

# QMS P18 - Privacy Policy

## Description

This policy outlines how North East Vocational College (NEVC) protects the privacy of all students, employees, third parties and other invested stakeholders. This policy ensures that NEVC complies with the Standards for Registered Training Organisations (RTO's) and The Commonwealth Privacy Act 1988.

NEVC is required by the National Vocational Education and Training Regulator Act 2011 and the Standards for RTO's to make student information available to third parties such as the National Centre for Vocational Education and Research (NCVER) or the Australian Skills Quality Authority (ASQA).

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

NEVC ensures our Privacy Policy is made publicly available and as such is accessible on our website [www.nevc.neda.asn.au](http://www.nevc.neda.asn.au)

If an individual feels that NEVC has breached one of the Australian Privacy Principles (APP;s) please make contact with us by emailing [nevc@neda.asn.au](mailto:nevc@neda.asn.au)

## Policy Principles

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

#### Purposes for information collection, retention, use and disclosure

As an RTO regulated by ASQA, NEVC is required to collect, hold, use and disclose a wide range of personal and sensitive information. Delivery of services is through a range of Commonwealth and State Government funding contract agreement arrangements, and as such these also include various information collection and disclosure requirements.

Individuals are advised that due to these legal requirements, NEVC discloses information held on individuals for valid purposes to a range of third parties including, but not limited to:

- Governments (Commonwealth, State or Local).
- Australian Apprenticeships Centres.
- Employers (and their representatives),
- Jobactive Providers
- Schools
- Parents/Guardians.

The following types of personal information are generally collected, depending on the service delivery provided:

- Contact details
- Educational background
- Course progress and achievement information
- Identity details
- Disability status & other individual needs
- Background checks
- Employment details
- Demographic Information
- Financial billing information
- Employee details & HR information
- Indigenous status

NEVC collects any required personal information directly from the individual when possible using Registration forms, Student Enrolment Forms, Trainer/Assessor/Staff Information Forms or the use of web-based systems such as online enquiry forms.

At times NEVC receives solicited and unsolicited information from third party sources. This may include information from a range of third parties including but not limited to those outlined earlier in this policy.

NEVC keeps personal information for as long as we are required to do so to conduct business activities in line with the relevant legislation. NEVC is required by law to keep records of students' qualifications and statements of attainment issued for a period of 30 years.

In the event of NEVC ceasing to operate as an RTO, all personal information of students undertaking nationally recognised training with us will be transferred to ASQA, as required by law.

### 2. Anonymity and pseudonymity

NEVC provides individuals with the option of not identifying themselves, or of using a pseudonym, when dealing with us in relation to a generic matter, whenever practical. For example, when making a general course enquiry.

Individuals must however identify themselves when undertaking nationally recognised training or enquiring on subsidy eligibility.

### 3. Collection of solicited personal information

NEVC only collects personal information that is necessary for our business activities and relevant to the individual's dealings with us. Information is only collected with the individual's consent, except in cases where we are required to collect this information by law, such as outlined earlier in this policy.

### 4. Dealing with unsolicited personal information

NEVC may from time to time receive unsolicited personal information. When this occurs, the information will be reviewed to decide if the information is required or relevant to the individual's dealings with NEVC. If the information is required, we may hold, use and disclose the information appropriately as per the practices outlined in this policy. If the information is not required it will be destroyed in a secure manner.

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

NEVC outlines in the Student Enrolment Form and Student Handbook, which is available on the website and paper based that we are required to collect certain personal information, the reasons for collection of this information and the use and disclosure of this information.

NEVC ensures that the individual confirms their understanding of these details, through signing the required sections of the Student Enrolment Form and Student Handbook.

### 6. Use or disclosure of personal information

NEVC only uses or discloses personal information it holds about an individual for the primary purposes for which the information was collected, or in situations where:

- An individual has consented to use or disclose information to a third party (such as when referring a student to Learner Support Services).
- Using or disclosing the information is required or authorised by law.

### 7. Direct marketing

NEVC 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 has given consent for their personal information to be used for the purpose of direct marketing.
- It is required by law or the Standards for RTO's to make student information available to others such as NCVET or ASQA.

Individuals have the option at any time to request not to receive direct marketing by emailing [nevc@neda.asn.au](mailto:nevc@neda.asn.au)

### 8. Cross-border disclosure of personal information

NEVC does not transfer, store, process, use or disclose personal information overseas.

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

NEVC 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.
- Where required under the Standards for RTO's 2015; Data Provision Requirements 2020 or Student Identifiers Act 2014; or
- As prescribed by other regulations

### 10. Quality of personal information

NEVC takes every possible step to ensure that the personal information collected, used or disclosed is accurate, up-to date and complete. Quality measures in place supporting these requirements include:

- Internal practices, procedures and systems to audit, monitor, identify and correct poor-quality information
- Systems in place that ensure information is collected and recorded in a consistent format and from a primary information source when possible.
- Ensuring updated or new personal information is promptly added to relevant existing records.
- Reminding individuals to update their personal information at critical stages (such as completion of training).

## 11. Security of personal information

Personal information collected by NEVC always includes secure storage and security measures. NEVC takes active measures to protect the information we hold from misuse, interference and loss, as well as unauthorised access, modification or disclosure.

Access to NEVC offices is via a security system and is limited to staff or authorised personnel only. Visitors to our premises must always be accompanied and supervised by a designated staff member.

Information in a paper-based format, is stored in lockable filing cabinets to which only authorised staff have access. Electronic records are stored in secure, password protected systems.

NEVC ensures the secure disposal of paper-based records which contain personal information by using a confidential waste collection company.

## 12. Access to personal information

All individuals have a right to request access to their personal information at any time. In order to request access to personal records, individuals are to email [nevc@neda.asn.au](mailto:nevc@neda.asn.au)

Where NEVC 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.
- Provide information access free of charge.

Third parties, other than the individual, may request access to an individual's personal information. These third parties may include but are not limited to those outlined earlier in this policy.

## 13. Correction of personal information

All individuals have a right to request their personal information is corrected or updated at any time. In order to request correction to personal records, individuals are to email [nevc@neda.asn.au](mailto:nevc@neda.asn.au)

On an individual's request, NEVC will:

- Correct or update the relevant information in our systems; and
- If relevant, notify any third parties of corrections or updates made if information regarding an individual was provided to these parties previously.

### Related Forms/Documents

QMS F8 – Employee Handbook

QMS F2 - Trainer Assessor & Staff Information

QMS F15 – Student Enrolment Form

QMS F27 – Student Handbook

### References

Commonwealth Privacy Act 1988

Standards for Registered Training Organisations 2015

Data Provision Requirements 2020

Student Identifiers Act 2014