

PRIVACY AND CONFIDENTIALITY POLICY

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1. PURPOSE

CBC Institute is committed to protecting a student’s personal information and/or sensitive information as defined under the Privacy Act 1988.

We collect personal information in order to provide the client, with access to our training and associated services, and so we can better understand how we can improve our provision of services now and into the future. Additionally, a large component of what we do as an RTO in particular, requires us to collect personal information for mandatory statistical data as prescribed by government regulators.

All information has been collected by CBC Institute in accordance with the Australian Privacy Principles and will only be disclosed in accordance with these Principles.

2. DEFINITIONS

The **Act** means the National Vocational Education and Training Regulator Act 2011

App means Australian Privacy Principles

ASQA means Australian Skills Quality Authority, the national VET regulator and the RTO’s registering body

Data Provision Requirements is the legislative instrument which is a subsection of the Act

- **Personal information** is : “information or an opinion about an identified individual, or an individual who is reasonably identifiable: (a) whether the information or opinion is true or not; and (b) whether the information or opinion is recorded in a material form or not.”

Privacy Act means the Privacy Act 1988. (Govt, n.d.) (Privacy Act) is an Australian law which regulates the handling of personal information about individuals.

RTO means Registered Training Organisation

Standards means the Standards for Registered Training Organisations (RTOs) 2015

- **Sensitive information:** “(a) information or an opinion about an individual’s: (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 preferences or practices, or (ix) criminal record, that is also personal information; or (b) health information about an individual; or (c) genetic information about an individual that is not otherwise health information; or (d) biometric information that is to be used for the purposes of automated biometric verification or biometric identification; or (e) biometric templates”.

3. POLICY

In collecting student's personal information, CBC Institute complies with the requirements set out in the Privacy Act 1988 (Privacy Act) and the Australian Privacy Principles (Information, n.d.). This means that CBC Institute will:

- 3.3.1 Inform the student of the purpose for which the information is collected.
- 3.3.2 Only use personal information in relation to a student's study.
- 3.3.3 Ensure personal information is securely handled and stored.
- 3.3.4 Inform the student in writing where it is necessary to disclose personal information: the name of the organisation and the purpose.
- 3.3.5 Be conscious and respectful and not discriminate or disclose any information if it is collected in relation to *sensitive information* outlined under the Discrimination Act, unless the student has given written consent; where it is necessary to prevent or lessen a serious and imminent threat to a student's life or health or that of another person; the disclosure is required or authorised by or under law; or the disclosure is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of the public revenue.
- 3.3.6 CBC Institute does not disclose a student's information to unrelated entities for the purposes of direct marketing unrelated products or services.

Freedom of Information¹

- 3.3.7 A student may access or obtain a copy of the records that CBC Institute holds about themselves at any time. This includes personal information and records of participation and progress.
- 3.3.8 If a student wants to access or obtain a copy of the records we hold in their file, they must make a request in writing to the Director or CEO and they will be advised that they may either access the records in person or the requested records will be sent to their home address.
- 3.3.9 Photo ID will be required to ensure that the person viewing the file is the student. Access will occur in the presence of a CBC Institute staff member. Where copies of records are to be provided via post, records will only be sent to the home address CBC Institute holds on file for the student.

Access to records

Access to records may be provided by:

- 3.3.9.1 making copies of documents held in a file;
- 3.3.9.2 giving access to the student to review their file;
- 3.3.9.3 other means necessary to grant access to current and up-to-date records.
- 3.3.10 Student records are destroyed within 28 days of course completion except the information required by law and in accordance with the National VET Regulator Standards.

Amendment to records

- 3.3.11 Students may amend their records where information is incorrect and this will be noted in the record

¹ Freedom of Information Act (Office of the Australian Information Commissioner, n.d.)

Complaints

3.3.12 If a student has any questions or complaints about privacy, confidentiality, or access to or correction of their personal information, they are advised to contact the Director and /or Student Support person.

Information collected

3.3.13 Solicited information: contact information such as name, organisation, position, address, telephone, and email, employment and educational histories, referees reports, date of birth and marital status.

3.3.14 Information collected by CBC Institute which may be regarded as sensitive:

- 'Disability' and 'long-term impairment status' (health); and 'indigenous status', 'language spoken at home', 'proficiency in spoken English', 'country of birth' (implies ethnic/racial origin). This information is specified in NCVER statistical data elements and is collected for national data reporting requirements.
- 'Dietary requirements' (health-related) are collected for event catering purposes only.
- Biographical information, which may contain information on 'affiliations' and 'membership of a professional or trade association' are obtained from key note speakers for event marketing purposes and for training consultants involved with service delivery for the CBC Institute.
- 'Health and work injury information' relating to the impact for clients self as a client using CBC Institute services and our ability to provide a service to clients without breaching a Duty of Care.

4. BIBLIOGRAPHY

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