

## **POLICY STATEMENT**

**MODULAR Training is committed to complying with obligation under Privacy Act 1988, and the associated national Privacy Principles (NPPs). Furthermore MODULAR Training is committed to safeguarding any confidential information obtained by the RTO.**

**In doing so, MODULAR Training will ensure:**

- \* 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 that required by law;**
- \* the secure storage of all records;**
- \* the confidentiality of all information maintained on records.**

## **PRIVACY**

### **1.0 INTRODUCTION**

MODULAR Training is committed to providing quality training and assessment in accordance with the Australian Quality Training Framework (AQTF). As such, MODULAR Training is required to have effective administrative and records management procedures in place ensuring the privacy and confidentiality of all students, staff and contractors.

### **2.0 PURPOSE**

The purpose of this document is to outline MODULAR Training's policy and procedures for privacy of all students, staff and contractors.

### **3.0 OBJECTIVE**

The objective of this policy is to ensure that all student , staff and contractor records and details are keep private and confidential, being made available to only those persons who require them for MODULAR Training operational purposes, by law or regulatory requirements, or the individual themselves.

### **4.0 SCOPE**

This policy covers all MODULAR Training students, staff and contractors.

### **5.0 LEGISLATION:**

MODULAR TRAINING is bound by the Privacy Act 1988 and the National Privacy Principles.

### **7.0 APPLICATION**

This policy applies to all employees of MODULAR Training, as well as trainer and assessor consultants.

This policy is applicable across all training and assessment activities of MODULAR Training.

## 9.0 POLICY PRINCIPLES :

9.1 The **National Privacy Principles** (NPPs) relate to :

### 1 The collection of information

MODULAR Training will collect personal information only for the purpose of carrying out its role in providing Training and assessment and professional development to its clients. Collection of personal information must be fair, lawful and unobtrusive. MODULAR Training will take all reasonable steps to inform students of:

- The purpose for which the information was collected
- Any law that required the information to be collected.

### 2 The use and disclosure of information

MODULAR Training may only use or disclose the information for the purpose it was collected (primary purpose) unless the person has consented. Marketing material should advise that the person may request not to receive the material and it should set out the contact details of the firm. Personal information may be disclosed when it is necessary to assist an enforcement body to perform its function or to prevent a threat to life and ensure health and safety.

### 3 Data quality

MODULAR Training must take reasonable steps to make sure that the personal information it collects uses or discloses is accurate, complete and up-to-date.

### 4 Data security

MODULAR Training must take reasonable steps to protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure. The MODULAR Training will ensure that all computer systems are password protected and paper files stored in locked filing cabinets with only authorised staff granted access. Breaches of this principle by MODULAR Training staff will instigate disciplinary action.

### 5 Openness

MODULAR Training must have a policy document outlining its information handling practice and this document will be made available to any member or the public upon request. The MODULAR Training will also enable access to this policy via its internet site.

### 6 Access and correction

MODULAR Training must give an individual access to personal information it holds about that individual on written request. Exceptions apply, such as where this would pose a serious threat to life or health, it is vexatious, it impacts on another person's privacy, there are legal proceedings, or it is prejudicial to the police investigation, etc. Reasonable steps must be taken to correct information.

## 7 Identifiers

MODULAR Training will not use an identifier that has been assigned by a Commonwealth government 'agency', for example, social security numbers for the purposes of identifying clients. The exceptions are an ABN and OoT designated student numbers for students enrolled in a Traineeship program.

## 8 Anonymity

MODULAR Training will where practicable and lawful give people the option to interact anonymously. Where personal identity can be protected without adverse consequences, the MODULAR Training will depersonalise the data before disclosure or use.

## 9 Trans-border data flow

MODULAR Training can only transfer personal information to a recipient in a foreign country in circumstances where the information will have appropriate protection such as similar privacy legislation, or with consent.

## 10 Sensitive information

MODULAR Training will not collect sensitive information unless the person has consented, or it is required by law or in special circumstances, for example, to a health services or for public health or safety.

- MODULAR Training is bound by the NPPs. However, some exemptions are contained within the NPPs with respect to matters such as the disclosure of information relating to public health or public safety, the disclosure of information with respect to law enforcement enquiries and the disclosure of particular information relating to legal proceedings and negotiations.

### 9.2 The kind of personal information held by MODULAR Training includes the following:

- Personal information collected in connection with MODULAR Training members at the time that applications for membership are made and as later required as part of the delivery of training and assessment services by MODULAR Training to those members;
- Information collected from members of the public in connection with training and assessment services relating to real estate matters;
- Information obtained by MODULAR Training through the internet site.

### 9.3 MODULAR TRAINING holds the information referred to above for the primary purpose of enabling it to conduct the services that it provides to its members and the public.

### 9.4 Information collected

- Collection of information is fair, lawful, unobtrusive and necessary for the organisation functions. MODULAR TRAINING advises clients, staff and trainers of the purpose for collecting information, how it is used and how they can gain access to their personal information held by MODULAR TRAINING.
- Information is collected from potential students upon initial enquiry in order to send out course information.
- Information may be collected from students for enrolment purposes. Assessment records are kept as required by the Department Education Science and Training (DEST), the Training Accreditation Council (TAC). Information is also collected during the provision of training and assessment services. This is for the purpose of processing your registration for an MODULAR TRAINING course and as required by the Department Education Science and Training (DEST), the Australian Quality Training Framework (AQTF) the Training Accreditation Council (TAC) and the Office of Training Western Australia.
- MODULAR TRAINING may conduct student surveys to collect information on the training provided.
- Personal and professional information is collected from staff and trainers to enable the MODULAR TRAINING to assess the professional standards of staff and trainers.

### **9.5 Confidentiality**

- MODULAR TRAINING is bound by the Privacy Act 1988 and the Privacy Amendment (Private Sector) Act 2000 and has developed a MODULAR TRAINING Privacy Policy.
- MODULAR TRAINING will ensure the safeguarding of any confidential information obtained regarding participants.

### **9.6 Disclosure of Information**

- MODULAR TRAINING will ensure that participants have access to their personal records and will disclose information relating to the individual participant on request by that individual, to that individual. Exceptions apply, such as where this would pose a serious threat to life or health, it is vexatious, it impacts on another person's privacy, there are legal proceedings, or it is prejudicial to a police investigation, etc.
- Notwithstanding section 1.3.2, MODULAR TRAINING will not disclose information about a participant to a third party without prior written consent of the participant.
- MODULAR TRAINING will only disclose personal information to other parties, only where it is required to do so by law or other requirements, such as where it relates to law enforcement, health and safety or vocational education and training reporting in compliance with the AQTF such as the WA Training Accreditation Council, or as otherwise allowed under the Privacy Act 1988.

### **9.7 MODULAR TRAINING Privacy Policy**

- MODULAR TRAINING is bound by the Privacy Act 1988 and the Privacy Amendment (Private Sector) Act 2000 and has developed a MODULAR TRAINING Privacy Policy.

- MODULAR TRAINING respects clients, staff and trainers right to privacy.
- MODULAR TRAINING has procedures in place to ensure the integrity, currency, accuracy and completeness of information.
- MODULAR TRAINING has procedures in place to protect personal information from misuse, loss or unauthorised access, modification or disclosure.
- MODULAR TRAINING's privacy policy may be revised from time to time, in accordance with the Privacy Act 1988.

#### **9.8 Use of Participant information**

- MODULAR TRAINING will provide participant information to training staff or consultants on a need-to-know basis only.
- MODULAR TRAINING only uses information collected for the expressed purpose for which it was collected, unless prior consent is obtained from the person.
- MODULAR TRAINING does not use personal details (specifically photographs or names) in direct marketing without obtaining prior expressed permission from the person concerned.
- MODULAR TRAINING may use personal details to advise students of forthcoming events and training courses, for direct marketing and research purposes, however only where individuals have provided their consent to receiving such information.

## **14.0 SUPPORTING DOCUMENTATION**

MODULAR TRAINING documentation which supports the implementation of this Policy includes:

- Privacy Disclosure Form F0630\_01