

Privacy Policy

Purpose

To ensure the privacy rights of all individuals in accordance with the requirements of the *Privacy Act 1988*.

RTO 22215 PRIVACY STATEMENT

How RTO 22215 protects your information.

RTO 22215 complies with Privacy legislation requirements by

- Collecting from you only the information we need
- Informing you why we need the information and how we will use it
- Disclosing the information only as necessary and with your consent
- Securing the information against unauthorised use or disclosure.

The Privacy Act can be sourced at <https://www.oaic.gov.au/privacy/the-privacy-act>

Scope

This policy covers personal, health and sensitive information collected by RTO 22215 in relation to staff, prospective staff, clients and prospective clients.

Policy Statement

The policy statement may be placed in other documents such as staff or student induction material or on the RTO 22215 website. It only needs to be a brief summary.

A policy is a brief document and should only be about one page. Ensure that this is only policy material, and that procedures or instructions necessary for carrying out this policy are documented separately and referred to in the Associated Documents section below.

Definitions

For the purposes of this policy, and in accordance with the Privacy Act:

“consent” means express consent or implied consent.

“health information” means information or an opinion about the physical, mental or psychological health (at any time) of an individual; or a disability (at any time) of an individual; or an individual’s expressed wishes about the future provision of health services to him or her; or a health service provided, or to be provided, to an individual – that is also personal information.

“individual” means an employee, a prospective employee, a client or a prospective client of RTO 22215.

“personal information” means information or an opinion (including information or an opinion forming part of a database), that is recorded in any form and whether true or not, about an individual whose identity is apparent, or can reasonable be ascertained, from the information or opinion applies.

“primary purpose” for RTO 22215 means provision of vocational education and training programs and services. Information includes enrolment information, tracking and reporting data, assessment information, recognition/award data, statutory statistical information, ethically approved research, internal marketing, employment and remuneration data, statutory employment information.

“sensitive information” means information or an opinion about an individual’s racial or ethnic origin; or political opinions; or membership of a political association; or religious beliefs or affiliations; or philosophical beliefs; or membership of a professional or trade association; or membership of a trade union; or sexual preferences or practices; or criminal record – that is also personal information.

“unique identifiers” means an identifier (usually a number) assigned by an organisation to an individual uniquely to identify that individual for the purposes of the operation of the organisation.

Principles

In accordance with the principles of the Privacy Act, RTO 22215 will observe the following:

Australian Privacy Principle 1

Open and transparent management of personal information

Purposes for information collection, retention, use and disclosure RTO 22215 retains a record of personal information about all individuals with whom we undertake any form of business activity.

RTO 22215 must collect, hold, use and disclose information from our clients and stakeholders for a range of purposes, including but not limited to:

- Providing services to clients;
- Managing employee and contractor teams;
- Promoting products and services;
- Conducting internal business functions and activities; and
- Requirements of stakeholders.

As a government registered training organisation, RTO 22215 is required to collect, hold, use and disclose a wide range of personal and sensitive information on participants in nationally recognised training programs. This information requirement is outlined in the National Vocational Education and Training Regulator Act 2011 and associated legislative instruments.

Australian Privacy Principle 2

Anonymity and pseudonymity

RTO 22215 provides individuals with the option of not identifying themselves, or of using a pseudonym, when dealing with us in relation to a particular matter, whenever practical.

This includes providing options for anonymous dealings in cases of general course enquiries or other situations in which an individuals’ information is not required to complete a request.

Individuals may deal with us by using a name, term or descriptor that is different to the individual’s actual name wherever possible. This includes using generic email addresses that does not contain an individual’s actual name, or generic usernames when individuals may access a public component of our website or enquiry forms.

RTO 22215 only stores and links pseudonyms to individual personal information in cases where this is required for service delivery (such as system login information) or once the individual’s consent has been received. Individuals are advised of their opportunity to deal anonymously or by pseudonym with us where these options are possible. Requiring identification RTO 22215 must require and confirm identification however in-service delivery to individuals for nationally recognised course programs.

We are authorised by Australian law to deal only with individuals who have appropriately identified themselves. That is, it is a Condition of Registration for all RTOs under the National Vocational

Education and Training Regulator Act 2011 that we identify individuals and their specific individual needs on commencement of service delivery, and collect and disclose Australian Vocational Education and Training Management of Information Statistical Standard (AVETMISS) data on all individuals enrolled in nationally recognised training programs.

Other legal requirements, as noted earlier in this policy, also require considerable identification arrangements. There are also other occasions also within our service delivery where an individual may not have the option of dealing anonymously or by pseudonym, as identification is practically required for us to effectively support an individual's request or need.

Australian Privacy Principle 3

Collection of solicited personal information

RTO 22215 only collects personal information that is reasonably necessary for our business activities. We only collect sensitive information in cases where the individual consents to the sensitive information being collected, except in cases where we are required to collect this information by law, such as outlined earlier in this policy.

All information we collect is collected only by lawful and fair means. We only collect solicited information directly from the individual concerned, unless it is unreasonable or impracticable for the personal information to only be collected in this manner.

Australian Privacy Principle 4

Dealing with unsolicited personal information

RTO 22215 may from time to time receive unsolicited personal information. Where this occurs we promptly review the information to decide whether or not we could have collected the information for the purpose of our business activities. Where this is the case, we may hold, use and disclose the information appropriately as per the practices outlined in this policy.

Where we could not have collected this information (by law or for a valid business purpose) we immediately destroy or de-identify the information (unless it would be unlawful to do so).

Australian Privacy Principle 5

Notification of the collection of personal information

Whenever RTO 22215 collects personal information about an individual, we take reasonable steps to notify the individual of the details of the information collection or otherwise ensure the individual is aware of those matters. This notification occurs at or before the time of collection, or as soon as practicable afterwards.

Australian Privacy Principle 6

Use or disclosure of personal information

RTO 22215 only uses or discloses personal information it holds about an individual for the particular primary purposes for which the information was collected, or secondary purposes in cases where:

- An individual consented to a secondary use or disclosure;
- An individual would reasonably expect the secondary use or disclosure, and that is directly related to the primary purpose of collection; or
- Using or disclosing the information is required or authorised by law. Requirement to make a written note of use or disclosure for this secondary purpose

If RTO 22215 uses or discloses personal information in accordance with an 'enforcement related activity' we will make a written note of the use or disclosure, including the following details:

- The date of the use or disclosure;
- Details of the personal information that was used or disclosed;
- The enforcement body conducting the enforcement related activity;
- If the organisation used the information, how the information was used by the organisation; The basis for our reasonable belief that we were required to disclose the information.

Australian Privacy Principle 7

Direct marketing

RTO 22215 does not use or disclose the personal information that it holds about an individual for the purpose of direct marketing, unless:

- The personal information has been collected directly from an individual, and the individual would reasonably expect their personal information to be used for the purpose of direct marketing

Australian Privacy Principle 8

Cross-border disclosure of personal information

RTO 22215 does not disclose personal information about an individual to any cross border third party.

Australian Privacy Principle 9

Adoption, use or disclosure of government related identifiers

RTO 22215 does not adopt, use or disclose a government related identifier related to an individual except:

- In situations required by Australian law or other legal requirements;
- Where reasonably necessary to verify the identity of the individual;
- Where reasonably necessary to fulfil obligations to an agency or a State or Territory authority; or
- As prescribed by regulations.

Australian Privacy Principle 10

Quality of personal information

RTO 22215 takes reasonable steps to ensure that the personal information it collects is accurate, up-to-date and complete. We also take reasonable steps to ensure that the personal information we use or disclose is, having regard to the purpose of the use or disclosure, accurate, up-to-date, complete and relevant. This is particularly important where:

- When we initially collect the personal information; and
- When we use or disclose personal information.

We take steps to ensure personal information is factually correct. In cases of an opinion, we ensure information takes into account competing facts and views and makes an informed assessment, providing it is clear this is an opinion. Information is confirmed up-to-date at the point in time to which the personal information relates.

Australian Privacy Principle 11

Security of personal information

RTO 22215 takes active measures to consider whether we are able to retain personal information we hold, and also to ensure the security of personal information we hold.

This includes reasonable steps to protect the information from misuse, interference and loss, as well as unauthorised access, modification or disclosure.

We destroy or de-identify personal information held once the information is no longer needed for any purpose for which the information may be legally used or disclosed.

Access to RTO 22215 offices and work areas is limited to our personnel only - visitors to our premises must be authorised by relevant personnel and are accompanied at all times. With regard to any information in a paper based form, we maintain storage of records in an appropriately secure place to which only authorised individuals have access.

Australian Privacy Principle 12

Access to personal information

Where RTO 22215 holds personal information about an individual, we provide that individual access to the information on their request. In processing requests, we:

- Ensure through confirmation of identity that the request is made by the individual concerned, or by another person who is authorised to make a request on their behalf;
- Respond to a request for access: - Within 14 calendar days, when notifying our refusal to give access, including providing reasons for refusal in writing, and the complaint mechanisms available to the individual;
- or - Within 30 calendar days, by giving access to the personal information that is requested in the manner in which it was requested.
- Provide information access free of charge.

Australian Privacy Principle 13

Correction of personal information

RTO 22215 takes reasonable steps to correct personal information we hold, to ensure it is accurate, up-to-date, complete, relevant and not misleading, having regard to the purpose for which it is held. Individual Requests On an individual's request, we:

- Correct personal information held; and
- Notify any third parties of corrections made to personal information, if this information was previously provided to these parties.

In cases where we refuse to update personal information, we:

- Give a written notice to the individual, including the reasons for the refusal and the complaint mechanisms available to the individual;
- Upon request by the individual whose correction request has been refused, take reasonable steps to associate a statement with the personal information that the individual believes it to be inaccurate, out-of-date, incomplete, irrelevant or misleading;
- Respond within 14 calendar days to these requests; and
- Complete all actions free of charge.

We take reasonable steps to correct personal information we hold in cases where we are satisfied that the personal information held is inaccurate, out-of-date, incomplete, irrelevant or misleading (that is, the information is faulty). This awareness may occur through collection of updated information, in notification from third parties or through other means.

Responsibility

Executive Officer