

PRIVACY POLICY



PURPOSE

This policy ensures that the Australian College of Business and Training Pty Ltd (AUSCBT) meets its legal and ethical requirements in regard to the collection, storage, and disclosure of the personal information it holds in regard to individuals.

DEFINITIONS

ASQA means Australian Skills Quality Authority, the national VET regulator and the RTO's registering body

Personal information means 'information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- 'Whether the information or opinion is true or not; and
- 'Whether the information or opinion is recorded in a material form or not

SRTOs means the Standards for Registered Training Organisations 2015 – refer definition of 'Standards'

Sensitive information is information or an opinion about an individual's: racial or ethnic origin; or political opinions; or membership of a political association; or religious beliefs or affiliations; or philosophical beliefs; or membership of a professional or trade association; or membership of a trade union; or sexual orientation or practices; or criminal record; that is also personal information; or health information about an individual; or genetic information about an individual that is not otherwise health information; or biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or biometric templates.

Standards means the Standards for Registered Training Organisations (RTOs) 2015 from the VET Quality Framework which can be accessed at www.asqa.gov.au

Unique Student Identifier (USI) is a unique reference number issued to an individual by the Australian Government. It is made up of numbers and letters and enables an individual to look up and track their training achievements in an online database.

National VET Provider Collection Data Requirements Policy is Part B of the National VET Data Policy. <https://www.dese.gov.au/national-vet-data/national-vet-data-policy>

1. PRIVACY PRINCIPLES

If the company is an APP Entity, then you will need to comply with the Privacy Amendment (Notifiable Data Breaches) Act 2017 – refer to <https://www.oaic.gov.au/privacy/notifiable-data-breaches/>

In collecting personal information, The Australian College of Business and Training Pty Ltd (AUSCBT) complies with the requirements set out in the Privacy Act 1988, including Australian Privacy Principles 3 and 5 (in accordance with the National VET Provider Collection Data Requirements Policy clause 4.4) and the relevant privacy legislation and regulations of the state (NSW) in which AUSCBT operates.

- Personal information, including sensitive information, is collected from individuals in order that AUSCBT can carry out its business functions. AUSCBT only collects and stores information that is directly related to its business purposes and legal requirements of providing nationally recognised training and assessment.
- Sensitive information is only collected by The Australian College of Business & Training if a permitted general or health situation applies in accordance with the Privacy Act (16A, 16B) such as, if:
 - The collection of the information is required or authorised by, or under, an Australian law or a court/tribunal order.
 - It is unreasonable or impracticable to obtain the individual's consent to the collection, use, or disclosure.
 - It genuinely and reasonably believes that:
 - The collection, use, or disclosure is necessary to lessen or prevent a serious threat to the life, health, or safety of any individual, or to public health or safety.
 - Unlawful activity, or misconduct of a serious nature, that relates to The Australian College of Business & Training s functions or activities has been, is being or may be engaged in, and the collection, use or disclosure is necessary in order for the entity to take appropriate action in relation to the matter.
 - The collection, use or disclosure is reasonably necessary to assist any APP entity, body or person to locate a person who has been reported as missing.
 - The collection, use or disclosure is reasonably necessary for the establishment, exercise or defence of a legal or equitable claim.

- AUSCBT ensures each individual:
 - Knows why their information is being collected, how it will be used and who it will be disclosed to.
 - Is made aware of any legal requirement for AUSCBT to collect the information.
 - Is able to 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.
 - Is made aware of any consequences for not providing the information requested.
 - Whether the information is likely to be disclosed to overseas recipients, and if so, which countries such recipients are likely to be located in.
- AUSCBT retains evidence that the student has acknowledged the following Privacy Notice and Student Declaration as part of their enrolment process:
<https://www.dese.gov.au/national-vet-data/vet-privacy-notice>

2. COLLECTION OF INFORMATION

- Under the Data Provision Requirements 2012, AUSCBT is required to collect personal information about students undertaking nationally recognised training and disclose that personal information to the National Centre for Vocational Education Research Ltd (NCVER). NCVER will collect, hold, use and disclose personal information in accordance with the Privacy Act 1988 (Cth), the VET Data Policy, and all NCVER policies and protocols (including those).
- In general, personal information will be collected through course application and/or enrolment forms, training records, assessment records, and online forms and submissions.
- The types of personal information collected include:
 - personal and contact details
 - employment information, where relevant
 - academic history
 - background information collected for statistical purposes about prior education, schooling, place of birth, disabilities, and so on
 - training, participation, and assessment information
 - fees and payment information
 - information required for the issuance of a USI.

3. UNIQUE STUDENT IDENTIFIERS (USI)

- All students participating in nationally recognised training from 1 January 2015 are required to have a Unique Student Identifier (USI) and provide it to AUSCBT upon enrolment.
- The Student Identifiers Act 2014 authorises the Australian Government's Student Identifiers Registrar to collect information about USI applicants. This will include:
 - name, including first or given name(s), middle name(s), and surname or family name
 - date of birth
 - city or town of birth
 - country of birth
 - gender
 - contact details, so the Student Identifiers Registrar can provide individuals with their USI and explain how to activate their USI account.
- The information provided by an individual in connection with their application for a USI:
 - is collected by the Registrar as authorised by the Student Identifiers Act 2014.
 - is collected by the Registrar for the purposes of:
 - applying for, verifying and giving a USI
 - resolving problems with a USI
 - creating authenticated vocational education and training (VET) transcripts
 - may be disclosed to:
 - Commonwealth and State/Territory government departments and agencies and statutory bodies performing functions relating to VET for:
 - the purposes of administering and auditing VET, VET providers and VET programs
 - education-related policy and research purposes
 - to assist in determining eligibility for training subsidies
 - VET Regulators to enable them to perform their VET regulatory functions
 - VET Admission Bodies for the purposes of administering VET and VET programs
 - current and former Registered Training Organisations to enable them to deliver VET courses to the individual, meet their reporting obligations under the VET standards and government contracts and assist in determining eligibility for training subsidies
 - schools for the purposes of delivering VET courses to the individual and reporting on these courses

- the National Centre for Vocational Education Research for the purpose of creating authenticated VET transcripts, resolving problems with USIs and for the collection, preparation, and auditing of national VET statistics
- researchers for education and training related research purposes
- any other person or agency that may be authorised or required by law to access the information
- any entity contractually engaged by the Student Identifiers Registrar to assist in the performance of his or her functions in the administration of the USI system
- will not otherwise be disclosed without the student's consent unless authorised or required by or under law
- The consequences to the student of not providing the Registrar with some or all of their personal information are that the Registrar will not be able to issue the student with a USI, and therefore AUSCBT will be unable to issue a qualification or statement of attainment.

4. STORAGE AND USE OF INFORMATION

- AUSCBT will store all records containing personal information securely and take all reasonable security measures to protect the information collected from unauthorised access, misuse, or disclosure. Personal information will be stored in paper-based files that are kept in a secured locked filing cabinet and electronically on a Hard drive and Student Management System to which only authorised staff have access.
- The personal information held about individuals will only be used by AUSCBT to enable efficient student administration, report data to provide information about training opportunities, issue statements of attainment and qualifications to eligible students, and to maintain accurate and detailed records of student course participation, progress and outcomes
- AUSCBT may use the personal information provided by an individual to market other internal products and services to them. An individual may opt-out of being contacted for marketing purposes at any time by contacting our office. Information will not be passed onto any third-party marketing companies without the prior written consent of the individual.

5. DISCLOSURE OF INFORMATION

- AUSCBT will not disclose an individual's personal information to another person or organisation unless:
 - They are aware that information of that kind is usually passed to that person or organisation.
 - The individual has given written consent.
 - AUSCBT believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious threat to the life or health of the individual concerned or another person.
 - The disclosure is required or authorised by, or under, law.
 - The disclosure is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of public revenue.
- Any person or organisation to which information is disclosed is not permitted to use or disclose the information for a purpose other than for which the information was supplied to them.
- Personal information may be used or disclosed by AUSCBT for statistical, regulatory, and research purposes. AUSCBT may disclose personal information for these purposes to third parties, including:
 - Employers – where students are enrolled in training paid for by their employer
 - Commonwealth and State or Territory government departments and authorised agencies; such as the Australian Skills Quality Authority (ASQA), and funding bodies (if applicable)
 - NCVET
 - Organisations conducting student surveys
 - Researchers.
- Personal information disclosed to NCVET may be used or disclosed for the following purposes:
 - Issuing a VET Statement of Attainment or VET Qualification, and populating Authenticated VET Transcripts
 - Facilitating statistics and research relating to education, including surveys
 - Understanding how the VET market operates, for policy, workforce planning, and consumer information
 - Administering VET, including program administration, regulation, monitoring, and evaluation.

6. ACCESS TO AND CORRECTION OF RECORDS

- Individuals have the right to access or obtain a copy of the information that AUSCBT holds about them including personal details, contact details, and information relating to course participation, progress, and AQF certification and statements of attainment issued.
- Requests to access or obtain a copy of the records held about an individual must be made by contacting our office via email and completing the Request to Access Records Form (which is accessible via email and website) The individual must prove their identity to be able to access their records.
- There is no charge for an individual to access the records (except certificates and qualifications) that AUSCBT holds about them; however, there may be a charge for any copies made. Arrangements will be made within 10 days for the individual to access their records.

7. COMPLAINTS ABOUT PRIVACY

- Any individual wishing to make a complaint or appeal about the way information has been handled within AUSCBT can do so by following the Complaints and Appeals Policy available on our website.