

Purpose

To outline Tubal's commitment to respect the privacy and confidentiality in relation to the collection, maintenance, use, archive or disposal of student records and information. Any record or information will not be disclosed to a third party without the prior consent of the student.

Tubal is required to gather information from students for the primary purpose of providing them with the courses of study for which they enrol. Related purposes of collection include correspondence with students, day-to-day administrative matters, provision of information about courses and events, the provision of information about associated services made available to and used by students (such as information technology), and meeting compliance within legislative reporting requirements. At the time information is collected, students or potential students will be advised at induction of our Privacy Policy, and availability of this information in our Student Handbook.

In collecting personal information, Tubal will comply with the privacy requirements of the Australian Privacy Principles (APPs) set out in the Privacy Act 1988 and the Privacy Amendment (Enhancing Privacy Protection) Act 2012.

Scope

This policy applies to the personal information of students and potential students. Tubal's Administration personnel are responsible for ensuring that all records are managed in accordance with this policy.

Tubal's Trainer/Assessor is responsible for ensuring any student records containing private student information, training and assessment information, and the like are returned to administration for processing within a reasonable timeframe.

Compliance

This policy relates to the following:

- Standards for RTOs 2015: clause 7.5 and 8.1
- The Privacy Act 1988 and the Privacy Amendment (Enhancing Privacy Protection) Act 2012
- Tubal's *P-004 Records Management and Maintenance Policy*
- *National VET Data Policy 2020*

Definitions

Personal information: The *Privacy Act 1988* defines personal information as 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.

Sensitive Information: The *Privacy Act 1988* defines sensitive information as

- 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 orientation 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 purpose of automated biometric verification or biometric identification; or
- e) biometric templates.

Policy

Student information gathered by Tubal will not be disclosed to third parties. Students are entitled to expect that their personal and academic information will not be subject to unauthorised interference or use. All records are kept in a manner that will ensure privacy of student information. Tubal will seek to ensure that the personal and academic information collected will be:

- accurate, complete and up to date;
- protected from misuse, loss, unauthorised access, modification or disclosure, and
- is destroyed when and as required by the governing body.

Tubal staff (including contractors) are not to distribute any information about a student to others unless they have received written approval from the student concerned. The student's privacy will always be protected, where files and records are classified confidential and can only be accessed by Tubal staff.

Exceptional circumstances such as audits may require the disclosure of student information to governing bodies, and these exceptions are detailed in this policy.

Exceptions

By request, Tubal is obligated to disclose personal and academic information about an individual to governing bodies, such as ASQA, Training Markets and Apprenticeship Office within DTWD. Also,

- we release statistical information to the Commonwealth Department responsible for the administration of the Data Provision Requirements, NCVET, who may in turn provide this information to other departments (i.e. ASQA, State or Territory Government agencies, and other authorised bodies), but only for the purposes permitted and the procedures set out in the National VET Regulator Act 2011 Act and the Australian Privacy Principles set out in the Privacy Act 1988 and the Privacy Amendment (Enhancing Privacy Protection) Act 2012;
- if you are enrolled under school-based traineeship, we may release your information to school for result purpose
- we may need to provide your information to AASN for sign up of your traineeship
- if you transfer to another institution, we may release to that institution information about your academic progress, to support the guidelines within Standards for RTOs 2015; and

- disclosure as necessary to prevent or lessen a serious and imminent threat to the life or health of the student or of another person.

Should another Registered Training Organisation formally request verification of a student's academic record, a copy will need to be provided to Tubal as part of the verification process.

Completed Student Files

Relevant Tubal staff will audit the Training Plan and Training Contract Completion Agreement if applicable, and will verify completion of all Units of Competency on the secure Learning Management System (LMS) through monthly post-assessment validation prior to archiving the student on the LMS. Documents uploaded onto the secure Student Management System can only be accessed by relevant administration staff.

Certificate and Record of Results, or Statement of Attainment will only be generated when all fees have been settled, and the original and/or the copy of the Qualification will only be made available to the student as per ASQA guidelines.

Archiving

Records collected as evidence during training and assessment will be scanned electronically prior to archiving. Training and Assessment records will be retained for a minimum of 5 years, and Qualification records will be retained for a minimum of 30 years.

Any student records that need to be destroyed will be done so in a secure manner through a reputable company specialising in document destruction.

Privacy Notice

Why we collect your personal information

As a registered training organisation (RTO), we collect your personal information so we can process and manage your enrolment in a vocational education and training (VET) course with us.

How we use your personal information

We use your personal information to enable us to deliver VET courses to you, and otherwise, as needed, to comply with our obligations as an RTO.

How we disclose your personal information

We are required by law (under the *National Vocational Education and Training Regulator Act 2011* (Cth) (NVETR Act)) to disclose the personal information we collect about you to the National VET Data Collection kept by the National Centre for Vocational Education Research Ltd (NCVER). The NCVER is responsible for collecting, managing, analysing and communicating research and statistics about the Australian VET sector.

We are also authorised by law (under the NVETR Act) to disclose your personal information to the relevant state or territory training authority.

How NCVER and other bodies handle your personal information

NCVER will collect, hold, use and disclose your personal information in accordance with the law, including the *Privacy Act 1988* (Cth) (Privacy Act) and the NVETR Act. Your personal information may be used and disclosed by NCVER for purposes that include populating authenticated VET transcripts; administration of VET; facilitation of statistics and research relating to education, including surveys and data linkage; and understanding the VET market.

NCVER is authorised to disclose information to the Australian Government Department of Education, Skills and Employment (DESE), Commonwealth authorities, state and territory authorities (other than registered training organisations) that deal with matters relating to VET and VET regulators for the purposes of those bodies, including to enable:

- administration of VET, including program administration, regulation, monitoring and evaluation
- facilitation of statistics and research relating to education, including surveys and data linkage
- understanding how the VET market operates, for policy, workforce planning and consumer information.

NCVER may also disclose personal information to persons engaged by NCVER to conduct research on NCVER's behalf.

NCVER does not intend to disclose your personal information to any overseas recipients.

For more information about how NCVER will handle your personal information please refer to the NCVER's Privacy Policy at www.ncver.edu.au/privacy.

If you would like to seek access to or correct your information, in the first instance, please contact your RTO using the contact details listed below.

DESE is authorised by law, including the Privacy Act and the NVETR Act, to collect, use and disclose your personal information to fulfil specified functions and activities. For more information about how the DESE will handle your personal information, please refer to the DESE VET Privacy Notice at <https://www.dese.gov.au/national-vet-data/vet-privacy-notice>.

Surveys

You may receive a student survey which may be run by a government department or an NCVER employee, agent, third-party contractor or another authorised agency. Please note you may opt out of the survey at the time of being contacted.

Contact information

At any time, you may contact Tubal Training admin@tubal.com.au or 08 9240 5525 | T 1300 4 TUBAL

- request access to your personal information
- correct your personal information
- make a complaint about how your personal information has been handled
- ask a question about this Privacy Notice