

Compliance Focus

Standards for RTO's 2015 – Clauses 7.5

Policy Purpose

The intent of this policy is to outline CSTC's collection, use and disclosure of individual's information as per the Privacy Act and other relevant legislation. CSTC's action and response to each aspect of the 13 Australian Privacy Principles (APP's) is addressed in this policy.

Roles and Responsibilities

This policy and related procedures will apply to all CSTC staff that provide training and assessment services of nationally endorsed training package qualifications, skill sets and/or single units of competency listed on CSTC's scope or registration.

Policy Statements

CSTC is committed to complying with the Privacy Act, and APPs in the way we collect, use, secure, and disclose personal information. We will ensure:

- That we maintain and provide a current Privacy Policy to all staff, participants, and clients
- Have a dedicated privacy officer available for contact and feedback at privacy@cstc.org.au
- Information gathered for training and assessment matters will not be disclosed to a third party unless prior written consent is provided by the individual concerned, except as required by law
- The secure storage and confidentiality of all records
- 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 APPs
- Ensure an up-to-date policy about the management of personal information
- That we respect those individuals that may not wish to identify themselves when making enquiries

Definitions Under the Privacy Act 1988,

Personal and sensitive information is defined as:

Personal information

- 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

Sensitive information

Includes information or an opinion about an individual's 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 preferences or practices, criminal record that is also personal information, health information about an individual, genetic information about an individual that is not otherwise health information, biometric information that is to be used for the purposes of automated biometric verification, biometric identification and biometric templates.

Australian Privacy Principles

All staff are to be aware of responsibilities and how they will be applied. The APPs cover the collection, usage, disclosure, and storage of personal information. They allow individuals to access their personal information, and have it corrected if it is incorrect. The 13 APPs are as follows:

APP 1. Open and transparent management of personal information.

CTSC will use and manage personal information in a transparent and open way. This includes and up to date Privacy Policy that is easily accessible.

APP 2. Anonymity and pseudonymity

CSTC will allow for the use a pseudonym and or the option of dealing with CSTC anonymously. On the occasion whereby it is impracticable for the CSTC to deal with an individual who has not identified themselves, identification will be required. This includes the commencement of the training.

APP 3. Collection of solicited personal information

CSTC will collect personal information and may collect sensitive information. CSTC will only solicit information on an individual when it is reasonably necessary for one or more of CSTC's functions or business activities.

CSTC will not collect information from an individual if it is unreasonable or impracticable to do so.

APP 4. Dealing with unsolicited personal information

In the occurrence that CSTC receives unsolicited information, in relation to personal information, CSTC will seek to determine if the information collected has been permitted. CSTC will destroy or de-identify that information as soon as practical and only if it is lawful and reasonable to do so.

APP 5. Notification of the collection of personal information

CSTC will notify the individual about the collection, use, access, correction, and complaints procedures regarding the privacy of their personal information. Notification of these points can be found in the following documents:

- Complaints and Appeals Policy and Procedure
- Complaints and Appeals form
- Participant Enrolment Form (Privacy Statement and Student Declaration)

APP 6. Use or disclosure of personal information

CSTC will outline the circumstances and purpose in which CSTC may use and or disclose the personal information that it holds on an individual. These include:

- State and Federal governing bodies including licencing and credentialling bodies that CSTC are legislated to release personal information.
- To an employer or organisation sponsoring a participant's study
- To the parent or authorised representative of a student who is a minor (under 18)
- Other vocational educational institutions for results, course completion or certificate verification to facilitate an application to that institution

No personal information is provided to third party providers or released without the prior written consent of the participant.

CSTC will identify exceptions where it is reasonably necessary to use and or disclose personal information on an individual. These exceptions include:

- To assist in locating a missing person
- To establish, exercise or defend a legal or equitable claim
- For a confidential alternative dispute resolution

APP 7. Direct marketing

CSTC will gain consent from an individual to use their personal information or images for internal and external direct marketing purposes.

APP 8. Cross-border disclosure of personal information

CSTC will only disclose information to an overseas recipient, once steps to ensure compliance with CSTC's privacy policy, have been met and provided the information is in relation to licences or credentials issued, no further information will be provided

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

CSTC will not use or disclose any government identifiers in relation to an individual's personal information.

APP 10. Quality of personal information

CSTC will make reasonable steps to ensure that the personal information that is collected from any individual is accurate, up to date and complete.

APP 11. Security of personal information

CSTC will take reasonable steps to ensure solicited, personal information is kept in a secure location, preventing the misuse and loss of the information. This is also in addition to the unauthorised access, modification, and disclosure of the personal information. CSTC will take reasonable steps to destroy or de-identify any unsolicited information or if the information no longer has a use.

APP 12. Access to personal information

CSTC will allow and respond to requests of access to personal information within a reasonable time limit and in a format requested by the individual.

APP 13. Correction of personal information

CSTC will take reasonable steps to ensure that the personal information held on an individual is accurate, up to date, complete and relevant to the functions of CSTC. An individual can at any stage ask for their information to be corrected or made up to date with the individual's current circumstances.

Related Documents

- All Policies and Procedures
- Policy and Procedure version control register
- Continuous Improvement register

Responsible Officer

The responsible officer for the implementation and training for this Policy and Procedure is the Business Manager

Publishing details

Document name	Privacy Policy
Approved by	Business Manager
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Version	V1.0 as per Policy and Procedure version control register
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