

# RTO Privacy and Personal Information Policy

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## Purpose

This policy outlines AGA's approach to collecting information from students seeking to enrol including information that personally identifies individual users. AGA may also record various communications between individuals and AGA.

In collecting personal information AGA will comply with the requirements of the Australian Privacy Principles (APPs) set out in the Privacy Act 1988 (Cth) as amended by the Privacy Amendment (Enhancing Privacy Protection) Act 2012 and any State and Federal funding contract.

## Scope

This policy applies to all employees, and stakeholders of the AGA in relation to collecting personal information from students and potential students.

This policy includes all regulatory requirements that fall under the RTOs obligations as a registered training organisation.

## Policy

### Collection and use of personal information

AGA will only collect personal information from individuals by fair and lawful means which is necessary for the functions of AGA. AGA will only collect sensitive information with the consent of the individual and if that information is reasonably necessary for the functions of AGA.

VIC - Consent from the individual is obtained via the Enrolment Form where the individual recognises the Victorian Government Student Enrolment Privacy Notice and declares their agreement with its terms.

NSW - Consent from the individual is obtained via the Enrolment Form where the individual signs or electronically accepts (including by ticking a check box) a consent form that includes the wording set out in Schedule 1 of Smart and Skilled Operating Guidelines.

The information requested from individuals by AGA will only be used to provide details of study opportunities, to enable efficient course administration, to maintain proper academic records, and to report to government agencies as required by law. If an individual chooses not to give AGA certain information, then AGA may be unable to enroll that person in a course or supply them with appropriate information.

## **Disclosure of personal information**

Personal information about students studying with AGA will be shared when requested with the following regulatory bodies:

Department of Jobs, Skills, Industry and Regions

NSW Department of Education

The Australian Skills Quality Authority (ASQA) in line with the following 2015 RTO Standards- Standard 3.4, Schedule 5 (Clause 4 & 8, 3.6 d) Standard 8.1 (f).

This information includes personal and contact details, course and unit enrolment details and changes.

AGA will not disclose an individual's personal information to another person or organisation unless:

- The individual concerned is reasonably likely to have been aware, or made aware that information of that kind is usually passed to that person or organisation;
- The individual concerned has given written consent to the disclosure;
- AGA believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or of another person;
- The disclosure is required or authorised by or under law; or
- The disclosure is reasonably necessary for the enforcement of criminal law or of a law imposing a pecuniary penalty, or for the protection of public revenue;

Where personal information is disclosed for the purposes of enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the purpose of the protection of the public revenue, AGA shall include in the record containing that information a note of the disclosure.

Any person or organisation that collects information on behalf of AGA or to whom personal information is disclosed as described in this procedure will be required to not use or disclose the information for a purpose other than the purpose for which the information was collected by them or supplied to them.

## **Security and integrity of personal information**

AGA is committed to ensuring the confidentiality, security, and integrity of the personal information it collects, uses, and discloses.

AGA will take all reasonable steps to ensure that any personal information collected is relevant to the purpose for which it was collected, is accurate, up to date and complete.

AGA will store securely all records containing personal information for a period of up to seven years (unless a lesser period is specified) and take all reasonable security measures to protect personal information it holds from misuse, interference, loss, unauthorised access, modification, or disclosure.

Where AGA has no further use for personal information for any purpose disclosed by AGA, or is no longer required to maintain that personal information, all reasonable steps will be taken to destroy or de-identify the information.

In case that AGA becomes aware of any:

- a) breach of any of Clauses 12.5 to 12.7 (VET Funding Contract);
- b) unauthorised disclosure, use, modification or access, attempted unauthorised disclosure, use, modification or access, or misuse or loss of any Personal Information collected or held for the purposes of this Contract; or
- c) act or practice of yours which causes us to fail to comply with our obligations under the PDP Act or the Health Records Act,
- d) AGA will immediately notify us via the SVTS and cooperate in any investigation or other steps that the department will take in response to that matter.

### **Right to access and correct records**

Individuals have the right to access or obtain a copy of the personal information that AGA holds about them. Requests to access or obtain a copy of personal information must be made in writing. There is no charge for an individual to access personal information that AGA holds about them; however, AGA may charge a fee to make a copy. Individuals will be advised of how they may access or obtain a copy of their personal information and any applicable fees within 10 days of receiving their written request. Where it is reasonable to do so, access to the information will be provided in the manner requested by the individual.

If an individual considers their personal information to be incorrect, incomplete, out of date or misleading, they can request that the information be amended. Where a record is found to be inaccurate, a correction will be made as soon as practical. Where an individual requests that a record be amended because it is inaccurate, but the record is found to be accurate, the details of the request for amendment will be noted on the record. There is no charge for making a request to correct personal information.

Requests for access to, to obtain a copy of, or correct personal information held by AGA can be done via a phone call to 1300 000 242.

### **Complaints about an alleged breach of the APPs**

Where an individual believes that AGA has breached a Privacy Principle in relation to that individual, they may lodge a complaint using AGA Complaints and Appeals handling procedures which enables students and prospective students to lodge grievances of a non-academic nature, including grievances about handling of personal information and access to personal records.

### **Publication**

These Privacy and Personal Information Procedures will be made available to students and persons seeking to enrol with AGA by publication on AGA website: [www.aga.com.au](http://www.aga.com.au). Alternatively, a copy of this policy may be requested by contacting AGA using the contact details provided above.

In order to ensure that students have given their informed consent for their personal information to be disclosed to certain third parties as outlined in this procedure, AGA will advise students on enrolment about these procedures and where they are located.

## **Records Management**

All documentation from administration and data reporting processes are maintained in accordance with the Records Management Policy. (See RTO Records Management Policy).

## **Monitoring and Improvement**

All administration and data reporting practices are monitored by the Education and Training Manager and the Quality and Compliance Manager and areas for improvement identified and acted upon. (See Continuous Improvement Policy).

## **Responsible Persons**

Education and Training Manager  
Quality and Compliance Manager  
Administration and System Manager  
SMS Administration Team

## **Related Documents**

AGA Privacy Statement  
RTO Complaints and Appeals Policy and Procedure  
RTO Continuous Improvement Policy  
Enrolment Form  
IntoWork Privacy Policy  
RTO Record Management Policy  
2024-25 Standard VET funding contract  
Smart and Skilled Operating Guidelines - 2024-2025  
Smart and Skilled Contract Terms and Conditions - 2024-2025  
NSW Quality Framework  
Smart and Skilled- Consumer Protection Strategy

### Document Control

Document Name:	RTO Privacy and Personal Information Policy
Document Owner:	Quality and Compliance Manager
Approved by- Name & Role:	Nicolas West, Chief Executive Officer
Date Approved:	02/04/2024
Evidence of Approval:	Email
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Next Review Due:	Feb 2025

### Version Record

Date	Version	Version description
02/04/2024	2.0	Implementation of new RTO Privacy and Personal Information Policy

### Revision Record

Date	Revision	Revision description	Approved by- Name & Role
07/06/2024	2.1	Revision to reflect NSW Smart and Skilled requirement.	Sarah Collisson, Education and Training Manager.
22/07/2024	2.2	Revision to reflect Confidentiality and Privacy Clauses (12.5 – 12.7)	Sarah Collisson, Education and Training Manager.