

CG4: Privacy Policy & Procedures

Contents

Purpose	1
Definitions	1
Policy	1
Procedures	4
1. Privacy Notices	4
2. Marketing Privacy	4
3. Access to Records	4
4. Amendment to Records	5
Document Control	5

Purpose

This policy ensures that BCC Institute meets its legal and ethical requirements in regard to the collection, storage and disclosure of the personal information it holds in regards to individuals.

This policy and procedure contributes to compliance with Clause 8.5 of the Standards.

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.¹*

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

Policy

1. Privacy Principles

Personal information is collected from individuals in order that BCC Institute can carry out its business functions. BCC Institute only collects and stores information that is directly related to its business purposes and legal requirements of providing nationally recognised training and assessment.

In collecting personal information, BCC Institute complies with the requirements set out in the Privacy Act 1988 and the relevant privacy legislation and regulations of the states and territories in which the RTO operates.

This means BCC Institute ensures each individual:

- Knows why their information is being collected, how it will be used and who it will be disclosed to.
- Is able to access their personal information upon request.

¹ Definition from: Australian Government. *Privacy Act 1988* (Cth). Accessed on 26th February 2019 at <https://www.legislation.gov.au/Details/C2019C00025>

CG4: Privacy Policy & Procedures

- Does not receive unwanted direct marketing.
- Can ask for personal information that is incorrect to be corrected.
- Can make a complaint about BCC Institute if they consider that their personal information has been mishandled.

2. Collection of information

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 details
- contact details
- employment information where relevant
- academic history
- statistical information about prior education, schooling, reasons for enrolling
- training, participation and assessment information
- fee and payment information

3. Storage and use of information

BCC Institute 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 secure location (locked filing cabinets/locked compactor) and electronically in a secure environment to which only authorised staff have access.

The personal information held by individuals will only be used to enable efficient student administration, provide information about training opportunities, and to maintain accurate and detailed student records of course participation, progress and outcomes.

BCC Institute 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. Information will not be passed onto any third party marketing companies without the prior written consent of the individual.

4. Disclosure of information

The personal information about students enrolled in a Course with BCC Institute may be shared with the Australian Government and designated authorities, such as ASQA (the RTO's registering body), the National Centre for Vocational Education Research (NCVER) and other Australian Government Departments. This includes personal details, contact details, course enrolment information, unit outcomes, AQF certification and statement issuance and information about training participation and progress.

BCC Institute 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.
- BCC Institute 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.

CG4: Privacy Policy & Procedures

- The disclosure is required or authorised by, or under, law, such the ESOS Act 2000 and National Code2018; or
- 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.

5. Access to records

Individuals have the right to access or obtain a copy of the information that BCC Institute 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 using the *Request to Access Records Form*. The individual must prove their identity to be able to access their records.

There is no charge for an individual to access the records that BCC Institute 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.

6. Correction to records

If an individual considers the records that BCC Institute holds about them to be incorrect, incomplete, out of date or misleading, they can make a request in writing that the information be amended.

7. Complaints

Any individual wishing to make a complaint or appeal about the way information has been handled within BCC Institute can do so by following BCC Institute's *Complaints and Appeals Policy and Procedure*.

8. Privacy Noticeⁱ

Under the Data Provision Requirements 2012, BCC Institute is required to collect personal information about students and to disclose that personal information to the National Centre for Vocational Education Research Ltd (NCVER).

Personal information (including the personal information contained on this enrolment form), may be used or disclosed by BCC Institute for statistical, administrative, regulatory and research purposes. BCC Institute 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.

CG4: Privacy Policy & Procedures

Students may receive a student survey which may be administered by a government department or NCVET employee, agent or third party contractor or other authorised agencies. Students 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 NCVET policies and protocols.

Procedures

1. Privacy Notices

Procedure	Responsibility
A. Privacy notices <ul style="list-style-type: none">Ensure privacy notices are added to relevant forms and information such as Enrolment Forms, website etc.	Chief Executive Officer/ Compliance Manager

2. Marketing Privacy

Procedure	Responsibility
B. Email marketing <ul style="list-style-type: none">Ensure there is an opt-out option on all marketing emails and correspondence sent to individuals in relation to marketing.	Administration and Enrolment Officer

3. Access to Records

Procedure	Responsibility
C. Request to access records <ul style="list-style-type: none">Individuals may request to access their records by using the <i>Request to Access Records Form</i>. Written requests should be sent to the head office.Requests may be from past or current students or other individuals. It may be to access records held in a file about a student, or access to a previously issued AQF certification document – refer to the <i>AQF Certification Policy & Procedure</i>.Upon receiving a completed form, confirm the request is valid and has been made by the individual to which the records relate – check identification documents.Arrangements for provision of records should be made as suitable – mailing copies, providing a time for records to be viewed etc.Arrangements should be made verbally and confirmed in writing within 10 days of receiving the request.	Administration and Enrolment Officer

CG4: Privacy Policy & Procedures

Procedure	Responsibility
<ul style="list-style-type: none"> Where records are to be mailed, they should only be mailed to the address that is held on file for that individual, unless alternate change of address information is provided along with proof of identity – such as a driver's license or utility bill. Where records are to be shown to an individual, the student must produce photo ID prior and this should be matched to the records held on file about the individual to confirm they are only viewing their own records. Keep a note on how the records were accessed on the individual's file. 	

4. Amendment to Records

Procedure	Responsibility
<p>D. Request for records to be amended</p> <ul style="list-style-type: none"> Where an individual requests for incorrect records held about them to be corrected, they can do so by filling in an <i>Amendment to Records Request Form</i>. If it is a change of address or contact details of a current student, they can use the <i>Change of Details Form</i>. Upon receipt of a request form, consider whether the records held are correct or not. If the request is valid and records are incorrect, update records accordingly. Do not update records if they are found to be correct already. Advise the individual accordingly of the actions taken to follow up their request. 	Administration and Enrolment Officer

Document Control

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Department of Education and Training. Privacy Notice. Accessed on 26th February 2019 from: www.education.gov.au/privacy-notice-and-student-declaration.