

## PRIVACY AND ACCESS TO INFORMATION

### Purpose

This policy is to ensure compliance of ACA with the Information on Privacy Principles set out in the Commonwealth Privacy Act 1988 (Amendment) and Privacy Principles, and with the VET Quality Framework.

The policy is also intended to ensure that everyone dealing with the RTO is treated respectfully and professionally.

### Scope

This policy deals with the collection, use, disclosure, storage, security and access to personal information being held at ACA.

It applies to all teaching and non-teaching staff and to all current students and prospective students who have provided personal information to the RTO.

The policy is to be included in the Students Handbook, marketing materials and Staff Manual.

### Policy

ACA is committed to the privacy of the students and staff and works diligently to ensure that everyone is treated respectfully and professionally.

ACA will respect the privacy of all individuals with whom it communicates.

Personal information is collected by ACA solely for the purpose of operating as a Registered Training Organisation under the VET Quality Framework and which is administered by the Australian Quality Standards Authority, who is the registering authority.

ACA also collects students information to continually improve the services they offer to all students.

The requirements of the registering authority may mean the release of students' personal information for the purposes of audit, or for collection of data by Commonwealth and State Government departments and agencies.

Access to students records may be provided where an officer of the law require the RTO to do so. ACA staff will comply with all external reporting responsibilities where required to do so.

The RTO Manager will maintain up-to-date records of the employment history and qualifications of all staff employed by the RTO.

ACA will ensure that all personal information given to the RTO by employees and students is held securely and safely.

Only staff directly involved with students welfare and or students results will have access to personal students details.

Trainers and the RTO administrative staff will provide students with access to their own files and personal information held by the RTO upon request according to procedures, including access to their participation and progress, and they may request corrections to information that is incorrect or out of date.

Upon receipt of written consent by a students, the RTO staff will provide a third party with students's personal details.

#### Collection of information

The RTO requests information from students as part of the pre enrolment, enrolment and any re enrolment processes.

ACA staff will not collect personal information at any time by unlawful or unfair means.

The RTO will always take reasonable measures to ensure that the individual is made aware of why personal information is being collected and what it could be used for.

ACA will only collect students' personal information for the following purposes:

- For the essential communication for the students's safety and comfort during their studies

- When it is necessary for the RTO to make contact with a student's nominated family member in the case of emergency or accident.

Selected student details are also collected and used for:

- Processing enrolments
- Enquiries regarding courses available and sending out course information
- Communicating accurately with students
- Assisting students with courses they may be interested in
- Assisting students with RPL applications
- Student account details
- Assessing an individual student's entitlements for government funded areas.

The RTO will ensure that when personal information is collected it will not intrude to an unreasonable extent into the personal affairs of the prospective student / employee and that the information is up to date and complete.

#### Disclosure of information

Privacy and confidentiality is paramount within ACA and policies and procedures will be observed by all staff.

Personal information will not be released without the consent of the student or staff member. Even though ACA is part of an employer group, it does not release personal details of students to employers or employees.

ACA does not release or sell student's personal details to any external companies for the purposes of marketing.

The RTO may from time to time be required to provide personal information to external organisations including the Australian Government and other designated authorities in order to provide specific services as required by law. These may include but are not limited to:

- Commonwealth Department of Education
- Australian Standards Quality Authority (ASQA)
- Department of Home Affairs (DHA)

If there is a serious health-related issue and some information may be provided to the RTO during a consultation with a practitioner, then this information may be accessed by the RTO staff for the purposes of providing further helpful services to the student.

No other parties will gain access to the information at any time, other than those listed above without the written consent of the individual student concerned.

#### Procedures

##### Ensuring the data quality

- Consistent with the Australian Privacy Principles, ACA is committed to ensuring that personal information collected by ACA remains accurate, complete and up to date.
- ACA relies on its students and staff to advise the RTO of changes that may occur in personal information in order to keep all records up to date and of good quality.
- ACA will ensure that the student's records are kept updated by making the changes in the student's personal files, in the student's management system and in the student's soft copy register as soon as they are provided by the student.
- ACA will destroy records relating to personal information when such information is no longer necessary to be retained within the RTO's records. Personal information will be destroyed by shredding or other secure process.

## Access to data and making corrections

- All students, clients and staff have the right to inspect their own personal information and files held by ACA.
- Prospective students are informed that upon giving the RTO their personal contact details, the RTO will use these details to process their enquiry and send them course information.
- Upon reasonable request and 5 working days' notice, the RTO administrative staff will provide a students with access to their personal records and if required, reissue statements of attainment or qualifications achieved. The RTO will not allow this to take place without an appointment being made and without the correct documentation filled out.
- Students's personal records cannot be released to parents, partners or any external party without the written consent of the students.
- When a record is found to be incorrect, this will be corrected; when a students requests that a record be corrected because it is not accurate or correct, the details of the request for amendment with the evidence supplied for change will be noted on the records.

## Complaints

Any complaints regarding a privacy matter will be handled in accordance with the ACA Complaints, Grievance and Appeals Policy and Procedures.

Should complaints not be resolved by the RTO, students may also address their complaints to the Office of the Australian Information Commissioner (OAIC) at:

Office of the Australian Information Commissioner (OAIC)

mail, send it to GPO Box 5288, Sydney NSW 2001

[www.oaic.gov.au](http://www.oaic.gov.au)

Any policy and the availability of complaints and appeals processes within the RTO, does not remove the right of the students to take action under Australia's consumer protection laws.

## Legislation

- *Commonwealth Privacy Act 1988 (Amendment)*
- *Australian Privacy Principles*
- *Privacy Amendment (Private Sector) Act 2000*

## Documents

- *Request to Access Personal Information*