

4 Up Skilling Pty Ltd

Privacy Policy

Objective

This policy describes the practices and procedures by which 4 Up Skilling Pty Ltd will ensure the compliance with the relevant privacy legislation to protect the personal information and right to privacy of those which are detailed within this policy.

Scope

This policy applies to all students and also persons employed by or contracted to 4 Up Skilling Pty Ltd.

Responsible Parties

The Managing Director is responsible for the control and issuance of this policy (this may be delegated).

Procedure

4 Up Skilling Pty Ltd will ensure that it respects the privacy of staff, prospective staff, students, prospective students and employers by implementing the Australian Privacy Principles (APP).

The APP are the “practical core” of the *Privacy and Data Protection (PDP) Act 2014* (Vic), and the national *Privacy Act 1988* (Cth).

(note: the PDP Act 2014 replaces the Information Privacy Act 2000; the APP replace the Information Privacy Principles in 2014)

APP set out how private sector organisations should collect, use, keep secure and disclose personal information. The principles give individuals a right to know what information an organisation holds about them and a right to correct that information if it is wrong.

4 Up Skilling Pty Ltd will ensure it operates consistently with the Privacy Principles and only collects the personal information that is necessary for the conduct of its business, and that it will use that information in the manner for which it was intended.

Review

The Managing Director will review the policy annually or earlier. Should there be relevant amendments to the respective Act or changes to the operation of 4 Up Skilling Pty Ltd or educational environment, these changes will be analysed and updated in the policy.

Purpose of Collecting Information

The purposes for which 4 Up Skilling Pty Ltd collects personal information of students includes: satisfying legal obligations, administration, to keep employers

informed of the student's progress in the course of study, allow 4 Up Skilling Pty Ltd to discharge its duty of care.

The purposes for which 4 Up Skilling Pty Ltd collects personal information of job applicants, staff members and contractors includes: satisfying legal obligations, insurance purposes, administering the individuals contract of employment.

Release of Information

4 Up Skilling Pty Ltd must have the student's permission in writing with reference to release of information, a form titled "Authority to Release Student Information" (Form USRI), will need to be signed prior to the course starting.

4 Up Skilling Pty Ltd is required to ask for the staff members permission in writing with reference to release of information.

Information Collected

4 Up Skilling Pty Ltd collects personal information solely for the purpose of operating as a Registered Training Organisation under the Australian Skills Quality Authority Standards for Registered Training Organisations 2015. ASQA, who is the National VET Regulator (NVR), may require the release of students or staff member's personal information for the purposes of an audit.

The type of information 4 Up Skilling Pty Ltd collects and holds includes (but not limited to) personal information, including sensitive information, about: Students and parents and/or guardians before, during and after the course of a student's enrolment, Job applicants, Staff members and contractors; and other people that come into contact with 4 Up Skilling Pty Ltd.

The information media may take the form of: interviews, feedback surveys, email correspondence, telephone calls, third party information, and application forms. Data will be uploaded to 4 Up Skilling Pty Ltd Student Management System (ICARE).

Provision of Information

Student or staff information will not be provided to anyone unless 4 Up Skilling Pty Ltd has the permission from the student or staff member or is specifically required to provide the information by law.

For example student information is only given to the following bodies where required:

- ASQA: Australian Skills Quality Authority
- STA: State Training Authorities, including State & Commonwealth Government funding bodies
- NCVET: National Center for Vocational Education Research via AVERTMISS Reporting

- Employers: where the student is a Trainee, or paid employee (who is required to undertake the training for their job, and where the training is paid by the employer).

While students are undertaking the training program, there will be times when 4 Up Skilling Pty Ltd and/or its Executive Team may need to discuss the students program with internal RTO staff and the National VET Regulator – ASQA and the students employer.

Access to Information

Under the National Privacy Principles the student or staff member can access his/her personal information and may correct inaccurate or outdated information about them.

Students

Students will have access to all information held on them. 4 Up Skilling Pty Ltd will store and use the information appropriately and limit access to only those who have a legal reason to have access to that information, or whom the student has given permission.

Students who request access to their information will be given full access to the details they want. No cost will be charged for them accessing their information whilst they are enrolled students. The appropriate form is titled, Student Records Access and may be requested from Training Manager.

For access to records, the student must meet with the Training Manager and provide identification (such as licence, passport) and the completed form.

Staff

Staff will have access to all information we hold on them, and we will store and use the information appropriately and limit access to only those who have a legal reason to have access to that information, or whom the staff member has given permission. Staff members who request access to their information will be given full access to the details they want. No cost will be charged for them accessing their information whilst they are employed at RTO. If the person is no longer an employee of 4 Up Skilling Pty Ltd, and they request access of information there may be a fee involved, the cost must be paid in advance of access. The appropriate form is titled, Staff Records Access and may be requested from the Managing Director.

For access to records, the staff member must meet with the Managing Director and provide the completed form.

Privacy Principles

4 Up Skilling Pty Ltd abides by the Australian Privacy Principles and will not pass on students or other staff member's information to anyone in any way that may be considered as breaching the Privacy Principles.

The Privacy Principles in plain English:

The following was downloaded from <https://www.oaic.gov.au/agencies-and-organisations/guides/app-quick-reference-tool>

APP 1: Open and transparent management of personal information

Ensures that APP entities manage personal information in an open and transparent way. This includes having a clearly expressed and up to date APP privacy policy.

APP 2: Anonymity and pseudonymity

Requires APP entities to give individuals the option of not identifying themselves, or of using a pseudonym. Limited exceptions apply.

APP 3: Collection of solicited personal information

Outlines when an APP entity can collect personal information that is solicited. It applies higher standards to the collection of 'sensitive' information.

APP 4: Dealing with unsolicited personal information

Outlines how APP entities must deal with unsolicited personal information.

APP 5: Notification of the collection of personal information

Outlines when and in what circumstances an APP entity that collects personal information must notify an individual of certain matters.

APP 6: Use or disclosure of personal information

Outlines the circumstances in which an APP entity may use or disclose personal information that it holds.

APP 7: Direct marketing

An organisation may only use or disclose personal information for direct marketing purposes if certain conditions are met.

APP 8: Cross-border disclosure of personal information

Outlines the steps an APP entity must take to protect personal information before it is disclosed overseas.

APP 9: Adoption, use or disclosure of government related identifiers

Outlines the limited circumstances when an organisation may adopt a government related identifier of an individual as its own identifier, or use or disclose a government related identifier of an individual.

APP 10: Quality of personal information

An APP entity must take reasonable steps to ensure the personal information it collects is accurate, up to date and complete. An entity must also take reasonable steps to ensure the personal information it uses or discloses is accurate, up to date, complete and relevant, having regard to the purpose of the use or disclosure.

APP 11: Security of personal information

An APP entity must take reasonable steps to protect personal information it holds from misuse, interference and loss, and from unauthorised access, modification or disclosure. An entity has obligations to destroy or de-identify personal information in certain circumstances.

APP 12: Access to personal information

Outlines an APP entity's obligations when an individual requests to be given access to personal information held about them by the entity. This includes a requirement to provide access unless a specific exception applies.

App 13: Correction of personal information

Outlines an APP entity's obligations in relation to correcting the personal information it holds about individuals.

The Managing Director is responsible for the management and updates to the Privacy Policy.

Associated documents:

Code of Practice (USCoP)

Student Records Access (form USSRA)

Authority to Release Information (form USRIA)

VQF Quality Management System (form USVQMS)

Australian Privacy Principles (APP)

PDP Act 2014

Privacy Act 1988

Reporting & Compliance Policy (USRC)

Policy developed by: Quality Manager

Responsible Manager: Managing Director

Policy endorsed by: Managing Director