

Privacy Policy and Procedure

Policy

NIET is committed to maintaining the privacy and confidentiality of its RTO, clients and staff. NIET complies with the Privacy Act 1988 including the Australian Privacy Principles (APPs) released 12th March 2014, as outlined in the Privacy Amendment (Enhancing Privacy Protection) Act 2014. This policy ensures that all students and clients rights are protected by law.

NIET implements practices, procedures and a detailed system that ensures our compliance with the APP, any binding registered APP code, and ability to attend to any enquiries or complaints, including enquiries received from overseas.

NIET is required by multiple bodies to ensure privacy and confidentiality is held to the upmost importance, including ASQA, Skills First and the Standards that we are bound by as a Registered Training Organisation of 2015.

NOTE: The APP's are a supporting document to this policy and procedure, and should be used as a related appendix. The APP's include:

- **Consideration of personal information privacy**
- **Collection of personal information**
- **Dealing with personal information**
- **Integrity of personal information**
- **Access to, and correction of personal information**

Please see <https://www.oaic.gov.au/individuals/privacy-fact-sheets/general/privacy-fact-sheet-17-australian-privacy-principles>

Procedures

NIET will only collect personal information that is required for the purposes of employment or education, or in meeting Government reporting requirements.

NIET retains a record of personal information for individuals with who we undertake any form of business activity. NIET will collect, hold, use and disclose information from our clients and stakeholders for a range of purposes.

1. Students

In particular, NIET is required to collect, hold, use and disclose a wide range of personal and sensitive information on participants in Nationally Recognised Training programs. This information required is outlined in the National Vocational Education and Training Regulator Act 2011, and associated legislative instruments include:

- Standards for NVR Registered Training Organisations
- Data Provision Requirements 2012

NIET will collect the following information on students:

- First and surname
- Gender and sex

- Date of birth
- Address (including postal)
- Contact phone numbers
- USI details
- Emergency contact details
- Victorian Student Numbers (if applicable)
- Employment industry (if applicable)
- Employment status
- Country of birth
- Highest school level completed
- When they completed high school
- Highest qualification
- Residency, citizenship or visa status
- Collection of ID (various)
- Spoken languages
- Aboriginal and Torres Strait Islander status
- Information on education history
- Language, literacy and numeracy
- Disability status
- Relevant health information
- School status
- Prior qualifications

NIET provides individuals with the option of not identifying themselves, or of using a pseudonym, when dealing with us in relation to a particular matter where practical. This includes providing options for anonymous dealings in cases of general course enquiries or other situations in which an individual's information is not required to complete a request. Individuals may deal with us by using a name, term or descriptor that is different to the individual's actual name wherever possible. NIET only stores and links pseudonyms to individual personal information in cases where this is required for service delivery or once the individual's consent has been received.

Personal Information is collected using Pre Training Review (and further discussed at the time on the purpose and reasoning for collecting information), online application and enrolment forms. Supporting documents including reasonable adjustment and RPL/Credit application forms may also ask for further information on the individual to support them with their training. Information is collected for:

- Determining funding eligibility
- Purposes of entering information onto our Student Management System (SMS) for generating of personal files and training plans (but not limited too)
- Allowing internal staff and trainers to make initial contact, and further maintain contact during their studies
- Ensuring contractual requirements are met

Information is held in locked storage rooms based at NIET's offices, and is also stored on the SMS, which is safeguarded and protected by appropriate computer and server protection (virus protection). Our server is backed up on a regular basis. All computers at NIET premises are further safeguarded with an individual unique password for each user. Management will ensure that they have access to passwords at all times, and currently these are held on Q drive in a secured folder.

Full course enrolment forms, evidence of participation and all course related work completed by the individual are held at NIET offices in hard copy, before being destroyed after three years. Short course enrolment forms and related work completed by the individual are destroyed after 12 months. All full course enrolment forms and related material required under our contractual obligations (E.g. Invoicing, final competency records) are scanned to a portable hard drive as a further security step and kept on record for a period of seven years. This is kept locked and secure at all times. VETTRAK will manage all electronic records required for the purposes of training for a period of 30 years **(Please see NIET's Record Management Policy and Procedure for further information on extended retention processes electronically)**. All information is readily available for audit purposes (where requested).

In the event our organisation ceases to operate, the required personal information on record for individuals undertaking Nationally Recognised Training with us would be transferred to the Australian Skills Quality Authority, as required by law and Skills First Funding contract obligations. If students request to transfer to another training organisation in these circumstances, NIET will fully comply to hand over all available training documentation, with a further request in writing from the student granting permission to do so.

If students require access to their personal records held at NIET, they must make the request in writing to the NIET Administration Team Leader. Individuals are able to contact by phoning (03) 9770 1633 or emailing info@niet.com.au. We will ensure that the individual will be notified if the request has been refused within 14 calendar days, reasons for refusal in writing, and the compliant mechanisms available to the individual; or within 30 calendar days by giving access to the personal information that it is requested in the manner in which it was requested. Providing information access is free of charge.

1.1 Third Party Arrangements – Students

In some cases, NIET may be required to provide personal information to third parties. Third parties may include:

- Job Services Providers
- Victorian Government Department (E.g. Skills Victoria, Australian Vocational Education and Training Management of Information Statistical Standard - AVETMISS) – for the purposes of uploading information to their specific individual needs on commencement of service delivery)
- ASQA
- Law enforcements
- Employers (Traineeship contracts only)

In all cases where access is requested, NIET will ensure that:

- Parties requesting access to personal information are robustly identified and vetted
- Where legally possible, the individual to whom the information relates will be contacted to confirm consent (if consent not previously provided for the matter); and
- Only appropriate authorised parties, for valid purposes, will be provided access to the information.

Each enrolment provides the individual with NIET's Privacy Statement, and under Victorian and Federal Privacy Legislation, students must be provided with this notice informing them about the ways their personal information will be collected and handled when they enrol for VET. The statement also includes information on photos, videos, social media and complaints process if the student feel's NIET has breached their privacy and confidentiality obligations.

Information on privacy and confidentiality is also provided with NIET's Student Handbook, which they also sign to confirm they have read and understood the information.

In particular, information is provided at this time that students may be invited to participate in the NCVET survey, or be contacted by the department (or authorised persons) for audit purposes.

2. Staff

All staff are inducted either prior or on their first day of employment. Part of the induction process is to inform and educate all on the privacy and confidentiality requirements set by NIET to protect all clients associated with NIET (E.g. students, staff, and businesses).

These requirements are set out in the NIET employee handbook, and also further discussed at their induction (See NIET Induction checklist). All staff are required to have read and understood terms and conditions of employment, also acknowledge their understanding of this policy and procedure.

NIET will collect the following information on all staff members:

- First and surname
- Gender and sex
- Date of birth
- Address (including postal)
- Contact phone numbers
- Emergency contact details
- Victorian Student Numbers (if applicable)
- Resume / CV
- Evidence of prior qualifications
- Banking details
- Residency, citizenship or visa status
- Collection of ID (various)
- Aboriginal, Torres Strait Islander?
- Disability status
- Relevant health information / medical action plans
- Skills Matrix (Trainer/Assessors only)
- Leave forms
- Invoicing and payroll details

All of the above information is held:

- Hard copy located in accounts offices. All staff have a separate folder and is locked. Management and accounts are only authorised to access these files
- NIET are currently working towards all above folders to be transferred to electronic format, and envisage that this will be completed by the end of 2017.
- Within the Xerox system of accounts management system for the purposes of payroll, leave and invoicing

All invoices submitted by trainers/assessors and consultants are held within the business for a period of 5 years. All staff details not including invoices are held continuously. All electronic records are safeguarded and protected by appropriate computer and server protection (virus protection). Our server is backed up on a regular basis. All computers at NIET premises are further safeguarded with an individual unique password for each user. Management will ensure that access to any other information held on Q Drive is kept in a hidden folder, only accessible by the management team.

NIET will always collect sufficient information from staff in order to obtain the information required to meet employment, legal and taxation obligations. NIET Management will maintain information and details in relation to staff performance and appraisals, through their Staff Review Development Plan procedure, and yearly regular audits on all HR files.

NIET staff may request access to their personal information at any time, by directly asking the Learning and Development Manager.

2.1 Third Party Arrangements – Staff

There are occasions where staff's personal information will be shared with third parties. In summary, NIET will share information:

- For GST and tax purposes
- Requested by legal or law enforcements
- For the purposes of work cover, insurance and other claims
- As requested by a parent / guardian (if under the age of 18)
- Where signs of child abuse (under the age of 18) have been identified and need to be reported – see NIET's Child Safety Protection Policy for further information

This is further explained to staff on induction, and is also incorporated into this policy which is read and understood at the time. All staff will also be required to re-read all policies and procedures at the beginning of each calendar year.

3. Further controls

Additionally to all of the above, NIET also ensure that effective control measures are put in place to ensure the correct information is collected, maintained and used for appropriate conditions. Please note, any approvals from staff or students listed below, a parent/guardian will also need to co sign if under the age of 18. This includes, but not limited to:

- Collecting and capturing images, testimonials and videos for the purposes of marketing and promotion. NIET currently ask students on their first day of training (full classes) to sign for permission to use this. Our student handbook explains what terms and conditions they are agreeing to and must be read prior to application. NIET implement a 028 Photo/Video consent form for individuals to sign with short courses. Individuals do not have to sign, and therefore will not be included in any promotion. This document is kept on file with the Administration Team Leader.
- Further request to use testimonials is also asked at their final stages of training, included in 478 End of Course Feedback Form
- Individuals are asked on the enrolment form whether they wish to receive marketing and promotional material.
- Individuals and businesses are given the opportunity to 'opt out' and be removed from any email distribution lists. This mechanism is also available to not include individuals when sending out new promotions via VETTRAK. Distribution lists created by the Learning and Development Manager via Microsoft Outlook will be removed manually on request.
- NIET reviews the Privacy Policy and Procedure at least once per calendar year to identify any changes in legislation and enhancements for internal requirements
- Through validation of products and resources, occurring on a regularly basis each calendar year

- Ensuring that all changes to the policy and procedure are widely communicated to stakeholders through internal personnel communications, meetings, training and documentation.
- Ensuring that the Privacy Policy and Procedure is always accessible on NIET's website – www.niet.com.au.
- When receiving unsolicited personal information, NIET will promptly review the information and decided whether or not we should have collected the information for the purpose of our business activities. If we could not have collected this information (by law or for a valid business purpose) we immediately destroy or de-identify the information.
- A security bin is placed in the administration area for any private and confidentiality material to be destroyed. Emptied on a regular basis.
- NIET will not directly market via phone or email to individuals directly without prior consent. For example – cold calling to residences.
- NIET will ensure that all enforcement related activity will be documented accordingly including the necessary details (date, time, enforcement body etc).
- Contacting individuals to verify the quality of personal information, and further reminding all to update their personal information at critical service delivery points (such as completion).
- Ensuring that third parties, from who personal information is collected, has implemented appropriate data quality practices, procedures and systems.
- On individuals request, we will correct personal information held, and further notify any third parties of corrections made to personal information (if this information was previously provided to these parties).
- Ensuring that NIET takes reasonable steps to correct personal information we hold in cases where we are satisfied that the personal information held is inaccurate, out-of-date, incomplete, irrelevant or misleading. This awareness may occur through collection of updated information, in notification from third parties or through other means.

Related documents

- ASQA Standards for Registered Training Organisations (RTOs) 2015
- ASQA Privacy Policy
- Skills First Funding Contract
- 573 NIET Student handbook
- Enrolment forms (various)
- Short course enrolment form (various)
- 493 Pre-Training review form
- 357 Credit Transfer_RPL Application Form
- 110 Student Reasonable Adjustment form
- Victorian VET Student Statistical Collection Guidelines - 2016 Student enrolment privacy notice
- Privacy Act 2000 Privacy Act amended on 12 March 2014, privacy principles
- 325 Staff Induction Checklist
- 322 NIET Employee handbook
- 685 Staff Review Development Plan
- 670 Staff HR File Summary Checklist
- 028 Photo/Video Consent form
- www.niet.com.au
- NIET photo video consent form

Revision History:	
Date:	September 2013 – Version 1, March 2014 – Version 2, February 2016 – Version 3, February 2016 – Version 4, June 2017 – Version 5, August 2017 – Version 6
Source:	Q:\VERSION CONTROLLED DOCUMENTS Acts, Regulations, Codes of Practice, ISO/AS/NZ Standards ASQA Standards for Registered Training Organisations (RTOs) 2015
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