

## ***Policy Objective***

This policy objective is to ensure that ET Australia has procedures, business practices and systems in place that are aligned to the Australian Privacy Principles from Schedule 1 of the Privacy Amendment (Enhancing Privacy Protection) Act 2012, which amends the Privacy Act 1988.

ET Australia ensures that the collection, use and disclosure of personal information relating to individuals who have contact with the RTO in relation to the RTO's business activities and services are carried out by lawful and fair means.

ET Australia complies with Australian Privacy Principle 1, (APP 1), by having documented procedures in place to manage the personal information it collects and the information flows associated with that information in an open and transparent manner.

## ***Procedural Guidance***

### **Nature of the Collection of Personal Information**

ET Australia collects personal information that is only necessary for business activities. Sensitive information is only collected if the information relates to business activities and/or the information relates to members or individuals who have regular contact with ET Australia in connection with business activities, (APP 3).

The kinds of personal information collected and held by ET Australia includes but is not limited to:

- Full name (may require further evidence where name changes have been applied)
- Date of birth
- Residential address
- Government identifiers (drivers licence, passport)
- Emergency contact details
- Health details (relevant to government funded eligibility to concession or fee exempt programs or to determine suitability for program participation or reasonable support / adjustment requirements)
- Education background
- Employment history
- Referees
- Qualifications attained for verification purposes
- Academic aptitude information
- Unique student identifiers
- Information regarding visas, indigenous heritage, home schooling, out of home care, financial hardship or other circumstances of a personal nature where required for government funded subsidies relevant to enrolment into a government funded training program.
- Declaration of any criminal convictions that may affect training program participation and completion

In ET Australia's Training College information of a personal nature is collected for any number of the following reasons:

- The selection process in determining an individual's eligibility, aptitude, suitability etc. to enrol in a training program with ET Australia (some of this information is required to meet contractual requirements).
- The enrolment process including personal details and identification for administrative and compliance purposes.
- Administration aspects of the processes involved to be able to deliver training and issue certification to a training program participant including training records, identification etc.
- Notifying relevant government bodies that an individual has enrolled in a training program, where relevant, in line with contractual obligations.
- Informing relevant government bodies of an individuals' completion, non-completion or withdrawal from an approved program, in line with contractual requirements.
- Statistical reporting to any relevant government bodies as and when required as per legislative and contractual requirements.
- Information required by any government body with whom ET Australia is contracted by for any general administrative processes.
- Unique Student Identifier in order to be able to produce certification following program completion in line with government regulation
- Information for the online student management database to manage the process and progress of training participants and report information as and when required.
- Monitoring the service given by ET Australia and the client's satisfaction with the program via a means of mid and end of program evaluations (clients are made aware they can provide this information anonymously).
- Individuals enrolled with ET Australia to undertake an Aged Care Program or a Green Army Project, are required to undergo a Criminal History Check. This Check is required to give participants 'clearance' to undertake a work placement, which is a mandatory component of these training programs (consent is sought).
- Individuals enrolled with ET Australia to undertake an Early Childhood Education and Care Program will need to provide a current Working with Children Check to enable them to take place in the mandatory practical components of the program.

- ET Australia obtains police checks for all new employees and all employees are required to provide a current Working with Children Check to meet regulatory and legislative obligations. This information is securely retained on file as evidence that requirements have been met.
- Information may be collected from particular clients for the purposes of marketing material
- Health information is considered to be information of a sensitive nature. Health information includes personal information about the health or a disability (at any time) of an individual. Examples of health information that may be collected for the purposes of enrolling with ET Australia include:
  - Information about an individual's physical or mental health
  - Notes of an individual's symptoms or diagnosis and the treatment given
  - Specialist reports and test results
  - Information about an individual's suitability for a job, if it reveals information about the individual's health

## Processes for Collection of Information

ET Australia has structured processes for collection of personal information in place to ensure the information is captured through systematic administrative processes with consent obtained where required, (*APP 5*).

- Information is collected via documented processes with purposes of collection and intent to disclose stated clearly. Information of a personal nature is collected within application and enrolment documentation where consents are required prior to any information being entered into databases or used in any way.
- Written consent is requested on individual documentation clearly indicating the purpose.
- Criminal Check information is managed according to compliance requirements of 'fit2work', the agency used to facilitate the process.
- Information that is collected from individuals for ET Australia's business activity purposes are kept well informed of the reasons and practices involved with the collection by providing handbooks, instruction or agreement forms where required.
- ET Australia provides options, where practicable, for individuals to provide information anonymously (e.g. evaluation feedback forms), (*APP 2*). However, the majority of core business practices would make it impracticable to deal with individuals who have not identified themselves. This is deemed on a circumstantial basis.
- Information of a personal nature, which is attained through unsolicited means, is managed according to relevant policies and procedures that ET Australia has in place, (*APP 4*). If

information has legal/welfare repercussions (e.g. mandatory reporting policy) or, if the information is not relevant and does not have legal/welfare implications will not be disclosed and will not be retained on record.

- As a general principle, an individual under the age of 18 has capacity to consent when they have sufficient understanding and maturity. As this capacity of an individual can be difficult to determine on a case-by-case basis ET Australia has a section included on consent forms for a parent or legal guardian to sign consent for an individual under the age of 18. If due to personal circumstances, and there is no reason to suggest the individual is not of the right capacity to make this consent, the individual's consent may be accepted. An individual aged under 15 is presumed not to have capacity to consent at any time.
- Personal information may be collected and recorded during the course of monitoring a student's progression in a training program with ET Australia. This information may be pertinent to support the lack of progression and defend a potential cancellation of enrolment. These records are held within student files both in hard copy and in the online student management database as evidence of meeting contractual requirements to monitor progression in government subsidised training programs.

To ensure the integrity of personal information, (*APP 10*), most avenues of information collection calls for the sign off by the individual themselves to confirm the information provided, recorded and retained is accurate, up to date and relevant.

## Use of Information

- ET Australia uses information internally for the following purposes:
  - to determine applicant suitability and eligibility for enrolment into a training program
  - making decisions on the management of student progression within a program or training and assessment strategies required to make reasonable adjustments for the learner
  - internal reviews for quality and compliance monitoring processes
  - internal reporting processes
  - preparation of and issuing of certification
  - verifying previous training achievements for consideration of awarding of credit transfers or recognition of prior learning

## Disclosure of Information

ET Australia only discloses personal information where it is required for a particular purpose in line with business activities, (*APP 6*), which may include the following:-

- For statistical and reporting purposes information is reported to ASQA (Australian Skills Quality Authority), and The National Centre for Vocational Education Research Ltd.

- Personal details and identification may be provided to relevant government departments and may be used for audit, verification, research, statistical analysis, program evaluation, post-evaluation, post-completion surveys and internal management purposes.
- Information may be provided to other organisations where ET Australia has sub-contract or partnership arrangements in place, and referral organisations such as Centrelink and Job Service Australia Providers. It is important to note that disclosure of any information to a Job Services Provider, (or other relevant referral agency), must only be done so if the matters are in direct relation to an issue that may have a detrimental impact on a clients successful completion of training or a clients opportunity to be successful in achieving an employment outcome which has been the basis of the referral.
- At times ET Australia or government agencies may disclose personal information regarding students to another person, body or agency without the individuals consent where authorised or required by law.
- Any information of a personal nature that is collected will not be used in marketing activity without the written consent of the individual.
- Personal information is only used for the purpose of direct marketing if ET Australia has collected the information from the individual and they would reasonably expect ET Australia to use the information for direct marketing purposes, (APP 7). In these cases ET Australia provides a simple means by which the individual can easily request not to receive further information and can be removed from any mailing / contact lists. This is done either by the use of a 'mail chimp' service for electronic marketing whereby the individual can easily opt out of further contact or on enrolment or application documentation whereby clients can request that they are not contacted for direct marketing purposes in the future.
- At times it is necessary to use or disclose an individual's government related identifier (i.e. driver's licence, passport details) to verify the identity of the individual, (APP 9). To ensure compliance this is only acted upon if it is directly in relation to relevant business activities and / or if it is required to fulfil contractual obligations to a regulatory or government authority.

## Retention of Information

ET Australia has practices in place to ensure personal information is securely stored to protect it against loss, unauthorised access, use, modification or disclosure, (APP 8 and APP 11).

- Information is stored in hard copy files either on site at ET Australia offices or stored in a secured offsite archive storage area where it is destroyed following the required retention period as prescribed by ASQA, the industry regulator, or other relevant government departments.
- Information is stored in the student management database used by ET Australia called TEAMS. The management of the TEAMS database is contracted to an external organisation that utilise cross-border software services. ET Australia ensures that the contracted organisation has provided to ET Australia written policies and procedures as part of the agreement process to confirm they have compliant data management practices in place to ensure ET Australia's data is stored and used under the governance of their RTO Software Privacy and in accordance with Australian Privacy Laws.

## Access and Correction to Personal Information

ET Australia complies with *APP 12 and APP 13* through the following business practices.

- On request of an individual, ET Australia will give the individual access to their personal information, unless there is an exception to access as per the conditions set out in APP 12.
- Reasons for the individual requesting access may include information that is; inaccurate, not relevant, out of date, misleading or incomplete.
- There is an *Information Request* form that is available upon request. Any member of the ET Australia Training College can be approached to request access to a copy of this documented procedure either electronically or in hard copy.
- If ET Australia does not feel satisfied that the information should be corrected, (due to the nature or content of the information), ET Australia will give the individual written notice in accordance with APP 13.
- Where access is given under the Privacy Act, ET Australia will respond to a request within a 30 day period. Corrections will be able to be made within a 30 day period with no associated charge.
- If an individual is not satisfied with the access granted they have the right to apply for access to their personal information under either the Privacy Act or the Freedom of Information Act. To apply via these channels individuals should access the following Australian Government website and follow the procedures in place <http://www.oaic.gov.au>.

## Procedural Guidance for Complaints

An individual who feels dissatisfied with the collection, disclosure or retention of information pertaining to their personal self can request access to the full Complaints Management Policy and Procedure as a guide to how to pursue the issue. A *Complaints* form is available upon the request of any member of the ET Australia Training College. Both of these documents can be provided either in electronic or hard copy format for ease of access.

- ④ *A detailed complaints management policy and procedure is available in the following section of this manual. For full information on the Australian Privacy Principles relevant legislation can be accessed via the following link <http://www.comlaw.gov.au/Details/C2014C00076>*

**This Privacy Policy was last reviewed February 2018. This Policy is reviewed on an annual basis aligned to all organisational policies and procedures to ensure that compliance with legislation is being maintained. Upon review, communication is distributed to ET Australia Training College staff via email communication as reminder of the requirements to work within this policy at all times and to provide any feedback on procedures.**