



## Privacy Policy and Procedure

### PURPOSE

Bega Garnbirringu Health Service (BGHS) - Nindila Training Centre is required to collect, use, store and disclose a range of personal information on students, employees and a range of other stakeholders.

(BGHS) – Nindila Training Centre is committed to maintaining the privacy and confidentiality of all student and personnel records.

(BGHS) – Nindila Training Centre complies with the Privacy Act 1988 (C'With), including the 13 Australian Privacy Principles (APP) as outlined in the Privacy Amendment (Enhancing Privacy Protection) Act 2012 (C'With).

### SCOPE

This policy applies to all students, employees and contractors.

### RESPONSIBLE PARTIES

The Manager of Training is responsible for the control and issuance of this policy.

### POLICY

#### 1. Open and transparent management of personal information

- a. The RTO will publish this policy on its website.
- b. The policy will be included in to RTOs student handbook, staff handbook and made available on request.

#### 2. Anonymity and pseudonymity

- a. Individuals have the option to not identify themselves when dealing with the RTO, for example when requesting information on a course, website enquiries or anonymous complaints/feedback.
- b. Individuals who wish to undertake nationally recognised training with the RTO will be required to disclose information of a personal nature as outlined in this policy.



### **3. Collection of solicited personal information**

- a. The RTO will collect information you provide on enrolment into a nationally accredited course or on commencement of employment with (BGHS) – Nindila Training Centre. The RTO may also collect information you provide on websites, enrolment forms, course materials and assessments.
- b. The RTO may sometimes collect information, *with your consent*, from your employer, a job services provider or other organisations where students may engage in placement for training and assessment purposes.
- c. The RTO collects information of a personal and sometimes sensitive nature. Information the RTO collects may include: Full name, date of birth, residential address, contact details, demographic information, ability/disability, employment details, educational background, indigenous background, concession status language, literacy and numeracy skills and educational/course progress. The RTO may also collect information on your next of kin or parent/guardian.

### **4. Dealing with unsolicited personal information**

- a. The RTO only collects, uses and stores information which is directly related to the provision of training and assessment (for students) and information directly related to the employment or engagement of contractors (for employees and contractors).
- b. Information which is received that is not related to training and assessment or employment with (BGHS) – Nindila Training Centre is destroyed in a safe and secure manner.

### **5. Notification of the collection of personal information**

Students and employees are notified when information is collected or sourced from third parties. Such notifications are expressed in enrolment forms, assessment tools and other written documents or implied in such circumstances such as workplace observations.



## 6. Use or disclosure of personal information

- a. The RTO only uses information for the provision of training and assessment and is required to disclose this information to a number of organisations such as:
  - i. TAC (Western Australia);
  - 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; and
  - vii. Other entities required by law and in accordance with the Privacy Act 1988.
- b. The RTO **will not** disclose any personal or sensitive information to a third party except for the **direct provision of training and assessment** or in emergency and life-threatening situations.

## 7. Direct marketing

- a. Your personal information will never be sold to any marketing company or third party.
- b. The RTO may use your personal information to market directly to you only for the provision of further training and assessment with the RTO.
- c. The RTO will only use your information if you have provided consent to use your information for this purpose and you have opted-in to this type of communication.

## 8. Cross-border disclosure of personal information

- a. The RTO will not disclose your personal information to any entity outside of Australia unless you have provided your express written consent.
- b. All records will be kept in Australia.

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

- a. The RTO is required to collect, in some circumstances, government related identifiers. The RTO will not use these identifiers for any reason or purpose except for the explicit reason it is required (eg. Concession numbers, Tax File Numbers, Drivers Licence Number, Unique Student Identifier etc) and will not use these numbers as an identifier of individuals.
- b. The RTO will only disclose government related identifiers where required by law or express consent has been given to disclose this information.



## 10. Quality of personal information

- a. The RTO collects information and ensures it is accurate, up to date and complete.
- b. The RTO 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.

## 11. 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 commercial document destruction companies or secure shredding or secure electronic deletion.

## 12. Access to personal information

- a. Individuals may request copies of information which is kept about them at any time free of charge. The RTO may charge for printing and postage in some circumstances.
- b. Access to personal information, a written request (Student File Access form) is to be made to Nindila Training Centre Manager who will arrange a suitable time and place for the student to access and view their personal record. All requests must be made to:  
Manager of Training  
Nindila Training Centre
- c. **No other person** will be provided access to a student file unless the student approves such access in writing (Student File Access form) and the student provides authorisation specifically naming the documents that are to be provided.

## 13. Correction of personal information

Individuals who feel that the information the RTO uses, and stores is inaccurate or incomplete may request to have the information updated and corrected. Such corrections must be in writing.



## RELEVANT STANDARDS AND LEGISLATION

### AQTF

- Condition 2, 3
- Standards 2.3, 2.6, 2.7, 3.4

### SRTOs 2015

- Standards 2.3, 2.4, 3.4, 3.6, 4.1c, 5.1, 5.2, 5.4, 6.1, 6.2, 6.5, 7.5, 8.1, 8.2, 8.3, 8.4, 8.5, 8.6

### Legislation includes

- The Privacy Act 1988 (C'With)
- The Australian Privacy Principles (APP), 2014 (C'With)



## APPENDIX 1

### The Australian Privacy Principles (APP)

The following APP was downloaded from <http://www.oaic.gov.au/privacy/privacy-resources/privacy-fact-sheets/other/privacy-fact-sheet-17-australian-privacy-principles> on 27th July 2014.

#### **APP 1 — Open and transparent management of personal information**

- Ensures that APP entities manage personal information in an open and transparent way. This includes having a clearly expressed and up to date APP privacy policy.

#### **APP 2 — Anonymity and pseudonymity**

- Requires APP entities to give individuals the option of not identifying themselves, or of using a pseudonym. Limited exceptions apply.

#### **APP 3 — Collection of solicited personal information**

- Outlines when an APP entity can collect personal information that is solicited. It applies higher standards to the collection of 'sensitive' information.

#### **APP 4 — Dealing with unsolicited personal information**

- Outlines how APP entities must deal with unsolicited personal information.

#### **APP 5 — Notification of the collection of personal information**

- Outlines when and in what circumstances an APP entity that collects personal information must notify an individual of certain matters.

#### **APP 6 — Use or disclosure of personal information**

- Outlines the circumstances in which an APP entity may use or disclose personal information that it holds.

#### **APP 7 — Direct marketing**

- An organisation may only use or disclose personal information for direct marketing purposes if certain conditions are met.

#### **APP 8 — Cross-border disclosure of personal information**

- Outlines the steps an APP entity must take to protect personal information before it is disclosed overseas.

#### **APP 9 — Adoption, use or disclosure of government related identifiers**

- Outlines the limited circumstances when an organisation may adopt a government related identifier of an individual as its own identifier, or use or disclose a government related identifier of an individual.

#### **APP 10 — Quality of personal information**

- An APP entity must take reasonable steps to ensure the personal information it collects is accurate, up to date and complete. An entity must also take reasonable steps to ensure the personal information it uses or discloses is accurate, up to date, complete and relevant, having regard to the purpose of the use or disclosure.

#### **APP 11 — Security of personal information**

- An APP entity must take reasonable steps to protect personal information it holds from misuse, interference and loss, and from unauthorised access, modification or disclosure. An entity has obligations to destroy or de-identify personal information in certain circumstances.

#### **APP 12 — Access to personal information**

- Outlines an APP entity's obligations when an individual request to be given access to personal information held about them by the entity. This includes a requirement to provide access unless a specific exception applies.

#### **APP 13 — Correction of personal information**

- Outlines an APP entity's obligations in relation to correcting the personal information it holds about individuals.

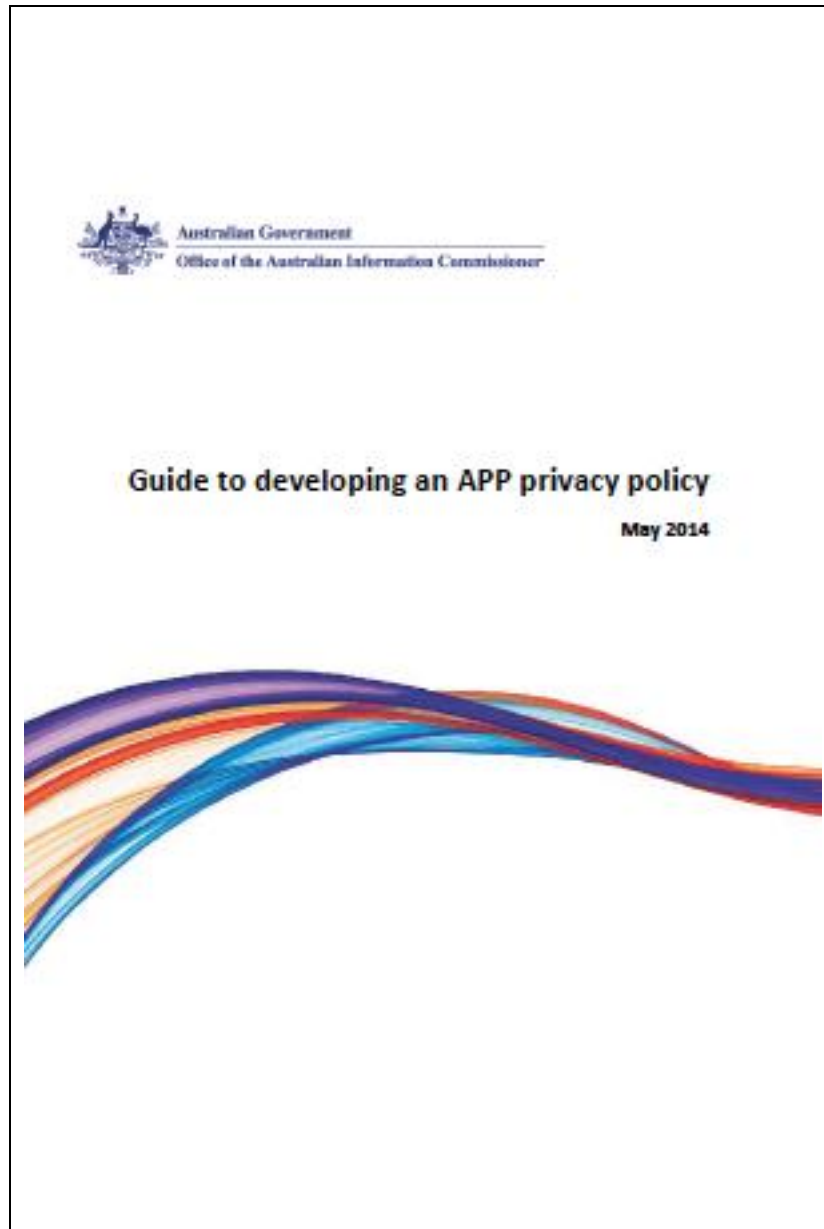


## APPENDIX 2

### **Australian Government** *Guide to developing an APP privacy policy*

You are encouraged to reference the Australian Government ***Guide to developing an APP policy*** document to support you in contextualising this policy template to create a compliant privacy policy for your RTO.

***The Guide to developing an APP privacy policy*** - <http://www.oaic.gov.au/privacy/privacy-resources/privacy-guides/guide-to-developing-an-app-privacy-policy>





*This policy has been developed to document the RTO's approach to ensuring the **Privacy** of its students and employees, in line with the **Privacy Act (1988)** and **Australian Privacy Principles (2012)**. You should update each section of this policy to ensure that it reflects the structure, positions, titles, terminology and business processes of your organisation.*

## **Disclaimer**

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## **Acknowledgements**

In creating these materials, Velg Training would like to recognise the following materials in reference to the development of this resource:

- VET Quality Framework, Australian Skills Quality Authority, 2012
- The Australian Privacy Principles (APP) - <http://www.oaic.gov.au/privacy/privacy-resources/privacy-fact-sheets/other/privacy-fact-sheet-17-australian-privacy-principles>
- The APP Guidelines - <http://www.oaic.gov.au/privacy/applying-privacy-law/app-guidelines/>
- The Guide to developing an APP privacy policy - <http://www.oaic.gov.au/privacy/privacy-resources/privacy-guides/guide-to-developing-an-app-privacy-policy>

## **Enquiries**

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