

Privacy Policy

1. Purpose:

The Australian Skills Quality Authority (ASQA) standards for Registered Training Organisations (SRTO's 2015) require that RTO's comply with state and federal law in regards to privacy and confidentiality for employees and learners.

This policy details the way in which personal information is collected, used, disclosed, stored and destroyed by NDA and the way in which relevant parties are informed of these procedures. This policy is strongly connected to and should be read in conjunction with NDAs **Records Management Policy**.

2. Scope:

This policy applies to all NDA staff, students and stakeholders.

3. Definitions:

3.1 – AVETMISS

AVETMISS stands for the Australian Vocational Education and Training Management Information Statistical Standard. It is a national data standard which ensures the consistency and accuracy of vocational education and training (VET) information.

3.2 – Personal information

Information that is specific to an individual, such as name, address, phone number.

3.3 – Sensitive information

A type of personal information that is sensitive in its nature, such as race, sexual orientation, medical history.

4. Policy Principles:

To carry out day to day business functions, NDA is required to collect a variety of personal information from staff, students and potentially other stakeholders. All information that is collected is directly related to NDAs business purposes and legal requirements as an RTO.

NDA is obliged to comply with the relevant legislation regarding the handling of information. This requires that NDA comply with the Australian Privacy Principles (APPs) set out in the Privacy Amendment (Enhancing Privacy Protection) Act 2012.

NDA ensures each individual:

- Knows why their information is being collected, how it will be used and who it will be disclosed to.
- Is provided with
 - the current privacy policy



- the mandatory Privacy Statement, Student Declaration and Consent as required under the Data Provision Requirements 2012
 - relevant State Government VET Student Enrolment Privacy Notice
 - USI Privacy Notice
 - NCVER specific to the collection of statistical data gathered from student surveys
- Can access their personal information upon request.
 - Does not receive unwanted direct marketing.
 - Can ask for personal information that is incorrect to be corrected.
 - Can make a complaint about the RTO if they consider that their personal information has been mishandled.

Collection of information

In general, personal information will be collected through employment application forms, contracts, course applications, enrolment forms and training and assessment records. When NDA collects information, it will explain to the individual why it is being collected, who it will be given to and how it will be used or disclosed or alternatively, those matters will be obvious from the circumstances. At times, personal information may be collected from a third party, or a publicly available source, but only if the individual has consented to such collection or would reasonably expect NDA to collect their personal information in this way. A third party might include another educational institution or an industry partner. NDA will take reasonable steps to inform affected individuals that their personal information has been collected from a third party as soon as practicable after the collection has taken place.

Use and disclosure of information

NDA will only use and disclose personal information for the primary purposes for which it was collected, which include enabling efficient student administration, providing information about training opportunities, issuing statements of attainment and qualifications to eligible students and maintaining accurate and detailed records of student course participation, progress and outcomes. Exceptions include when:

- the individual has consented to the information being used for a secondary use
- the individual would reasonably expect NDA to use or disclose the information for the secondary purpose and that purpose is related to the primary purpose
- the use or disclosure of the information is required or authorised by or under an Australian law or a court/tribunal order
- NDA reasonably believes that the use or disclosure of the information is necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.
- NDA will only use sensitive information for a secondary purpose if it is directly related to the primary purpose.

Personal information about students may be shared with the Australian and State Government and designated authorities, such as ASQA and its auditors, the USI Registrar and the National Centre for Vocational Education Research (NCVER). This includes personal details, contact details, course enrolment information, unit outcomes, AQF certification and statement issuance and information about training participation and progress. NDA is required by law to collect, hold, use and supply personal information in accordance with the National VET Provider Collection Data Provision Requirements. This includes the requirement to disclose that personal information to the National Centre for Vocational Education Research Ltd (NCVER). This personal information may be used for





statistical, administrative, regulatory and research purposes. Students are informed of and provide consent to this possible disclosure on their **enrolments forms**.

Personal information about staff members is used to:

- Ensure staff have the correct qualifications, registration/licensing requirements to deliver and assess nationally recognised training.
- Mitigate risk and ensure student safety.
- Support human resources processes and systems.
- Manage logistical requirements associated with training and assessment.
- Meet superannuation and taxation legislative requirements.

Unique Student Identifier (USI)

NDA is required by law to collect, maintain and report to relevant Government agencies the individual's Unique Student Identifier (USI) number in accordance with the National VET Provider Collection Data Provision Requirements. NDA will not disclose the Unique Student Identifier (USI) number for any other purpose, including on any Certification documents and will not adopt the Unique Student Identifier (USI) number as its own identifier of the individual.

Quality of information

NDA will take reasonable steps to ensure that the personal information collected is accurate, up to date and complete. These steps include maintaining and updating personal information when advised by individuals that their personal information has changed, and at other times, as necessary. NDA will also take reasonable steps to ensure the accuracy and completeness of the information prior to any disclosure of the information.

Access to information

NDA acknowledges the rights of individuals to have access to their personal information and to request amendments of this information. Students and staff are encouraged to update their personal information as it changes to maintain the currency and accuracy of records. This should be requested in writing and verification of the individual's identity will be required.

Security of information

Information is held electronically on NDAs secure cloud based server. Access to information is limited to personnel with the correct authorisation and is only available to staff for the purpose of collection. Security measures such as unique password requirements and restricted file access are used to maintain and protect student's and employee's privacy. Where staff leave the organisation their access to data is removed.

Destruction of information

Personal information relating to a national recognised training course will be held in electronic format for 30 years, in accordance with NDAs **Records Management Policy**. This information will be archived once training is complete. All personal information in paper form will be shredded when it is no longer required. Personal information stored in electronic form will be securely and permanently deleted when it is no longer required by law to be stored.

Complaints

If an individual has a complaint about the way their information has been collected, stored, disclosed or used by NDA please refer to NDAs **Complaints Policy** for complaints procedure.





Legislation:

This policy recognizes NDA's legal obligations in relation to privacy under relevant legislation.

The relevant legislation includes:

- Privacy Act 1988 (Cth)
- Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth)

In addition to legal obligations NDA also has regulatory obligations that are recognised in this policy. This policy and the resulting practices recognise the Standards for Registered Training Organisations (SRTOs) 2015, specifically clauses 3.6 and 8.5.

5. Forms and Relevant Documents:

Records Management Policy

Complaints Policy and Procedure

Complaints Form and Checklist

Enrolment Form

