

PRIVACY POLICY AND PROCEDURE

Objective

New first Pty Ltd respects the privacy and confidentiality of its personnel and clients who use our products and services.

New first Pty Ltd is required to collect, use, store and disclose a range of personal information on students, employees and a range of other stakeholders. New first Pty Ltd is seriously committed to maintaining the privacy and confidentiality of all student, client and personnel records.

New first Pty Ltd complies with all privacy legislative requirements which include the Commonwealth [Privacy Act 1988](#) and the [13 Australian Privacy Principles](#) (APPs) as outlined in the Commonwealth [Privacy Amendment \(Enhancing Privacy Protection\) Act 2012](#).

New first Pty Ltd's policy is to take reasonable steps to make students / individuals aware that it is collecting personnel information about them, the purpose for which it is collecting the information, and who, (if applicable), we might pass the information on to.

NOTE: Where the term "we" or "us" is used, it refers to New first Pty Ltd.

Scope

This policy applies to all students, clients, personnel, training partners and contractors of New first Pty Ltd.

Regulatory Environment for VET Data

New first Pty Ltd is a Registered Training Organisation (RTO) and is regulated by the Australian Skills Quality Authority (ASQA). As per the National Centre for Vocational Education Research Limited (NCVER) privacy policy the following which requires RTOs to collect, hold, use and discloses a wide range of personal and sensitive information on students that have enrolled in nationally recognised training courses:

The Australian Skills Quality Authority (ASQA) is the regulatory body for the VET sector. ASQA was established through the enactment of the [National Vocational Education and Training Regulator Act 2011 \(Cth\)](#) (*the Act*).

Registered training organisations (RTOs) are obliged, as a condition of registration with ASQA, to collect and report [Total VET Activity Data](#) which must comply with the Australian VET Management Information Statistical Standard ([AVETMISS](#)).

Total VET Activity data collection and reporting requirements are regulated through the [Data Provision Requirements 2012](#) legislative instrument, together with the National VET Data Policy, published by the Australian Government Department of Education and Training, and the [Australian Quality Training Framework](#). Access to and disclosure of national VET provider collection data is governed by the National VET Data Policy agreed by the Council of Australian Governments Ministers responsible for skills under *the Act*.

Regulation of the collection, use and disclosure of the Unique Student Identifier (USI) is regulated by the [Student Identifiers Act 2014 \(Cth\)](#), and [Student Identifiers Regulations](#). NCVER is authorised, under the Student Identifiers Regulations, to adopt, use and disclose USIs in certain circumstances.

Information is only shared with external agencies such as the National VET Regulator to meet our compliance requirements as an RTO. All information is kept in the strictest confidence.

The [National Vet Data Policy](#) requires all students to be presented with the following privacy statement and declaration upon enrolment into a VET course:

Privacy Statement and Student Declaration

Privacy Notice

Under the *Data Provision Requirements 2012*, New first Pty Ltd is required to collect personal information about you and to disclose that personal information to the National Centre for Vocational Education Research Ltd (NCVER).

Your personal information (including the personal information contained on this enrolment form), may be used or disclosed by New first Pty Ltd for statistical, administrative, regulatory and research purposes. New first Pty Ltd may disclose your personal information for these purposes to:

- Commonwealth and State or Territory government departments and authorised agencies; and
- NCVER.

Personal information that has been disclosed to NCVER may be used or disclosed by NCVER for the following purposes:

- populating authenticated VET transcripts;
- facilitating statistics and research relating to education, including surveys and data linkage;
- pre-populating RTO student enrolment forms;
- understanding how the VET market operates, for policy, workforce planning and consumer information; and
- administering VET, including program administration, regulation, monitoring and evaluation.

You may receive a student survey which may be administered by a government department or NCVER employee, agent or third-party contractor or other authorised agencies. Please note you may opt out of the survey at the time of being contacted.

NCVER will collect, hold, use and disclose your personal information in accordance with the *Privacy Act 1988* (Cth), the National VET Data Policy and all NCVER policies and protocols (including those published on NCVER's website at www.ncver.edu.au).

Website

New first Pty Ltd has taken strong measures to protect the security of your personal information and to ensure that your choices for its intended use are honoured. We take strong precautions to protect your data from loss, misuse, unauthorized access or disclosure, alteration, or destruction.

We guarantee your e-commerce transactions to be 100% safe and secure. When you place orders or access your personal account information, you're utilising secure server software SSL, which encrypts your personal information before it's sent over the Internet. SSL is one of the safest encryption technologies available.

New first Pty Ltd strictly protects the security of your personal information and honours your choices for its intended use. We carefully protect your data from loss, misuse, unauthorized access or disclosure, alteration, or destruction.

Policy of Australian Privacy Principles (APPs)

1APP. Open and transparent management of personal information

- a. New first Pty Ltd's Privacy Policy and Procedure is available free of charge, with all information being publicly available on its website
- b. Applicable details of the policy will be included in New first Pty Ltd's student handbook, staff handbook, trainer handbook and operations manual
- c. Student information will be stored electronically for 30 years as required by industry guidelines
- d. The following types of personal information are generally collected, depending on the collection reason:
 - i. Contact details
 - ii. Employment details
 - iii. Educational background
 - iv. Demographic Information
 - v. Course progress and achievement information
 - vi. Financial billing information
- e. As a Registered Training Organisation (RTO), we are regulated by the Australian Skills Quality Authority (ASQA) to collect, hold, use and disclose a wide range of personal and sensitive information on students that have enrolled in nationally recognised training courses. Refer to [Regulatory Environment for VET Data](#) section
- f. At times, some types of sensitive information can also be collected and held:
 - i. Identity details: full legal name, date of birth
 - ii. Employee details & HR information including tax file number, superannuation details
 - iii. Complaint or issue information
 - iv. Disability status & other individual needs
 - v. Language, literacy and numeracy levels

- vi. Indigenous status
- vii. Concession status
- viii. Details on your next of kin or parent/guardian
- ix. Background checks (such as National Criminal Checks or Working with Children checks)
- g. If any person wishes to lodge a complaint about how New first Pty Ltd handles personal information, or if they feel we have breached the APPs, they can contact our Privacy Officer
 - i. The matter will be investigated within 7 working days
 - ii. A written reply of the outcome and action taken will be sent to the lodger of the complaint

2APP. Anonymity and pseudonymity

- a. Individuals have the option to use a pseudonym or not to identify themselves when dealing with New first Pty Ltd, this can apply to when requesting information on a course, website enquiries, anonymous complaints/feedback or other situations in which an individuals' information is not required to complete a request
- b. Individuals will be required to disclose information of a personal nature as outlined in this policy for:
 - i. Those who wish to undertake nationally recognised training with New first Pty Ltd
 - ii. Those who request access to their personal records held by New first Pty Ltd

3APP. Collection of solicited personal information

- a. New first Pty Ltd will collect information you provide:
 - i. That is reasonably necessary for our business activities
 - ii. By the completion of an enrolment form into a nationally accredited course
 - iii. By the completed course materials and assessments
 - iv. Upon commencement of employment with us
 - v. By the details you provide on our website
- b. With your consent, New first Pty Ltd will sometimes collect information, from your employer, a job services provider or other organisations where students may engage in placement for training and assessment purposes
- c. New first Pty Ltd collects information of a personal and sometimes sensitive nature such as outlined earlier in this policy: [1APP. Open and transparent management of personal information](#)
- d. All information collected is obtained only through lawful and fair means

4APP. Dealing with unsolicited personal information

- a. At times, New first Pty Ltd receives unsolicited personal information. Within a reasonable period after receiving the information, New first Pty Ltd will determine whether or not that it could have collected the information under Australian Privacy Principle 3 as if New first Pty Ltd had solicited the information
- b. Where New first Pty Ltd 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)
- c. The information will be destroyed in a safe and secure manner

5APP. Notification of the collection of personal information

- a. When information is collected or sourced from third parties, we take all reasonable steps to notify the student / individual of the details of the information collected or otherwise ensure that the person is aware of those matters
 - i. This notification occurs at or before the time of personal data collection, or as soon as practicable by the use of enrolment forms, assessment tools and Student Handbook
- b. The contact details for New first Pty Ltd privacy officer who handles enquiries, change requests and complaints relating to privacy matters is:
 - i. Kelly Ding
Privacy Officer
Phone: 02 8542 0099
Email: admin@newfirsttraining.com.au
- c. The collection of information is required or authorised by law as highlighted previously under the [Objective](#) and [Regulatory Environment for VET Data](#) sections for the purpose of:
 - i. To prove the identity of the student / individual
 - ii. Australian Taxation purposes
 - iii. Governmental statistical requirements
 - iv. To be able to issue a Statement of Attainment or Certificate
- d. There are consequences for the student / individual if some personal information is not collected such as:
 - i. Failure to provide your Unique Student identifier (USI) or an exemption from it, will mean that New first Pty Ltd cannot issue you with a Statement of Attainment or Certificate at the successful completion of a course
- e. A student / individual can access and seek correction of their personal information held by New first Pty Ltd as outlined later in this policy: [12APP. Access to personal information](#)
- f. New first Pty Ltd is unlikely to disclose personal information to overseas recipients

6APP. Use or disclosure of personal information

- a. New first Pty Ltd mainly uses information for the primary purpose that it was collected being for the provision of training and assessment and is required to disclose this information to a number of organisations such as:
 - i. Registering bodies such as the ASQA (National)
 - ii. Government funding bodies in each state and territory and/or Commonwealth Government
 - iii. Apprenticeship Centres
 - iv. Employers and Job Services Providers
 - v. External auditors and our consultants
 - vi. The Australian Taxation Office
 - vii. Other entities required by law and in accordance with the Privacy Act 1988.
- b. New first Pty Ltd will only disclose personal or sensitive information to a third party in situations where;
 - i. It is requirement provision of training and assessment
 - ii. Where the student / individual consented to a secondary use or disclosure
 - iii. It is an emergency and life threatening situation
 - iv. In accordance with an 'enforcement related activity'
- c. In situations that New first Pty Ltd has given provided personal information in an emergency situation or an enforcement related activity, we will make a written record noting:
 - i. The government agency involved
 - ii. The date and time of disclosure
 - iii. What personal information was disclosed
 - iv. The basis for our reasonable belief that it was a requirement to disclose the requested personal information

7APP. Direct marketing

- a. Your personal information will never be sold to any marketing company or third party
- b. New first Pty Ltd may use your personal information to market directly to you only for the provision of further training and assessment with New first Pty Ltd
- c. New first Pty Ltd will only use your information for direct marketing communications if you have provided consent to use your information for this purpose and you have opted-in to this type of communication
 - i. An 'opting out' provision has been made

8APP. Cross-border disclosure of personal information

- a. New first Pty Ltd will not disclose your personal information to any entity outside of Australia unless you have provided your express written consent
- b. The only contact information provided to overseas service or product providers are New first Pty Ltd email addresses, facsimile number or telephone numbers
- c. New first Pty Ltd will only disclose company contact information to overseas organisations where such contact is vital to the conduct of business and where the overseas organisation is subject to privacy laws in their own jurisdiction and have a privacy policy that forbids forwarding of company contact information to any third party
- d. All records will be stored in Australia

9APP. Adoption, use or disclosure of government related identifiers

- a. In some circumstances, New first Pty Ltd is required to collect government related identifiers. They can consist of:
 - i. Concession Numbers
 - ii. Tax File Numbers
 - iii. Drivers Licence Numbers
 - iv. Passport Numbers
 - v. Birth Certificate Numbers
- b. New first Pty Ltd will not use or disclose these government related identifiers except:
 - i. In situations required by Australian law or other legal requirements
 - ii. Where reasonably necessary to verify the identity of the individual
 - iii. Where reasonably necessary to fulfil obligations to an agency or a State or Territory authority
 - iv. Where required under the Standards for NVR Registered Training Organisations 2012 and Data Provision Requirements 2012
 - v. As prescribed by regulations
 - vi. Where express consent has been given to disclose this information

10APP. Quality of personal information

- a. New first Pty Ltd collects information and ensures it is accurate, up to date and complete
- b. New first Pty Ltd will take all reasonable steps to ensure that the information provided from individuals is correct and any third party information received can be verified for accuracy, currency and completeness

11APP. Security of personal information

- a. All personal and sensitive information is kept safe and secure at all times, only people who are authorised may access this information
- b. Personal and Sensitive information is protected from unauthorised access, interference, misuse, loss, modification or disclosure
- c. Destruction of personal and sensitive information is carried out by secure shredding or secure electronic deletion
- d. All personal and sensitive information is stored in secure, password protected systems, such as financial system, learning management system and student management system
- e. Hard copies of personal and sensitive information are stored in locked filing cabinets and archive facilities
- f. Personal and sensitive information is monitored for appropriate authorised use at all times

12APP. Access to personal information

- a. Students / individuals may request copies of information which is kept about them at any time free of charge. In some circumstances, New first Pty Ltd may charge for printing and postage
- b. All requests for access to personal information including certificate reprint must be in writing as the student / individual must be able to identify themselves and verify their identity prior to any information being disclosed. Requirements for proof of identity are:
 - i. Full legal name
 - ii. Date of Birth
 - iii. Serial number on I.D. given at time of enrolment such as driver's licence, passport or birth certificate (If recorded)
 - iv. USI Number
 - v. Learner's address at time of certificate issuance
- c. All requests must be made to:
 - i. Kelly Ding
Privacy Officer
Phone: 02 8542 0099
Email: admin@newfirsttraining.com.au
- d. We will make sure through confirmation of identity that the request is made by the student / individual concerned, or by another person who is authorised to make a request on their behalf
- e. New first Pty Ltd will respond to a request for access:
 - i. Within 14 calendar days, when informing our refusal to give access and providing reasons for refusal in writing, and the complaint process available to the student / individual; or
 - ii. Within 30 calendar days, by providing access to the requested personal information and in the manner in which it was requested

13APP. Correction of personal information

- a. Students / individuals who feel that the information New first Pty Ltd uses and stores is inaccurate or incomplete may request to have the information updated and corrected. Such corrections must be in writing
 - i. All requests for corrections will follow the same processes as those previously outlined in [12APP. Access to personal information](#) points b to d
- b. Upon a student's / individual's request to correct personal information held, New first Pty Ltd will:
 - i. Take reasonable steps to make the corrections
 - ii. Inform any third parties of corrections made to personal information, if this information was previously provided to these parties
 - iii. Complete all corrections free of charge
- c. Where New first Pty Ltd becomes aware that personal information we hold is inaccurate, out-of-date, incomplete, irrelevant, misleading, or not having regard to the purpose for which it is held, then we will take reasonable steps to correct the held personal information