

PRIVACY POLICY

PURPOSE AND SCOPE

The purpose of this Policy is to ensure staff understand and comply with relevant privacy legislation in the management of personal information.

New Futures Training in accordance with the Australian Privacy Principles has a commitment to ensuring that all reasonable steps are taken to protect the privacy of its students and staff. The following policy and procedure outlines how personal information is collected, used, disclosed, stored, destroyed.

POLICY

In order to deliver a high-quality education service, New Futures Training is required to collect a variety of personal information from both consumers and staff members. Where personal and sensitive information is collected it is stored, disclosed and destroyed in accordance with the Australian Privacy Principles (APP).

PROCEDURE

Protecting Personal Information

New Futures Training is committed to managing and protecting the personal information that all stakeholders share with us.

Implementation of this policy ensures that all stakeholders will have confidence that all personal information provided to us is solely used by the organisation within the guidelines of the Privacy Act 1988 - Privacy Amendment (Enhancing Privacy Protection) Act 2012 as amended by the Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Privacy Act 1988) and in an ethical and sensitive manner.

Types of information collected and held

Information collected for the purpose of enrolment:

- Name
- Address
- Contact details
- Emergency contact
- Employment history/status
- Centerlink information/government allowances
- Citizenship, Residency and Visa status and information

- Language, literacy and numeracy assessment
- Indigenous status
- Proof of identity
- Unique Student Identifier (USI)
- Disability / special need requirements
- Schooling / qualifications completed
- Verification documentation and evidence Citizenship
- Residency and Visa status and information
- Vulnerable person checks – National Police Clearance Checks, Working with Children Checks (where specifically requested)
- Fee payment information – e.g. credit card information, banking details

COLLECTION

1. New Futures Training will collect personal information:
 - a. Only if the information is necessary for one or more of its functions or activities;
 - b. Wherever possible, collect the information directly from the individual concerned;
 - c. Only by lawful and fair means and not in an intrusive way.
 - d. Tell people that their information is being collected, why it is being collected and how it is to be used (Privacy statement of enrolment form)
2. In collecting personal information about an individual, all reasonable steps will be taken to ensure that the individual is aware of:
 - a. New Futures Training's full legal entity, TOID and contact details;
 - b. The fact that he or she is entitled to access their information;
 - c. The purposes for which the information is collected;
 - d. To whom (or the types of individuals or organisations to which) New Futures Training is required to disclose the information;
 - e. Any law that requires the particular information to be collected; and

- f. The main consequences (if any) for the individual if all or part of the information is not provided.
3. If it is reasonable and practicable to do so, New Futures Training will collect personal information about an individual only from that individual. However, there will be instances where information needs to be sought for other sources, e.g. references for employment purposes; results data for prospective students, verification of formal qualifications of staff and students etc. In such instances New Futures Training will take reasonable steps to ensure that the individual is or has been made aware of the matters listed in this Policy.
4. Persons using our websites may do so aware that the sites do not collect information of a personal nature from such visits.

Information submitted digitally to our organisation (i.e. electronic data, using an electronic form or application or by sending an email) is collected and used for the nominated purpose only.

5. New Futures Training has the following privacy statement:
 - a. The Student Privacy Notice (see below);
 - b. If the information to be collected is not covered by one of the above privacy statements, a specific privacy collection statement must be drafted

USE AND DISCLOSURE

1. New Futures Training acknowledges that individuals provide personal information to it on a voluntary basis to assist us to administer and provide quality service and outcomes on their behalf.
2. Use of student details, including student contact details, is consistent with the Student Enrolment Privacy Notice. (Victorian VET Student Statistical Collection Guidelines). This is a standard privacy notice provided for

inclusion in all enrolment forms, which advises students as to how their data may be supplied to and used by the Department.

3. New Futures Training will use contact details to assist in the administration of its services.
4. New Futures Training will not disclose personal information to an external company or third party without prior written permission from the individual. An instance where this may apply is where a student or trainee or potential student or trainee is in a placement with a Host or Work Experience Employer.
5. Personal information will not be sold to anyone and will not be used for promotions independent of New Futures Training.
6. If there is no longer any legitimate purpose for retaining personal information, and within Records Management Legislative compliance, it will be securely destroyed.
7. Unless it has the prior consent of an individual, New Futures Training will not use or disclose personal information about that individual for a purpose (the secondary purpose) other than the primary purposes of collection unless it is believed that the use of that information is necessary to prevent:
 - a. A serious and imminent threat to an individual's life, health, safety or welfare;
 - b. A serious threat to public health, public safety or public welfare;
 - c. Unlawful activity
 - d. The misuse of the public revenue or government funding;
 - e. Seriously improper conduct.
8. Any disclosure can only be made by authority of the Executive Director.

DATA QUALITY

New Futures Training will take every reasonable step to make sure that the personal information it collects uses or discloses is accurate, complete and up to date.

DATA SECURITY

New Futures Training will take every reasonable step to:

- a) Protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure.
- b) Destroy or permanently de-identify personal information if it is no longer needed for any purpose. Under following **RELEVANT REGULATORY STANDARDS AND LEGISLATIONS:**

- ✓ *the Public Records Act 1973*
- ✓ *Skills First VET Funding Contract*
- ✓ *AQTF Standard 2 (2.6), AQTF Standard 3 (3.4), AQTF Condition 2*
- ✓ *VRQA Guidelines for VET providers*

New Futures Training is required to keep full and accurate records and implement a record disposal program. Destruction of personal information will be carried out in accordance with New Futures Training's Records Management Policy and Procedures.

OPENNESS

1. New Futures Training will make this Policy available to anyone who asks for it.
2. On request, New Futures Training will take reasonable steps to let the person know, what sort of personal information it holds, for what purposes, and how it collects, holds, uses and discloses that information.

ACCESS AND CORRECTION

1. If New Futures Training holds personal information about an individual, it will provide the individual with access to the information on request by the individual, except to the extent that:
2. Providing access would pose a serious and imminent threat to the life or health of any individual; or
3. Providing access would have an unreasonable impact on the privacy of other individuals; or
4. The request for access is frivolous or vexatious; or
5. The information relates to existing legal proceedings between New Futures Training and the individual, and the information would not be accessible by the process of discovery or subpoena in those proceedings; or
6. Providing access would reveal the intentions of New Futures Training in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
7. Providing access would be unlawful; or
8. Denying access is required or authorised by or under law; or
9. Providing access would be likely to prejudice an investigation of possible unlawful activity; or
10. Providing access would be likely to prejudice:
 - a. The prevention, detection, investigation, prosecution or punishment of criminal offences or breaches of a law imposing a penalty or sanction; or
 - b. The enforcement of laws relating to the confiscation of the proceeds of crime; or
 - c. The protection of public revenue; or

- d. The prevention, detection, investigation or remedying of seriously improper conduct; or
 - e. The preparation for or conduct of, proceedings before any court or tribunal, or implementation of its orders by or on behalf of a law enforcement agency.
11. If New Futures Training holds personal information about an individual and the individual is able to establish that the information is not accurate, complete and up to date, New Futures Training will immediately correct the information so that it is accurate, complete and up to date.
12. New Futures Training will provide reasons for denial of access or a refusal to correct personal information.
13. If an individual requests access to, or the correction of, personal information held by New Futures Training, it will:
- a. Provide access, or reasons for the denial of access; or
 - b. Correct the personal information, or provide reasons for the refusal to correct the personal information; or
 - c. Provide reasons for the delay in responding to the request for access to or for the correction of personal information as soon as practicable, but no later than fourteen (14) days after receiving the request.
14. Nothing in these principles applies to the personal information contained in a document which would be subject to the provisions of the Freedom of Information Act 1992 ("FOI Act").
15. If a person requires access to such a document then they must make an application under the FOI Act. Access and correction of any errors will then be determined by the FOI Act.

UNIQUE IDENTIFIERS

1. Unique identifiers will be assigned to staff and students to assist New Futures Training in carrying out its functions efficiently.
2. Unless required by law, New Futures Training will not adopt as its own unique identifier of an individual the unique identifier of the individual that has been assigned by another organisation.

ANONYMITY

1. When it is lawful and practicable to do so, New Futures Training will provide an individual with the option of not identifying who they are. However, the nature of the business carried out by New Futures Training means that, generally, it is not possible to provide services to, or interact with, student or staff members in an anonymous way.

TRANS-BORDER INFORMATION

1. New Futures Training will only transfer personal information about an individual to someone (other than New Futures Training staff or the individual) who is outside Victoria if:
 - a. The recipient of the information is subject to a law, binding scheme or contract which effectively upholds principles for fair handling of the information that are substantially similar to the Privacy Principles set out in this document; or
 - b. The individual consents to the transfer.

SENSITIVE INFORMATION

1. New Futures Training will not collect sensitive information about an individual unless:
 - a. The individual has consented; or
 - b. The collection is required under law. Or

- c. The collection is necessary for the establishment, exercise or defence of a legal or equitable claim.
2. New Futures Training may collect sensitive information about an individual if the information is necessary relevant to government funded targeted welfare or educational services and there is no reasonably practicable alternative to collecting the information; and it is impracticable for New Futures Training to seek the individual's consent to the collection.

3. PRIVACY NOTICE

New Futures Training incorporates the latest version of the Privacy Notice according to Victorian VET Student Statistical Collection Guidelines:

Under the Data Provision Requirements 2012, **[insert RTO name]** is required to collect personal information about you and to disclose that personal information to the National Centre for Vocational Education Research Ltd (NCVER).

Your personal information (including the personal information contained on this enrolment form), may be used or disclosed by **[insert RTO name]** for statistical, administrative, regulatory and research purposes. **[insert RTO name]** may disclose your personal information for these purposes to:

- Commonwealth and State or Territory government departments and authorised agencies; and
- NCVER.

Personal information that has been disclosed to NCVER may be used or disclosed by NCVER for the following purposes:

- populating authenticated VET transcripts;
- facilitating statistics and research relating to education, including surveys and data linkage;
- pre-populating RTO student enrolment forms;
- understanding how the VET market operates, for policy, workforce planning and consumer information; and
- administering VET, including program administration, regulation, monitoring and evaluation.

You may receive a student survey which may be administered by a government department or NCVER employee, agent or third party contractor or other authorised agencies. Please note you may opt out of the survey at the time of being contacted.

NCVER will collect, hold, use and disclose your personal information in accordance with the Privacy Act 1988 (Cth), the National VET Data Policy and all NCVER policies and protocols (including those published on NCVER's website at www.ncver.edu.au).

For more information about NCVET's Privacy Policy go to <https://www.ncver.edu.au/privacy>.

RELEVANT STANDARDS AND LEGISLATIONS:

- The Public Records Act 1973
- Skills First VET Funding Contract
- AQTF Standard 2 (2.6), AQTF Standard 3 (3.4), AQTF Condition 2
- VRQA Guidelines for VET providers
- Privacy Act 1988
- Australian Privacy Principles
- VET Quality Framework
- National Vocational Education and Training Regulator Act 201
- Privacy and Data Protection Act 2014 (Vic) PDP Act
- National VET Data Policy and all NCVET policies and protocols (including those published on NCVET's website at www.ncver.edu.au).

RELATED DOCUMENTS:

- Enrolment Form*
- Student Handbook*
- Student Agreement*

Victorian VET Student Statistical Collection Guidelines