

Purpose:

The purpose of this policy is to provide information regarding the protection of privacy of client/staff personal information that Skills Training Australia collects, stores and administers.

Policy Outline:

Skills Training Australia is committed to ensuring compliance with the privacy requirements of the Privacy Act 1988 by abiding with its Australian Privacy Principles, and all other applicable laws and regulations, including without limitation all relevant privacy, anti-discrimination and equal opportunity legislation.

Policy Detail:

Skills Training Australia will ensure:

- All personal information held will remain confidential and protected, and only used and/or disclosed to the extent specified in this policy.
- It does not communicate, publish, release or disclose any personal information to any person external to the organisation without prior written consent
- Privacy and anti-discrimination and equal opportunity legislation, the Charter of Human Rights and Responsibilities Act 2006, the Disability Act 2006 and Disability Amendment Act 2012, and the Working with Children's Act 2005 are taken into consideration
- Management will, as part of the induction process, ensure that staff is trained appropriately to ensure information remains secure and confidential.
- Staff will ensure that confidentiality is observed in work practices at all times:
 - Staff members who handle student, employee or contractor files are responsible for ensuring that the files are properly stored and that no file containing confidential information is left where there is unrestricted access.
 - Staff members will ensure privacy and non-disclosure of general operations and affairs of Skills Training Australia to any other individual other than those approved by management.

Collection of Personal Information

In order to deliver training services, it is necessary for Skills Training Australia to obtain information from various individuals including training participants. Skills Training Australia will only collect personal information necessary to provide these training services.

For the purposes of training, it is necessary for Skills Training Australia to collect, use, disclose and store information including:

- name/s;
- home address/es
- personal contact number/s
- details about employment
- identification numbers such as Unique Student Identifier
- employment status, cultural background, disability information - if applicable
- assessment results
- appeals results
- education and qualifications; and

- information about training an individual has undertaken.
- Personal information documentation eg relevant Visa, driver licence

Skills Training Australia collects specific personal information of employees and contractors for employment purposes only.

Skills Training Australia will not retain the personal information obtained from job applicants ie resume, without the consent of the individuals concerned.

Use and Disclosure of Personal Information

Personal information will only be used or disclosed for the following direct, and directly related secondary purposes:

- providing training and subsequent assessment
- provide administrative services relating to training, eg: sending a trainer a list of course participants
- in accordance with the requirements of Government agencies if the participant is undertaking a traineeship
- Department of Education – HEIMS and ATO (VET Student Loans/VET FEE-HELP) reporting
- auditing by the Australian Skills Quality Authority (ASQA); Higher Education and Skills Group (HESG); Department of Education (VET Student Loans/VET FEE-HELP)
- in accordance with the requirements of the Education Services for Overseas Student Act 2000 and National Code of Practice for Providers of Education and Training to Overseas Students 2018
- an appeals process as it pertains to course assessment
- contacting the individual within the context of and regarding their training
- in an emergency
- personal information will only be otherwise disclosed with the written consent of the individual or the person's parents, Guardian or Attorney acting under Power of Attorney; and
- as authorised or permitted by law.

Skills Training Australia will provide the following information with the written consent of the participant to an authorised third party.

Course attendance

Upon request Skills Training Australia will advise a third party regarding participant attendance or absenteeism where a participant is enrolled to complete a course.

Completion of assessment/s and results

A third party will be provided with a report of participant progress periodically. This report will specify the units of competency currently being completed and results of either 'Competent' or 'Not Yet Competent'.

Additional Support

If a participant has advised Skills Training Australia they require assistance to complete training and/or assessment, the information may be provided to a delegated third party to ensure appropriate support is provided in all training and assessment events.

For the purpose of statistics where Skills Training Australia complies with RTO requirements, attendance, grades and other personal information collected as listed above, is disclosed in a de-identified (generic) format.

Quality of Personal Information

Skills Training Australia will ensure that the personal information collected, used and/or disclosed is accurate, complete and up to date.

Security of Personal Information

Skills Training Australia will take reasonable steps to ensure that the personal information held is protected from misuse, loss, unauthorised access, modification or disclosure.

The personal information of individuals is stored in a secure area and on the VETrak database that is password protected.

Any personal information documentation collected for eligibility and/or legislative requirements are stored securely onsite or archived securely at Grace Information and Records Management.

Records pertaining to staff, contractors and job applicants are stored in cabinets within secure areas.

In cases where students misplace information eg their student number or USI, they can request this information. Skills Training Australia will ask for evidence of identity before distribution of this information.

Retention of Information

Assessment results for nationally accredited training are required to be kept for a period of 30 years in accordance with ASQA Conditions of Registration. Audit copies of assessment evidence will be kept in accordance with ASQA, the regulatory standards and other current contractual agreement requirements after competencies or qualifications have been issued to an individual.

****Access to Personal Information***

Participants of training through Skills Training Australia have the right to view their personal information held by the organisation. Skills Training Australia will allow individuals access to their information upon request and within a reasonable timeframe.

A complete copy of a participant's information will be made, unless this is impractical and in which case, the person can view his/her original information and file.

Breaches

Breaches of this policy should be immediately brought to the attention of the Management. Refer also Data Breaches policy.

Complaints

Complaints about breaches of privacy can be made to Skills Training Australia according to the procedures detailed in the Academic-Non Academic Grievance Policy and Procedure.

Employees or contractors of Skills Training Australia have the right to view their personal information held by the organisation. Skills Training Australia will allow individuals access to their information upon request and within a reasonable timeframe.

Correction of Personal Information

Skills Training Australia will correct personal information upon written request or whenever it becomes aware that personal information is inaccurate.

****Note:***

In rare circumstances, and only where it is permitted under the Privacy Act 1988 (Cth), Skills Training Australia may not be able to provide individuals with access to information; for example, where it will have an unreasonable impact upon the privacy of others, where it relates to legal proceedings between Skills Training Australia through which the information would not otherwise be available, where it would be prejudicial to negotiations, where we are required by law to withhold the information or where it would reveal information relating to our commercially sensitive decision making processes. If we are unable to provide individuals with access, we will provide an explanation in writing within five working days.

Direct Marketing

Skills Training Australia practices ethical direct marketing. Where Skills Training Australia is permitted to use or disclose personal information for the purpose of direct marketing, it will always allow an individual to request not to receive direct marketing communications (also known as “opting out”), and comply with that request. Skills Training Australia will, on request, provide its source for an individual’s personal information, unless it is impracticable or unreasonable to do so.

Approval Authority:

This document is approved by Skills Training Australia Management as indicated with the electronic control copy maintained within the Quality Management System and as such all hard copies need to be verified.

Documents Referenced:

- Privacy Act 1988
- Charter of Human Rights and Responsibilities Act 2006
- Disability Act 2006
- Disability Amendment Act 2012
- Working with Children’s Act 2005
- Education Services for Overseas Students Act 2000
- National Code of Practice for Providers of Education and Training to Overseas Students 2018
- Academic and Non Academic Grievance policy and procedure
- FM006 Request for Release of Information
- PP148 Data Breaches
- Student Identifier’s Act 2014