

## PURPOSE

Health Industry Training is privy to private, confidential information from students when enrolling in our courses. Our students must be secure in the knowledge that all staff will show a high degree of professionalism in respecting the privacy and confidentiality of information they acquire.

## POLICY

This policy is designed to maintain requirements with additional state jurisdictional requirements including:

- *Education Services for Overseas Students Act 2000 (Cth);*
- *Information Privacy Act 2014 (ACT);*
- *Privacy and Personal Information Protection Act 1998 (NSW);*
- *Information Act 2003 (NT);*
- *Information Privacy Act 2009 (QLD);*
- *Information Privacy Act 2000 (VIC); and*
- *Personal Information Protection Act 2004 (TAS).*

Health Industry Training manages personal information in an open and transparent way. This is evident in the implementation of practices, procedures and systems we outline in this policy, that ensure our compliance with the Australian Privacy Principles [APPs] and provide suitable procedures for Health Industry Training personnel to be able to deal with related inquiries and complaints that may be received from time to time.

Health Industry Training retains a record of personal information about all individuals with whom we undertake any form of business activity. Health Industry Training 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.*

As a registered training organisation, regulated by the Australian Skills Quality Authority, Health Industry Training is required to collect, hold, use and disclose a wide range of personal and sensitive information on students in nationally recognised training programs. This information requirement is outlined in the *National Vocational Education and Training Regulator Act 2015* and associated legislative instruments. In particular, the legislative instruments:

- *Student Identifiers Act 2014 (Cth);*

- *Nationals Standards for Registered Training Organisations 2015 (Cth);*
- *Higher Education Support Act 2003 (Cth);* and
- *Data Provision Requirements 2012 (Cth).*

Health Industry Training is also bound by various State Government Acts requiring similar information collection, use and disclosure (particularly *Education Act(s)*, *Vocational Education & Training Act(s)* and *Traineeship & Apprenticeships Act(s)* relevant to state jurisdictions of Health Industry Training operations).

Furthermore, Health Industry Training, aligned with these legislative requirements, delivers services through a range of Commonwealth and State Government funding contract agreement arrangements, which also include various information collection and disclosure requirements. Individuals are advised that due to these legal requirements, Health Industry Training discloses information held on individuals for valid purposes to a range of entities including:

- Governments (Commonwealth, State or Local);
- Australian Apprenticeships Centres;
- Employers;
- Schools;
- Guardians; and
- RTO Management Services for data management, credit agencies and background check providers.

#### *Kinds of personal information collected and held*

The following types of personal information are generally collected, depending on the need for services delivery:

- Contact details;
- Employment details;
- Educational background;
- Demographic Information;
- Course progress and achievement information; and
- Financial billing information.

The following types of sensitive information may also be collected and held:

- Identity details;
- Employer details;
- Academic history;
- Immunisation status (if applicable);
- Disability status & other individual needs;
- Indigenous status; and
- Background checks (such as National Criminal Checks or Working with Children checks).

Where Health Industry Training collects personal information of more vulnerable segment of the community (such as children), additional practices and procedures are also followed.

#### *How personal information is collected*

Health Industry Training's approach to collecting personal information is to collect any required information directly from the individuals concerned. This may include the use of forms (such as enrolment forms) and the use of third parties, web based systems (such as online enquiry forms, web portals or internal operating systems).

#### *How personal information is held*

Health Industry Training's 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. Destruction of paper based records occurs as soon as practicable in every matter, through the use of secure shredding and destruction services.

#### *Retention and Destruction of Information*

The Quality Management Manual consists of 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 the Australian Skills Quality Authority, as required by law.

#### *Accessing and seeking correction of personal information*

Health Industry Training 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 the General Manager.

A number of third parties, other than the individual, may request access to an individual's personal information. Such third parties may include employers, parents or guardians, schools, Australian Apprenticeships Centres, Governments (Commonwealth, State or Local) and various other stakeholders.

In all cases where access is requested, Health Industry Training ensures 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.

### *Review and Update of this policy*

Health Industry Training reviews the Confidentiality and Privacy Policy:

- On an ongoing basis, as suggestions or issues are raised and addressed, or as government required changes are identified;
- Through our internal audit processes on at least an annual basis;
- As a part of any external audit of our operations that may be conducted by various government agencies as a part of our registration as an RTO or in normal business activities; and
- As a component of each and every complaint investigation process where the complaint is related to a privacy matter.

### **Request for Records Access**

Individuals or third parties may at any stage request access to records held by Health Industry Training relating to their personal information. The following procedure is followed on each individual request for access:

1. A request for access is provided by the requester, with suitable information provided to be able to:
  - Identify the individual concerned;
  - Confirm their identity; and
  - Identify the specific information that they are requesting access to.

This request must in writing, via email to the General Manager.

2. Upon receiving a request for access, Health Industry Training:
  - Confirms the identity of the individual or party requesting access;
  - Confirms that this individual or party is appropriately authorised to receive the information requested;
  - Searches the records that we possess or control to assess whether the requested *personal information* is contained in those records; and
  - Collates any personal information found ready for access to be provided.

### *Confirming identity*

Health Industry Training personnel must be satisfied that a request for personal information is made by the individual concerned, or by another person who is authorised to make a request on their behalf. The minimum amount of personal information needed to establish an individual's identity is sought, which is generally an individual's name, date of birth, last known address and signature.

When meeting the requesting party in person, identification may be sighted.

If confirming details over a telephone conversation, questions regarding the individual's name, date of birth, last known address or service details must be confirmed before information is provided. Once identity and access authorisation is confirmed, and personal information is collated, access is provided to the requester within 30 calendar days of receipt of the original request. We will provide access to personal information in the specific manner or format requested by the individual, wherever it is reasonable and practicable to do so, free of charge.

Where the requested format is not practical, we consult with the requester to ensure a format is provided that meets the requester's needs.

If the identity or authorisation access cannot be confirmed, or there is another valid reason why Health Industry Training is unable to provide the personal information, refusal to provide access to records will be provided to the requester, in writing. Our notification will include reason(s) for the refusal, and the complaint mechanisms available to the individual. Such notifications are provided to the requester within 30 calendar days of receipt of the original request.

### **Request for Records Update**

Individuals or third parties may at any stage request that their records held by Health Industry Training relating to their personal information be updated. The following procedure is followed on each individual request for records updates:

1. A request for records update is provided by the requester, with suitable information provided to be able to:
  - a. Identify the individual concerned;
  - b. Confirm their identity; and
  - c. Identify the specific information that they are requesting be updated on their records.

This request must be in writing, via email to Student Administration.

2. Upon receiving a request for records update, Health Industry Training:
  - a. Confirms the identity of the individual or party to whom the record relates;
  - b. Searches the records that we possess or control to assess whether the requested *personal information* is contained in those records; and
  - c. Assesses the information already on record, and the requested update, to determine whether the requested update should proceed.

#### *Assessing Update*

Health Industry Training personnel assess the relevant personal information we hold, and the requested updated information, to determine which version of the information is considered accurate, up-to-date, complete, relevant and not misleading, having regard to the purpose for which it is held.

This may include checking information against other records held by us, or within government databases, in order to complete an assessment of the correct version of the information to be used.

3. Once identity and information assessment is confirmed, personal information is:
  - a. Updated, free of charge, within 14 calendar days of receipt of the original request; and
  - b. Notified to any third parties of corrections made to personal information if this information was previously provided to these parties.
4. If the identity of the individual cannot be confirmed, or there is another valid reason why Health Industry Training is unable to update the personal information, refusal to update records will be provided to the requester in writing, free of charge, within 14 calendar days.

Our notification will include the reasons for the refusal and the complaint mechanisms available to the individual.

5. Upon request by the individual whose correction request has been refused, we will also 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. This statement will be applied, free of charge, to all personal information relevant across Health Industry Training systems within 30 calendar days of receipt of the statement request.

## Privacy Complaints

If an individual believes Health Industry Training has breached its obligations in the handling, use or disclosure of their personal information, they may raise a complaint. We encourage individuals to discuss the situation with their Health Industry Training representative in the first instance, before making a complaint.

The complaints handling process is as follows:

1. The individual should make the complaint including as much detail about the issue as possible, in writing to the Executive Director, Health Industry Training.
2. Health Industry Training will investigate the circumstances included in the complaint and respond to the individual as soon as possible (and within 30 calendar days) regarding its findings and actions following this investigation.
3. After considering this response, if the individual is still not satisfied they may escalate their complaint directly to the Information Commissioner for investigation:

Office of the Australian Information Commissioner

[www.oaic.gov.au](http://www.oaic.gov.au)

Phone: 1300 363 992

When investigating a complaint, the OAIC will initially attempt to conciliate the complaint, before considering the exercise of other complaint resolution powers.

4. Alternatively, if the complaint relates to a non-privacy matter, or should individuals choose to do so, a complaint may also be lodged with the ASQA complaints handling service for complaints against RTOs:

Australian Skills Quality Authority

[www.asqa.gov.au](http://www.asqa.gov.au)

Phone: 1300 701 801