

## **Privacy Policy**

### **Purpose**

Skillinvest is committed to providing quality training and assessment in accordance with the Australian Qualifications Framework. As such, Skillinvest is required to comply with legislation regarding privacy and confidentiality of employees, Students, and Contractors. The purpose of this policy is to outline how Skillinvest complies with the Privacy Legislation.

### **Policy**

Skillinvest is committed to complying with obligations under the Privacy Act 1988, and the associated Australian Privacy Principles (APPs), specifically in the way it collects, uses, secures, and discloses personal information. Skillinvest is committed to safeguarding any confidential information obtained by the RTO. Skillinvest also comply with state and/or territory privacy requirements as applicable.

Skillinvest ensures the following is adhered to:

- The Privacy Policy is maintained and current
- Information gathered for the express purpose of training and assessment matters will not be disclosed to a third party unless prior written consent is provided by the individual concerned, except that required by law
- Records are stored securely in line with the Student Records Management Policy
- Confidentiality of all information is maintained

Skillinvest will:

- Ensure that personal information is managed in an open and transparent way
- Take reasonable steps to implement practices and procedures that will facilitate dealing with enquiries or complaints from individuals regarding compliance with the Australian Privacy Principles (APPs)
- Ensure that it maintains an up-to-date policy about the management of personal information

Skillinvest ensure the following information is contained within the Policy:

- The kind of information that is collected and held
- How the information is collected and held
- The purposes for which information is collected, held, used and disclosed
- How an individual may access their personal information that is held by Skillinvest and seek correction of such information as necessary
- How the individual may make a complaint about a breach of the APPs and how Skillinvest will deal with such a complaint
- Whether Skillinvest is likely to disclose personal information to overseas recipients, and if so the countries in which such are likely to be located
- Provide the Privacy Policy free of charge and in such form as appropriate, and as is reasonable

### **Legislation**

Skillinvest comply with the Privacy Legislation at all times and seeks to protect individuals against interferences with their privacy by regulating the way in which personal information is collected, handled, disclosed, used and stored.

Personal Information is defined in the Privacy Act 1988 as information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- whether the information or opinion is true or not
- whether the information or opinion is recorded in a material form or not

Sensitive Personal Information is defined in the Privacy Act as information or an opinion about an individual that is also personal information, such as:

- racial or ethnic origin
- political opinions
- membership of a political association
- religious beliefs or affiliations
- philosophical beliefs
- membership of a professional or trade association
- membership of a trade union
- sexual orientation or practices
- criminal record

### **Anonymity and pseudonym**

Skillinvest will respect that individuals may not wish to identify themselves when making enquiries on Skillinvest products and service. However, Skillinvest may require full personal details as specific under the law and for identification purposes from Students to provide information.

### **Collection of Personal Information**

Skillinvest will not collect personal information from the Student unless the information is necessary for one or more of our functions or activities or is required by law. Skillinvest advises that it is required by law to collect, hold, use and supply personal information, in accordance with the National VET Data Policy requirements.

Skillinvest will take reasonable steps at or before the time of collection to ensure that Students are aware of:

- Who we are and how to contact us
- How to gain access to your own information
- The purpose for which the information is being collected
- Any organisation to which we would normally disclose information of that kind
- Any law that requires the particular information to be collected
- The main consequences for the individual if all or part of the information is not provided

Skillinvest collects information from the Student in the following ways (not limited to):

- When the prospective Student registers their interest online, apply for enrolment or request certain services or products
- Information may be collected from enrolment forms, certified documents, telephone calls, emails or communication provided by the Student
- Information may be collected from third parties, such as other training providers, regarding confirmation of training and ongoing professional development that the Student has attended, as permitted by you

Should Skillinvest collect information in relation to a Student from a third party, Skillinvest will take reasonable steps to ensure that the individual is or has been made aware of the matters listed above except to the extent that making the individual aware of the matters would pose a serious threat to the life or health of any individual.

## **Dealing with Personal Information**

Skillinvest will not use or disclose personal or sensitive information for any purpose other than what it was collected for, unless the relevant person has provided written consent to use or disclose that information in circumstances that are different to those for which it was collected.

The circumstances where an exception may occur are:

- Where the use or disclosure of this information is required or authorised by or under an Australian law or a court/tribunal order
- The individual would reasonably expect Skillinvest to use or disclose the information for the secondary purpose
- A permitted health situation exists in relation to the use or disclosure of the information by Skillinvest
- A permitted general situation exists in relation to the use or disclosure of the information by Skillinvest
- Skillinvest reasonably believes that the use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body

Skillinvest collects your personal information to:

- Process applications
- Manage your enrolment
- Record and maintain Student details
- Administering training programs
- Record and maintain details of ongoing training and assessment
- Provide Student with details regarding Student services, benefits, and training opportunities
- Notification about upcoming events and opportunities
- Gain feedback from the Student
- Communicate with the Student
- Report to relevant authorities as required by law

## **Direct Marketing**

Skillinvest may use and disclose Student's personal information (such as name and phone number) in order to inform the Student of products and services that may be of interest to you. If the Student does not wish to receive such communications, the Student can opt out by contacting Skillinvest directly, or through any opt-out mechanism contained in a marketing communication sent directly to the Student.

## **Overseas Disclosure**

Skillinvest does not disclose personal information to overseas recipients unless prior written approval is received by the individual to which the personal information relates to.

## **Adoption, use or disclosure of Government Related identifiers**

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

## **Integrity of Personal Information**

Skillinvest take reasonable steps to ensure personal information collected is accurate, up to date and complete. The

usage of disclosure of information is collected for the relevant purpose and usage.

### **Security of Personal Information**

Skillinvest will take steps, as are reasonable in the circumstances, to protect the information from misuse, interference and loss as well as unauthorised access, modification or disclosure. Skillinvest will destroy the information or ensure that the information is de-identified.

### **Accessing Personal Information**

Skillinvest takes reasonable steps in the circumstances to ensure that the personal information it holds is accurate, up-to-date, complete, relevant and not misleading. Under the Privacy Act, Students have a right to access and seek correction of their personal information that is collected and held by Skillinvest.

If at any time the Student would like to access or correct the personal information that Skillinvest holds about them, or if the Student would like more information on Skillinvest's approach to privacy, the Student can contact Skillinvest directly. Skillinvest will grant access to the extent required or authorised by the Privacy Act or other law and take steps reasonable in the circumstances to correct personal information where necessary and appropriate.

Student will need follow the below steps in order to obtain access to their personal information:

- The Student will have to provide proof of identity. This is necessary to ensure that personal information is provided only to the correct individuals and that the privacy of others is protected
- Skillinvest requests that the Student be reasonably specific about the information they require; and
- Skillinvest may charge the Student a reasonable administration fee, which reflects the cost to Skillinvest for providing access in accordance with your request

Skillinvest will endeavour to respond to the Students request to access or correct your personal information within 30 days of the request. Skillinvest will also take steps reasonable in the circumstance to provide the Student with access in a manner that meets the needs of the Student and the needs of Skillinvest.

In some exceptional circumstances, Skillinvest may not permit access to individuals to their personal information such as the following:

- That giving access to the information would pose a serious threat to the life, health or safety of the individual, or to public health or public safety
- Giving access would have an unreasonable impact on the privacy of other individuals
- The request for access is frivolous or vexatious
- The information relates to existing or anticipated legal proceedings between Skillinvest and the individual, and would not be accessible by the process of discovery in those proceedings
- Giving access would reveal the intentions of Skillinvest in relation to negotiations with the individual in such a way as to prejudice those negotiations
- Giving access would be unlawful
- Denying access is required or authorised by or under an Australian law or a court/tribunal order
- Giving access would be likely to prejudice the taking of appropriate action in relation to the matters
- Giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body

- Giving access would reveal evaluative information generated within Skillinvest in connection with a commercially sensitive decision-making process

If Skillinvest refuses the request to access or correct personal information, Skillinvest will provide the Student with written reasons for the refusal and details of complaint mechanisms.

In relation to personal information, should Skillinvest be satisfied that information is inaccurate, out of date, incomplete, irrelevant or misleading, Skillinvest will take such steps as reasonable to correct the information to ensure that, having regard to the purpose for which it is held, the information is accurate, up-to-date, complete, relevant and not misleading,

### **Records Management**

All personal information and records are maintained in accordance with the Student Records Management Policy.

### **Monitoring and Improvement**

All practices for Privacy are monitored by Skillinvest and areas for improvement identified and acted upon in accordance with the Continuous Improvement Policy.

### **References**

Standards for RTOs Skillinvest Privacy Policy Student Records Management Policy Continuous Improvement Policy Privacy Act 1988 Australian Privacy Principles (APP) Data Protection Act 2014 (Vic) USI Scheme National VET Data Policy