



POL 050 Privacy Policy

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RELATED DOCUMENTS:	Privacy Act 1998 Privacy Amendment (Private Sector) 2000 POL 014 Records Management Policy		
REVIEWED BY:	RTO Manager	DATE OF REVIEW:	04/09/2020
APPROVED BY:	CEO	DATE APPROVED:	10/09/2020

1. PURPOSE

The purpose of the Privacy Policy is to ensure that Construction Training Academy (CTA) will satisfy legal responsibilities in privacy protection for its staff, students, and other stakeholders.

2. SCOPE

This Policy applies to all students, staff, and other stakeholders of CTA.

For this Policy, all references to the term “student” are inclusive of a prospective student, an applicant for admission to CTA, a current student, or a former or past student of CTA.

3. POLICY

CTA is committed to safeguarding the privacy of personal information in relation to its students, staff and other stakeholders of CTA under the Privacy Act 1998 (Privacy Act) and the Privacy Amendment (Private Sector) 2000. It is the policy of CTA to assure the privacy of our staff, students, and other stakeholders always. CTA will do this by adopting practices that uphold the Australian Privacy Principles as set out in Schedule 1 of the Privacy Act 1998.

CTA will gain written authority from students, staff, and other stakeholders before sharing or disseminating any personal or sensitive information that is directly related to the provision of its services. The only exception to this is where there is a requirement by law to provide evidence or where CTA’s duty of care legally requires the provision of that information.

4. PRINCIPLES

- 4.1. Students, staff, and other stakeholders are entitled to the protection of their privacy. CTA recognises its obligation regarding the collection, storage and use of personal information and will take necessary measures to ensure privacy is protected.
- 4.2. All personal information collected is done so for the operations of CTA, or where dictated by legislative guidelines.
- 4.3. All students and staff have the right to access their personal information held by CTA in accordance with the Privacy Act.
- 4.4. At the time of enrolment students have the option to select 'yes' or 'no' to the release of personal information to parents, agents, and other parties. Students can change their preference at any time by submitting a request in writing to CTA.
- 4.5. Personal information is collected directly from the individual, although there may be occasions when personal or sensitive information is collected from a third party, such as a family member or employer who contacts CTA on the individual's behalf, through partner institutions, or from a publicly maintained record.
- 4.6. Personal information of CTA students, staff and other stakeholders is protected against loss, unauthorised access, use, modification or disclosure, and other misuse. Only staff who may need the personal information to carry out their responsibilities will be able to gain access to that information.
- 4.7. Certain types of sensitive information may be subject to confidentiality standards beyond this Policy. In certain cases, the confidentiality requirements in this Policy will be overridden by legal or legislative obligations of disclosure.

5. COLLECTION OF PERSONAL INFORMATION

- 5.1. CTA may collect personal information in several circumstances including when an individual:
 - lodges an enquiry through the CTA online enquiry service
 - applies for admission to CTA
 - registers or enrolls for course offered by CTA
 - applies for employment
- 5.2. Additionally, CTA will collect from users of CTA's website, anonymous information for statistical purposes, such as the:
 - internet protocol address from which CTA receive the request
 - date and time of request
 - pages, documents, and files accessed
 - address of the resource that provided the link followed, if any, to CTA website
- 5.3. CTA may collect information from third parties including employers, Centrelink, Australian Apprenticeship Centres, Industry Skills Councils, Traineeship and Apprenticeship Services and other Government agencies. The only personal information that CTA will collect will be information that is directly relevant to CTA providing you with appropriate and relevant training.

Where personal information is collected from a third party, CTA will inform the person about whom the information pertains.

- 5.4. Some sections of the CTA website use standard industry technologies, for example 'cookies', to make full use of the site. CTA uses cookies to distinguish an individual from other users of the CTA website. This helps CTA to provide an individual with a good experience when they browse the CTA website and allows CTA to improve our site. CTA will only use and disclose personal information about an individual that is collected using cookies for other purposes where CTA have an individual's consent to do so, or as otherwise required or authorised by law.
- 5.5. If there is no longer any legitimate purpose for retaining personal information, and within the provisions of the CTA's POL 014 Records Management Policy, it will be destroyed in a secure environment.

6. CONSENT TO USE AND DISCLOSURE OF PERSONAL INFORMATION

- 6.1. Generally, CTA will not use or disclose personal information unless the person about whom the information relates, or has consented to, the use or disclosure of their information.
- 6.2. By providing CTA with an individual's consent to use their personal information, CTA may use an individual's information to contact them on an ongoing basis to provide them with marketing information CTA considers would be of interest to them, including by mail, email, SMS and telephone.

7. USE OF PERSONAL INFORMATION

- 7.1. All personal information collected is for the primary purpose of the operations of CTA, or where dictated by legislative guidelines. CTA may also collect personal information for purposes related or ancillary to the primary purpose of collection, including:
 - administering and managing the services provided to prospective and current students, including admissions, enrolment, education, billing, maintaining CTA information technology services, customer service and data storage
 - marketing the services of CTA and its related entities to prospective, current and past students
 - hiring and managing employees and contractors
 - planning, monitoring, evaluating, and improving service provision, including conducting market research and surveys and assessing customer satisfaction
- 7.2. CTA staff may require access at times to personal information about students. To the extent that the personal information is private, CTA will restrict access to only those staff who need the information to carry out their responsibilities in the personal and/or academic interests of students.

8. DISCLOSURE OF PERSONAL INFORMATION

- 8.1. Other than to confirm that individuals are, or have been, a student at CTA, CTA will not disclose personal information about students or staff to other students, to people outside of CTA (other than in accordance with any legal or academic obligations) or to staff who have no need to

access the information, unless students advise CTA in writing, that they have given permission, with the following exceptions:

- 8.1.1. If a student or staff member is alleged to have committed an offence, CTA may be requested to assist the police or other authorised persons by providing personal information about that student or staff member for enforcement of the law.
 - 8.1.2. If a student transfers to another training or educational institution CTA may release to that institution information about the academic progress at CTA, although normally the student will have consented to this in their application to the new institution.
 - 8.1.3. Disclosure of personal information as necessary to prevent or lesser a serious and or imminent threat or as a duty of care when CTA has been unable to contact a student for a period of ten (10) days. In this situation the disclosure of information will be approved by the RTO Manager.
- 8.2. Personal information may be disclosed where an individual has consented to the disclosure in writing.
 - 8.3. Where students are undertaking traineeships or apprenticeships, attendance is a compulsory requirement of the student's employment and Contract of Training therefore CTA will notify the employer of any non-attendance.
 - 8.4. In the event of circumstances requiring critical incident management, CTA reserves the right to disclose limited personal information of an individual where it is considered necessary to meet or maintain its duty of care responsibilities to that individual. In rare circumstances information regarding an individual may be disclosed where:
 - there is a serious and imminent threat to a person's life, health, or safety
 - there is a requirement under law, or authorised by law
 - there is a requirement under an enforcement body
 - 8.5. CTA will not disclose or externally publish personal information to third parties who are not related to CTA, with a view to allowing them to direct market their products or services without the relevant individual's consent.
 - 8.6. No attempt will be made to identify individual users of the CTA website except in the unlikely event of an investigation or legal proceedings, or where otherwise permitted to do so under the Privacy Act. For example, CTA will gather more extensive information than stated above in the following circumstances:
 - unauthorised attempts to access files other than those published on our websites
 - unauthorised tampering or interference with files published on our websites
 - unauthorised attempts by other websites to index the contents of our websites
 - attempts to intercept messages of other users of our websites
 - communications which are defamatory, abusive, vilify individuals or groups or give rise to a suspicion that an offence is being committed

- attempts to otherwise compromise the security of the CTA web server, breach the laws of the Commonwealth or a state of Australia, or interfere with the use of the CTA websites by other users
- 8.7. CTA will only publish personal information on its website, where the individual has consented that the personal information being collected and disclosed for this purpose. The individual should be aware that information published on the website is accessible to millions of users from all over the world, that it may be indexed by search engines and that it may be copied and used by any web user.
- 8.8. Under no circumstances will CTA sell or receive payment for licensing or disclosing personal information.
- 8.9. Where the CTA website contains external links to other sites CTA is not responsible for the privacy practices or the content of such websites.
- 8.10. Where CTA is legitimately required to use or share information assets containing personal information, CTA will de-identify the personal information to enable it to be shared or published without jeopardising personal privacy by:
- removing personal identifiers, such as an individual's name, address, date of birth or other identifying information, and
 - removing or altering other information that may allow an individual to be identified, for example, because of a rare characteristic of the individual, or a combination of unique or remarkable characteristics that enable identification.

9. STATUTORY REQUIREMENTS FOR COLLECTION AND DISCLOSURE OF PERSONAL INFORMATION

- 9.1. CTA is required to collect and disclose information during a student's admission and enrolment to meet our obligations under a range of legislative requirements.
- 9.2. Common examples of the disclosure of a student or staff member's personal information include to the:
- Government and regulatory bodies
 - Financial Institutions for processing of payments
 - Employers where students are undertaking traineeships or apprenticeships
 - Parents/guardians where the student is a minor
 - Contracted service providers
- 9.3. Information collected about an individual can be provided, in certain circumstances, to the Australian Government and designated authorities and, if relevant, the Tuition Assurance Scheme and the Tuition Protection Service Director.

10. ACCESS TO PERSONAL INFORMATION

- 10.1. All staff can access their personal information held by CTA, by making an appointment with the CEO. During this meeting, the staff member will be shown their staff file and all notes CTA has on record. CTA will also answer any questions the staff member may have.

- 10.2. All students can access their personal information held by CTA by submitting a request in writing to CTA. Once the request is received an appointment will be arranged between the student and the RTO Manager. During this meeting, the student will be shown the complete student file and all notes CTA has on record. CTA will also answer any questions the student may have.

11. PRIVACY WITH CTA WEB LINKS

- 11.1. Persons visiting CTA's web site can access various other sites by clicking on links that CTA embeds within its site. Stakeholders should be aware that other sites will have their own privacy standards and procedures that may differ from CTA.

12. COMPLAINTS AND REVIEW PROCEDURES

- 12.1. If an individual believes that their personal information has not been dealt with in accordance with the Commonwealth Privacy Act 1988 and the Privacy Amendment (Private Sector) Act 2000 they may lodge a Complaint.
- 12.2. All complaints to CTA made by students and staff must be made in writing within the timeframe specified in POL 019 Complaints Policy.

13. RESPONSIBILITIES

- 13.1. The CEO is responsible for ensuring that all employees are conversant with and understand the requirements of the CTA Privacy Policy and related Procedures, and the Privacy Act.
- 13.2. It is the responsibility of CTA staff to ensure that their behaviour aligns fully with this Privacy Policy always in their daily activities and that any breach of this Policy or the Privacy Act is reported immediately to the CEO.