

Privacy Policy & Procedures

1. PURPOSE

NECA Training is committed to providing quality training and assessment in accordance with the Standards for Registered Training Organisations (SRTOs 2015). As such, NECA Training is required to comply with Federal law regarding Privacy and confidentiality of employees, clients and contractors.

The purpose of this policy is to outline how NECA Training complies with the Privacy Act 1988 and Australian Privacy Principles (APPs).

2. POLICY

In order to provide training and assessment services and, NECA Training needs to collect personal information from its student upon their enrolment in a NECA Training provided course. This information is reported to State/Territory and National registering bodies in order to meet Australian and State/Territory Government requirements.

NECA Training is committed to complying with its obligations under the Privacy Act 1988, and the associated Australian Privacy Principles (APPs), specifically in regard to the way it collects, uses, secures and discloses personal information. NECA Training is committed to safeguarding any personal information obtained and held by the RTO.

NECA Training will ensure :

- It maintains and provides a current Privacy Policy;
- The secure storage of all records;
- The confidentiality of all information maintained on records.
- It only collects personal information by fair and lawful means and not in an unreasonably intrusive manner.

NECA Training will only use the information collected for the purposes outlined below or as required by Law:

- To establish and maintain a relationship with a client/student of NECA Training
- To provide the products and services requested by a client/student of NECA Training
- To administer and manage NECA Training products and services
- To report to state/territory and national registering bodies in relation to products and services provided by NECA Training.

NECA Training agents, contractors and other third parties, who need personal information to provide a legitimate service, are also bound by these terms of privacy to ensure personal information remains protected at all times.

3. PRINCIPLES

3.1 Legislation

- a) NECA Training, although not required to, chooses to abide by the Privacy Act 1988 and associated 13 x Australian Privacy Principles (APPs).
- b) The APPs came into force on 12 March 2014 and set out standards, rights and obligations for the handling, holding, accessing and correction of personal information (including sensitive information).

3.2 Underpinning Principles

- a) *Personal Information* is defined in the Privacy Act 1988 to mean “information or an opinion about an identified individual, or an individual who is reasonably identifiable:
 - i. whether the information or opinion is true or not; and
 - ii. whether the information or opinion is recorded in a material form or not.
- b) *Sensitive Personal Information* is defined in the Privacy Act 1988 to mean “information or an opinion about an individual that is also personal information, such as:
 - i. racial or ethnic origin; or
 - ii. political opinions; or
 - iii. membership of a political association; or
 - iv. religious beliefs or affiliations; or
 - v. philosophical beliefs; or
 - vi. membership of a professional or trade association; or
 - vii. membership of a trade union; or
 - viii. sexual orientation or practices; or
 - ix. criminal record.

3.3 Data Transmission

NECA Training may use the Internet to transmit personal information from delivery sites to other sites within the organisation and/or to transmit details to state and national registering bodies.

Security of data transmitted to state and national registering bodies is managed by these bodies.

NECA Training has taken all reasonable steps to protect personal information security when using the internet but is aware that no transmission of information by email or to a registering body website is ever totally secure.

3.4 Data Quality

NECA Training will take all reasonable steps to ensure that personal information is accurate, complete and up-to-date. Clients and students are encouraged to assist NECA Training’s quality assurance via contacting NECA Training when their particulars change.

5. RESPONSIBILITIES

5.1 Management Responsibilities

The NECA Training Operations Manager will ensure that NECA Training staff are aware of this policy, its underpinning legislative requirements and related procedures, and comply with this policy at all times.

The NECA Training Operations Manager will also ensure that all clients and students have access to this policy.

The NECA Training Business Manager will maintain all personal information and records in accordance with Records Management Policy (See Records Management Policy).

5.2 NECA Training Staff, Contractor and Client Responsibilities

All Privacy- related practices will be monitored by the staff of NECA Training and areas for improvement identified and acted upon (See Continuous Improvement Policy).

It is the responsibility of Clients/Students to raise any concerns they may have regarding NECA Training's personal information handling practices by contacting the NECA Training Operations Manager.

6. RECORDS MANAGEMENT

All documentation regarding items relevant to this Policy shall be maintained in accordance with the NECA Training Records Management Policy (See Records Management Policy).

7. CONTINUOUS IMPROVEMENT

All privacy related items are monitored by the NECA Training General Manager and Operations Manager and areas for improvement identified and acted upon. (See Continuous Improvement Policy).

To assist this process:

- a. All staff are given fair and reasonable opportunity to participate in relevant decision making processes and the allocation of resources and services as required to fulfil their duties and responsibilities in light of the necessary improvement.
- b. All clients are given fair and reasonable opportunity to attend, complete and provide feedback on the quality and relevance of their training and assessment experience.

8. PROCEDURES

8.1 Collection of Personal Information

- a) NECA Training will not collect personal information unless that information is necessary to complete one or more of its functions or activities as an RTO, or is required by law.

- b) NECA Training advises that it is required by law to collect, hold, use and supply personal information, in accordance with the National VET Provider Collection Data Provision Requirements.
- c) NECA Training will take reasonable steps at or before the time of collection to ensure that all clients/students are aware of:
 - i. Who we are and how to contact us;
 - ii. How to gain access to their own information;
 - iii. The purpose for which the information is being collected;
 - iv. The organisations to which NECA Training normally discloses client/student information;
 - v. Any law that requires the particular information to be collected;
- d) NECA Training collects information from clients/students in the following ways:
 - i. When clients/students register their interest on line, apply for enrolment, request certain services or products, or otherwise contact or do business with NECA Training.
 - ii. Information may be collected from interest registers, enrolment forms, certified documents, telephone calls, faxes, emails, or other correspondence sent by the client/student.
 - iii. Information may be collected from third parties, such as other training providers, to confirm training and/or professional development that students have attended.

8.2 Use of Personal Information

- a) NECA Training 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:

- i. Where the use or disclosure of this information is required or authorised by or under an Australian law or a court/tribunal order;
 - ii. Where a situation has arisen in which the individual would reasonably expect NECA Training to use or disclose the information (ie; a health or personal safety situation);
 - iii. NECA Training reasonably believes that the use or disclosure of the information is necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.
- b) Adoption, use or disclosure of Government Related identifiers

NECA Training:

- i. 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 Provider Collection Data Provision Requirements.

- ii. Will not disclose the Unique Student Identifier (USI) number for any other purpose, including on any Certification documents you receive.
- iii. Must not adopt the Unique Student Identifier (USI) number as its own identifier of the individual.

8.3 Integrity of Personal Information

a) Quality of personal information

NECA Training will take all reasonable steps to ensure that the personal information it collects and distributes is current, accurate and complete

b) Security of personal information

NECA Training will take steps, as are reasonable in the circumstances to:

- i. Protect the information from misuse, interference and loss as well as unauthorised access, modification or disclosure.
- ii. Destroy the information or ensure that the information is de-identified as at the date specified by the VET regulator.

8.4 Access to, and correction of, Personal Information

- a) NECA Training provides all clients with access to their own personal records for the purposes of updating and maintaining information.
- b) In some circumstances, NECA Training may not permit access to personal information. If this is ever the case, NECA Training will provide full details for the legal reasons for this decision.
- c) When dealing with requests for access to personal information, NECA Training will:
 - i. Respond to requests for access within 30 days of the request; and
 - ii. Provide access to the information in the manner requested, if it is reasonable and practicable to do so.
 - iii. not charge a fee for access to personal information. The exception is re-prints of certification documentation previously supplied.

9. PROCEDURES CHECKLIST

Clients Obtaining Access to Own Records Procedure

STEP 1 – Prepare

No.	Who	Actions
1.1	Client	a) Client/Student advises, in writing, that they wish to view their own records (ie Client/Student file) kept by NECA Training by completing the 'Access Records Form'
1.2	Admin	a) Communicate with client/student to confirm their needs. b) Confirm identify of the client/student. c) Arrange a date / time for the client/student to attend and view their records.

STEP 2 – Do

No.	Who	Actions
2.1	Client	a) Client/student arrives to view their file.
2.2	Admin	a) Verify identity of client/student. b) Retrieve client/student file. c) Provide a private area for client/student to view their file, under supervision.
2.3	Client	a) Client/student is permitted to view their own "Client/student file". b) Client/student is permitted to advise Admin of necessary corrections to the student details section within the File. c) Client/student is not permitted to remove any documentation from their own file, however, they may request a copy of the documentation.

STEP 3 – Complete

No.	Who	Actions
2.4	Admin	a) Ensure all corrections are made b) Return client/student file to filing system.