

Purpose

VFA Learning is committed to maintaining the privacy and confidentiality of its RTO personnel and participant records. This policy and procedure is intended to inform all staff and students of VFA Learning of this commitment.

Policy

VFA Learning complies with the [Privacy Act 1988](#) including the 13 Australian Privacy Principles (APPs) as outlined in the [Privacy Amendment \(Enhancing Privacy Protection\) Act 2012](#).

As a component of our risk management practices, VFA Learning has conducted a Privacy Impact Assessment for all operations. Mitigation actions from this risk assessment have been implemented for the management of privacy risks at each stage of the information lifecycle, including collection, use, disclosure, storage, destruction and de-identification.

Providing an overall framework for our privacy practices, VFA Learning has developed and implemented this APP Privacy Policy.

VFA Learning manages personal information in an open and transparent way. This is evident in the implementation of practices, procedures and system we outline in this policy, that ensure our compliance with the APPs and any binding registered APP code and provide suitable procedures for VFA Learning personnel to be able to deal with related inquiries and complaints that may be received from time to time.

VFA Learning includes the standard privacy notice in all enrolment forms, in accordance with the Victorian VET Student Statistical Collection Guidelines which advises students how their data may be supplied to and used by the Department and Commonwealth VET Student Loan agencies. The following sections of this policy outline how we manage personal information.

Purposes for information collection, retention, use and disclosure

VFA Learning retains a record of personal information about all individuals with whom we undertake any form of business activity. VFA Learning must collect, hold, use and disclose information from our clients and stakeholders for a range of purposes, including but not limited to:

- Providing services to clients;
- Managing employee and contractor teams;
- Promoting products and services;
- Conducting internal business functions and activities; and
- Requirements of stakeholders.

Individuals are advised that due to these legal requirements, VFA Learning discloses information held on individuals for valid purposes to a range of third party entities including:

- Governments (Commonwealth, State or Local);
- Australian Apprenticeships Support Networks;
- Employers (and their representatives);
- job active providers;
- schools,
- parents/guardians; and

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- service providers such as credit agencies and background check providers.

Where VFA Learning collects personal information of more vulnerable segment of the community (such as children), additional practices and procedures are also followed. Please refer to VFA Learning's RTO's *Working with Children Policy and Procedures* for further information.

How personal information is held

VFA Learning's usual approach to holding personal information includes robust storage and security measures at all times. Information on collection is:

- As soon as practical converted to electronic means;
- Stored in secure, password protected systems, such as financial system, learning management system and student management system; and
- Monitored for appropriate authorised use at all times.

Only authorised personnel are provided with login information to each system, with system access limited to only those relevant to their specific role. VFA Learning's ICT systems are hosted internally with robust internal security to physical server locations and server systems access. Virus protection, backup procedures and ongoing access monitoring procedures are in place.

Retention and Destruction of Information

VFA Learning maintains a *Retention and Disposal Schedule* documenting the periods for which personal information records are kept.

Specifically, for our RTO records, in the event of our organisation ceasing to operate the required personal information on record for individuals undertaking nationally recognised training with us would be transferred to ASQA, as required by law.

Accessing and seeking correction of personal information

VFA Learning confirms all individuals have a right to request access to their personal information held and to request its correction at any time. In order to request access to personal records, individuals are to make contact with:

VFA Learning Privacy Officer

03 5223 6800

privacy@vfalearning.vic.edu.au

In all cases where access is requested by a third party, VFA Learning will ensure that:

- Parties requesting access to personal information are robustly identified and vetted;
- Where legally possible, the individual to whom the information relates will be contacted to confirm consent (if consent not previously provided for the matter); and
- Only appropriately authorised parties, for valid purposes, will be provided access to the information.

Collection from third parties

Where VFA Learning collects personal information from another organisation, we:

1. Confirm whether the other organisation has provided the relevant notice above to the individual; or
2. Whether the individual was otherwise aware of these details at the time of collection; and

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3. If this has not occurred, we will undertake this notice to ensure the individual is fully informed of the information collection.

Quality of personal information

VFA Learning takes reasonable steps to ensure that the personal information it collects is accurate, up-to-date and complete. We also take reasonable steps to ensure that the personal information we use or disclose is, having regard to the purpose of the use or disclosure, accurate, up-to-date, complete and relevant. This is particularly important where:

- When we initially collect the personal information; and
- When we use or disclose personal information.

We take steps to ensure personal information is factually correct. In cases of an opinion, we ensure information takes into account competing facts and views and makes an informed assessment, providing it is clear this is an opinion. Information is confirmed up-to-date at the point in time to which the personal information relates.

Quality measures in place supporting these requirements include:

- Internal practices, procedures and systems to audit, monitor, identify and correct poor quality personal information (including training staff in these practices, procedures and systems);
- Protocols that ensure personal information is collected and recorded in a consistent format, from a primary information source when possible;
- Ensuring updated or new personal information is promptly added to relevant existing records;
- Providing individuals with a simple means to review and update their information on an on-going basis through our online portal;
- Reminding individuals to update their personal information at critical service delivery points (such as completion) when we engage with the individual;
- Contacting individuals to verify the quality of personal information where appropriate when it is about to be used or disclosed, particularly if there has been a lengthy period since collection; and
- Checking that a third party, from whom personal information is collected, has implemented appropriate data quality practices, procedures and systems.

Security of personal information

VFA Learning takes active measures to consider whether we are able to retain personal information we hold, and also to ensure the security of personal information we hold. This includes reasonable steps to protect the information from misuse, interference and loss, as well as unauthorised access, modification or disclosure.

We destroy or de-identify personal information held once the information is no longer needed for any purpose for which the information may be legally used or disclosed.

Access to VFA Learning offices and work areas is limited to our personnel only - visitors to our premises must be authorised by relevant personnel and are accompanied at all times. With regard to any information in a paper based form, we maintain storage of records in an appropriately secure place to which only authorised individuals have access.

Regular staff training and information bulletins are conducted with VFA Learning personnel on privacy issues, and how the APPs apply to our practices, procedures and systems. Training is also included in our personnel induction practices.

We conduct ongoing internal audits (at least annually and as needed) of the adequacy and currency of security and access practices, procedures and systems implemented.

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Correction of personal information

VFA Learning takes reasonable steps to correct personal information we hold, to ensure it is accurate, up-to-date, complete, relevant and not misleading, having regard to the purpose for which it is held.

Individual Requests

On an individual's request, we:

- Correct personal information held; and
- Notify any third parties of corrections made to personal information, if this information was previously provided to these parties.

In cases where we refuse to update personal information, we:

- Give a written notice to the individual, including the reasons for the refusal and the complaint mechanisms available to the individual;
- Upon request by the individual whose correction request has been refused, take reasonable steps to associate a statement with the personal information that the individual believes it to be inaccurate, out-of-date, incomplete, irrelevant or misleading;
- Respond within 14 calendar days to these requests; and
- Complete all actions free of charge.

Correcting at VFA Learning's initiative

We take reasonable steps to correct personal information we hold in cases where we are satisfied that the personal information held is inaccurate, out-of-date, incomplete, irrelevant or misleading (that is, the information is faulty). This awareness may occur through collection of updated information, in notification from third parties or through other means.

1. Procedure

VFA Learning complies with the requirements of Clause 23 of Schedule 1A of the Act and the Information Privacy Principles set out in the Privacy Act 1988 in relation to the collection of information relating to all students.

VFA Learning will allow a Student to apply for and receive a copy of the VET personal information that the provider holds in relation to that Student.

Collection of information

1.1 Personal information will not be collected unless:

- the information is collected for a purpose directly related to Students;
- the collection of the information is necessary for or directly related to that purpose; and
- the collection of the information is directly relevant to the specific funding requirements of the program the student is applying for (Skills First, VET Student Loans)

1.2 Personal information will not be collected by unlawful or unfair means.

1.3 Where personal information is collected for inclusion in a record or in a generally available publication VFA Learning will take reasonable steps to ensure that, before the information is collected or, if that is not practicable, as soon as practicable after the information is collected, the Student concerned is generally aware of:

- the purpose for which the information is being collected;

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- if the collection of the information is authorised or required by or under law the fact that the collection of the information is so authorised or required; and
- with whom the information may be shared (such as the Australian Government or Tuition Assurance Scheme).

1.4 Where VFA Learning solicits and collects personal information for inclusion in a record or in a generally available publication it will take reasonable steps to ensure that:

- the information collected is relevant to that purpose and is up to date and complete; and
- the collection of the information does not intrude to an unreasonable extent upon the personal affairs of the Student

Privacy Notice and Student Declaration

VFA Learning will, as of 1 January 2018, require students to sign the Privacy Notice and Student Declaration for disclosure of information to:

- School – if the student is a secondary student is undertaking VET including a School Based Apprenticeship
- Employer – if the student is enrolled in training paid by the employer
- Commonwealth and State or Territory government departments and authorised agencies
- NCVET
- Organisations conducting student surveys
- Researchers

Personal information disclosed to NCVET may be used or disclosed for the following purposes

- Issuing a VET Statement of Attainment or VET Qualification, and population Authenticated VET Transcripts
- Facilitating statistics and research relating to education, including surveys
- Understanding how the VET market operates, for policy, workforce planning and consumer information
- Administering VET, including program administration, regulation, monitoring and evaluation

The Privacy Notice and Student Declaration will be given to students during the application process. Where a student is under 18 a parent or guardian will be required to sign the document.

2. VET Student Loan Program

VFA Learning has ensured that it has met all its student information obligations as outlined in the VET Support Loan Program through this Policy and Procedure.

3. Skills First Program (Vic)

In accordance with the Skills First funding contract (2018), VFA Learning acknowledges that:

- 3.1 The Training Provider acknowledges that it will be bound by the Information Privacy Principles and any applicable Code of Practice with respect to any act done or practice engaged in by the Training Provider under or in connection with this VET Funding Contract in the same way and to the same extent as the Department would have been bound had it been directly done or engaged in by the Department.
- 3.2 The Training Provider must include a standard privacy notice in all enrolment forms, in accordance with the Victorian VET Student Statistical Collection Guidelines, which advises students how their data may be supplied to and used by the Department and Commonwealth VET Fee-Help agencies.

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- 3.3 The Training Provider must, in collecting any Personal Information for the purposes of this VET Funding Contract, ensure that it has obtained all necessary consents for:
- the Training Provider to collect, use, hold and disclose that Personal Information, including by disclosing it to the Department as contemplated by this VET Funding Contract (including by way of the submission of reports under Clause 12 of Schedule 1, for the purposes of complying with Record disclosure obligations under Clause 10 and in the course of any audit, review or investigation under Clause 11); and
 - the Department to collect, use, hold and disclose that Personal Information for the purposes of this VET Funding Contract and its operation and management of the Skills First Program.
- 3.4 VFA Learning abides by the Electronic Transactions (VIC) Act 2000, whereby the Act has established the validity of electronic communications and also provides for the use of electronic signatures as well as electronic production and retention of documents and information.
- 3.5 VFA Learning minimises the use of electronic signatures to students only, who are required to access learning material and lodge assessments on-line in a secure Learner Management System (LMS) environment. VFA Learning informs all its LMS users of its strict LMS security and privacy requirements and expectations through its *LMS User Guide and Security Policy* and its *Student Handbook*.

In relation to its student assessment evidence/record collection, access and storage, VFA Learning:

- confirms that these are held in a secure environment, safe from unauthorised access, loss or damage in line with its strict procedures in place, as outlined in the *LMS User Guide and Security Policy*; and
- can demonstrate that appropriate delegation and authorisations to access is always applied, as outlined in the *LMS User Guide and Security Policy*.
- Confirms that no VFA Learning officer has authority to amend any student evidence/record and disciplinary action will be undertaken should this be identified.

Related Documents

POLICY & PROCEDURE Grievances and Complaints (Academic and Non-Academic)

POLICY & PROCEDURE Student Records Management

SUPPORTING DOCUMENT Data Breach Response Plan

SUPPORTING DOCUMENT Records Access or Update Request Form

SUPPORTING DOCUMENT LMS User Guide and Security Policy

SUPPORTING DOCUMENT Records Access Request – Refusal Notice

POLICY & PROCEDURE Request for Records Access Procedure

POLICY & PROCEDURE Request for Records Update Procedure

Responsible Officer

The responsible officer for the implementation and training for this Policy and Procedure is the Manager, Contracts and Compliance

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Publishing details

Document Name	Privacy Policy and Procedure
Approved by	Manager, Contracts and Compliance
Date of Approval	09 August 2018
Student Experience Framework Stage	Fruition
Student Experience Framework Step	Student Records
Version	7
Summary of content (new) or amendments (revised)	As per continuous improvement register
Next Review Date	09 August 2019