1.1.3 The RTO will only collect personal information by fair, lawful and unobtrusive means that is necessary for the functions of the RTO.

1.1.1.4 The RTO will take all reasonable care to inform students of the purpose for which the information is collected including the legislation.

1.1.1.5 In accordance with section 11 of the Student Identifiers Act 2014 Cth (SI Act), we will securely destroy personal information which we collect from students solely for the purpose of applying for a USI on the student's behalf as soon as practicable after the USI application has been made or the information is no longer needed for that purpose, unless we are required by or under any law to retain it.

### **1.1.2 The use and/or disclosure of information**

1.1.2.1 The RTO will use and/or disclosure of information supplied is for the purpose it was collected unless the person has consented in writing using the **F-316 Student Information Release Form**.

1.1.2.2 The RTO will use and/or disclose information if it 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 individual concerned or of another person.

1.1.2.3 Marketing and promotional material should outline that the person and/or business may refuse to receive such material and must set out the contact details of the RTO.

1.1.2.4 Personal information such as personal and contact details, course enrolment details and changes and circumstances related to funding may be disclosed when it is necessary to assist a regulatory and/or enforcement bodies or to meet legislative obligations such as although not limited to:

- 1.1.2.4.1 Australian Government;
- 1.1.2.4.2 Australian Apprenticeship Centres (AACs);
- 1.1.2.4.3 National Centre for Vocational Education Research (NCVER); and
- 1.1.2.4.4 Australian Skills Quality Authority (ASQA);
- 1.1.2.4.5 Training Accreditation Council (TAC).

1.1.2.5 Any person or RTO to whom personal information is disclosed as described in this policy is not permitted to use or disclose the information for a purpose other than the purpose for which the information was originally supplied to them.

1.1.2.6 The RTO will use and/or disclose information if required 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.

1.1.2.7 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 RTO shall include in the record containing that information, a note of the disclosure.

### 1.1.3 **Data Quality**

1.1.3.1 The RTO must take reasonable steps to ensure that all personal information collected and uses or discloses is accurate, complete and current.

### 1.1.4 **Data Security**

1.1.4.1 The RTO will take reasonable steps to protect the personal information it holds from, misuse and loss from unauthorised access, modification or disclosure by:

1.1.4.1.1 Ensuring electronic information is on a secure server with restricted access and password protected;

1.1.4.1.2 Paper files are stored in a secured and locked area with only authorised access for the period of time as required by any federal government or funding contracts.

1.1.4.1.3 Take reasonable steps to destroy or permanently dis-identify personal information when it is no longer required for its purpose.

### 1.1.5 **Openness**

1.1.5.1 The RTO will ensure that this policy is made available to any member of the public upon request.

1.1.5.2 The RTO will publish this policy via its website.

#### 1.1.6 Access and Correction

1.1.6.1 The RTO will ensure that participants have access to their personal records the RTO holds about them on request – **1. Access Records & 2. Request Records to be Amended Procedures.**

1.1.6.2 The RTO will not permit individual access such as where this would pose a serious threat to life, health, it is vexatious, it impacts on another person's privacy, there are legal proceedings, or it is prejudicial to the policy investigation.

## Procedure

<b>1. Accessing Records</b>		
<b>Action / Task</b>	<b>Responsible</b>	<b>Timeline</b>
1.1 When accessing personal records, students must verify their identity and provide written consent to the RTO by forwarding a completed <b>F-316 Student Information Release Form</b> to the relevant RTO Student Enquiries inbox.	<b>Operations Manager Marketing Compliance and Quality Admin.</b>	<b>When a request is required and received</b>
1.2 If the form has been completed fully and correctly, this request will be responded to by the Compliance Team within 10 business days.		
1.3 Where records are to be mailed, they will be mailed to the address that is held on file for that individual, unless alternate change of address information is provided and verified using the <b>F-316 Student Information Release Form</b> , and the RTO can make correction to the student file.		
1.4 Once approved the responsible compliance team member of administration person must arrange for provision of records via mail, email or providing time to view or photocopy.	<b>Ops Manager</b>	<b>10 working days.</b>
1.5 There is no charge for a student to access personal information, however there may be a charge of 20 cents per page for every page that is copied at the RTO to cover photocopying expenses, which the student will be notified of.	<b>Admin.</b>	
1.6 Charges will be incurred for re-issuing of certificates or statements of attainment. See P-043 Issuing AQF Certification Documentation Policy.		
<b>2. Request for records to be amended</b>		
2.1 When an individual requests for incorrect records about themselves to be corrected they can do so by informing the RTO in writing by use of email or a formal letter and proof of change.	<b>Operations Manager Marketing Compliance and Quality Admin.</b>	<b>When a request is required and received</b>
2.2 Such information may include although not limited to: <ul style="list-style-type: none"> <li>2.2.1 Change of address;</li> <li>2.2.2 Change of name;</li> <li>2.2.3 Change of citizenship;</li> <li>2.2.4 If records are incorrect;</li> <li>2.2.5 Employment details.</li> </ul>		
	<b>Ops Manager</b>	

Action / Task	Responsible	Timeline
2.3 Correspondence must be uploaded in the SMS at soon as received and forwarded to the Operations Manager.	<b>Admin.</b>	<b>10 working days.</b>
2.4 The Operations Manager will approve corrections based on this policy within ten (10) working days.		
2.5 Once approved the responsible administration person must provide the student with their file and/ or records under supervision.		
2.6 There is no charge for a student to change personal information.		
2.7 RTO Admin must document the process providing information on what was required, why, who approved, how it was distrusted, where and when.		