



Privacy Policy

1. Purpose

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

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

2. Policy Statement

TEIA is committed to complying with obligation under Privacy Act 1988, and the associated Australian Privacy Principles (APPs), specifically in the way it collects, uses, secures and discloses personal information. TEIA is committed to safeguarding any confidential information obtained by the RTO.

TEIA will ensure:

- It maintains and provides a current Privacy Policy;
- Information gathered for the express purpose of 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 of all records;
- The confidentiality of all information maintained on records.

3. Policy Principles

3.1 Legislation

- a) TEIA, 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’s” 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 PART 1 – Consideration of Personal Information Privacy

a) Open and Transparent Management of Personal Information.

TEIA will:

- i. Ensure that personal information is managed in an open and transparent way.
- ii. Take reasonable steps to implement practices and procedures that will facilitate dealing with enquiries or complaints from individuals regarding compliance with the Australian Privacy Principles (APPs).
- iii. Ensure that it maintains an up-to-date policy about the management of personal information.
- iv. Ensure that it is able to address the following information:
 - The kind of information that is collected and held;
 - How the information is collected and held;
 - The purposes for which information is collected, held, used and disclosed;
 - How an individual may access their personal information that is held by TEIA and seek correction of such information as necessary;
 - How the individual may make a complaint about a breach of the APPs and how TEIA will deal with such a complaint.
- v. TEIA will not disclose personal information to overseas recipients, and will wherever possible hold data in servers located within Australia.
- vi. Provide the Privacy Policy free of charge and in such form as appropriate, and as is reasonable.

b) Anonymity and pseudonymity

TEIA will:

- i. Respect that individuals may not wish to identify themselves when making enquiries on TEIA products and services;
- ii. However, require full personal details as required by law and for identification purposes from students.

3.4 PART 2 – Collection of Personal Information

- a) TEIA will not collect personal information from a person unless that information is necessary for one or more of its functions or activities, or is required by law.
- b) TEIA 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) TEIA will take reasonable steps at or before the time of collection to ensure that persons are aware of:
 - i. Who TEIA is and how to contact it;
 - ii. How to gain access to a student's own information;
 - iii. The purpose for which the information is being collected;
 - iv. Any organisation to which TEIA would normally disclose information of that kind;
 - v. Any law that requires the particular information to be collected;
 - vi. The main consequences for the individual if all or part of the information is not provided.
- d) TEIA collects information from people in the following ways:



- i. When a person applies for enrolment, requests certain services or products, or otherwise contacts or does business with TEIA.
 - ii. Information may be collected from enrolment forms, certified documents, telephone calls, faxes, emails, letters sent by individuals or potential client organisations.
 - iii. Information may be collected from third parties, such as other training providers, regarding confirmation of training and ongoing professional development that a person have attended, as permitted by that person.
- e) Should TEIA collect information about an individual from a third party they will take reasonable steps to ensure that the individual is or has been made aware of the matters listed above except to the extent that making the individual aware of the matters would pose a serious threat to the life or health of any individual.

3.5 PART 3 – Dealing with Personal Information

- a) TEIA 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. The individual would reasonable expect TEIA to use or disclose the information for the secondary purpose;
 - iii. A permitted health situation exists in relation to the use or disclosure of the information by TEIA;
 - iv. A permitted general situation exists in relation to the use or disclosure of the information by TEIA;
 - v. TEIA reasonably believes that the use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.
- b) TEIA collects an individual's personal information so as to:
- i. Process applications;
 - ii. Manage your enrolment;
 - iii. Record and maintain your details;
 - iv. Administering training programs;
 - v. Record and maintain details of your ongoing training and assessment;
 - vi. Provide you with details regarding student services, benefits, and training opportunities;
 - vii. Notify you about upcoming events and opportunities;
 - viii. Gain feedback from you;
 - ix. Communicate with you;
 - x. Report to relevant authorities as required by law.

- c) Direct Marketing

TEIA:

- i. May use personal information (specifically a name and relevant address details) and information about preferences for direct marketing
- ii. Provides an opt-out and/or unsubscribe method that is easily accessible for individuals to request not to receive direct marketing communications.



d) Cross Border Disclosure

TEIA:

- iii. Does not disclose personal information to overseas recipients unless prior written approval is received by the individual who the personal information relates.

e) Adoption, use or disclosure of Government Related identifiers

TEIA:

- 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.

3.6 PART 4 – Integrity of Personal Information

a) Quality of personal information

TEIA will take steps, as are reasonable, to ensure that the personal information it:

- i. Collects is accurate, up to date and complete;
- ii. Uses or discloses, is, having regard to the purpose of the use or disclosure, accurate, up to date, complete and relevant.

b) Security of personal information

TEIA 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 to ensure that the information is de-identified.

3.7 PART 5 – Access to, and correction of, Personal Information

a) TEIA provides all students with electronic access to their own personal records, where the individual can update and maintain their own personal information.

b) In some circumstances, TEIA may not permit access to individuals for their personal information. If this is ever the case, TEIA will provide full details for the legal reasons for this decision. These may include that TEIA believes:

- i. That giving access to the information would pose a serious threat to the life, health or safety of the individual, or to public health or public safety; or
- ii. Giving access would have an unreasonable impact on the privacy of other individuals; or
- iii. The request for access is frivolous or vexatious; or
- iv. The information relates to existing or anticipated legal proceedings between TEIA and the individual, and would not be accessible by the process of discovery in those proceedings; or
- v. Giving access would reveal the intentions of TEIA in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
- vi. Giving access would be unlawful; or
- vii. Denying access is required or authorised by or under an Australian law or a court/tribunal order; or
- viii. Both of the following apply:



- TEIA has reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to TEIA functions or activities has been, is being or may be engaged in;
 - Giving access would be likely to prejudice the taking of appropriate action in relation to the matters; or
 - ix. Giving access would be likely to prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body; or
 - x. Giving access would reveal evaluative information generated within TEIA in connection with a commercially sensitive decision-making process.
- c) When dealing with requests for access to personal information, TEIA will:
- i. Respond to request for access within 30 days of the request, if from an individual, and within a reasonable time, if the request is from an organisation; and
 - ii. Provide access to the information in the manner requested if it is reasonable and practicable to do so.
- d) TEIA does not charge a fee for access to personal information. The exception is re-prints of certification documentation previously supplied.
- e) The correction of personal information held by TEIA may occur:
- i. should TEIA be satisfied that information is inaccurate, out of date, incomplete, irrelevant or misleading, TEIA will take such steps as reasonable to correct the information to ensure that, having regard to the purpose for which it is held, the information is accurate, up-to-date, complete, relevant and not misleading.
 - ii. Should TEIA refuse to correct information, TEIA will give written notice to the individual that sets out:
 - The reason for refusal
 - The mechanisms available to complain about the refusal; and
 - Any other matter prescribed by the regulations.

4. Responsibilities

The Director of TEIA ensures that all employees are made aware of this policy and its underpinning legislative requirements and comply with this policy.

The Director of TEIA ensures that all students have access to and awareness of this policy.

5. Records Management

All personal information and records are maintained in accordance with Records Management Policy. (See Records Management Policy)

6. Monitoring and Improvement

The Director of TEIA monitors all practices for Privacy and identified areas for improvement are acted upon. (See Continuous Improvement Policy)



Annex A: Privacy Procedures

Privacy Procedures

Student Obtaining Access to Own Records

Students have access to their own records through their person login into the Student Management System (SMS).

STEP 1 – Application to access own records – Paper-based/ documentation

No.	Who	Actions
1.1	Student	a) Student advises in writing they wish to view their own records “Paper-based” and “electronic data” kept by TEIA.
1.2	Admin	a) Communicate with student confirming their needs. b) Confirm identify of the student. c) Arrange a date / time for the student to attend and view their records.

STEP 2 – Accessing own records

No.	Who	Actions
2.1	Student	a) Student arrives to view their own “Student file”.
2.2	Admin	a) Verify identification of student. b) Pre-prepare the necessary files related to the student. c) Provide private access for student to view their own records under supervision.
2.3	Student	a) Student views to view their own “file”. b) Student is not permitted to remove any documentation from their own file, however, may request a copy of the documentation.
2.4	Admin	a) Return student file to filing system; destroy hard copies of the electronic data.