INSTITUTE OF MANAGEMENT AND TRADE
RTO No: 45905 Cricos Provider no: 04052M

Privacy and Confidentiality Policy

Purpose

This policy ensures that the Institute of Management and Trade meets its legal and ethical requirements in regard to the collection, storage and disclosure of the personal information it holds in regards to individuals.

This policy and procedure contribute to compliance with Clause 3.6 and 8.5 of the Standards for Registered Training Organisations 2015, Standard 3 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 as well as the legislative instrument Data Provision Requirements 2012 including the National VET Provider Collection Data Requirements Policy

.

Policy

1. Privacy Principles

In collecting personal information, Institute of Management and Trade complies with the requirements set out in the Privacy Act 1988, including Australian Privacy Principles 3 and 5 (in accordance with the National VET Provider Collection Data Requirements Policy clause 4.4), Privacy and Data Protection Act 2014 (Vic) and the Health Records Act 2001 (Vic, Education and Training Reform Act 2006 (Vic) and the relevant privacy legislation and regulations of the states/territories in which Institute of Management and Trade operates.

The Victorian Government, through the Department of Education and Training (the Department)'s collection and handling of enrolment data and VSNs is authorised under the Education and Training Reform Act 2006 (Vic). The Department is also authorised to collect and handle USIs in accordance with the Student Identifiers Act 2014 (Cth) and the Student Identifiers Regulation 2014 (Cth).

Personal information, including sensitive information, is collected from individuals in order that Institute of Management and Trade can carry out its business functions. Institute of Management and Trade only collects and stores information that is directly related to its business purposes and legal requirements of providing nationally recognised training and assessment.

Sensitive information is only collected by Institute of Management and Trade if a permitted general or health situation applies in accordance with the Privacy Act (16A, 16B) such as, if:

- The collection of the information is required or authorised by, or under, an Australian law or a court/tribunal order.
- It is unreasonable or impracticable to obtain the individual's consent to the collection, use or disclosure.
- It genuinely and reasonably believes that:
    - The collection, use or disclosure is necessary to lessen or prevent a serious threat to the life, health or safety of any individual, or to public health or safety.
    - Unlawful activity, or misconduct of a serious nature, that relates to Institute of Management and Trades functions or activities has been, is being or may be engaged

in, and the collection, use or disclosure is necessary in order for the entity to take appropriate action in relation to the matter.

- The collection, use or disclosure is reasonably necessary to assist any APP entity, body or person to locate a person who has been reported as missing.
- The collection, use or disclosure is reasonably necessary for the establishment, exercise or defence of a legal or equitable claim.

Institute of Management and Trade ensures each individual:

- Knows why their information is being collected, how it will be used and who it will be disclosed to.
- Is made aware of any legal requirement for Institute of Management and Trade to collect the information.
- Is able to access their personal information upon request.
- Does not receive unwanted direct marketing.
- Can ask for personal information that is incorrect to be corrected.
- Can make a complaint about Institute of Management and Trade if they consider that their personal information has been mishandled.
- Is made aware of any consequences for not providing the information requested.
- Whether the information is likely to be disclosed to overseas recipients, and if so, which countries such recipients are likely to be located in.

Institute of Management and Trade retains evidence that that the student has acknowledged the following Privacy Notice and Student Declaration as part of their enrolment process: https://www.education.gov.au/privacy- notice-and-student-declaration

2. Collection of Information

Under the *Data Provision Requirements 2012*, Institute of Management and Trade is required to collect personal information about students undertaking nationally recognised training and disclose that personal information to the National Centre for Vocational Education Research Ltd (NCVER). NCVER will collect, hold, use and disclose personal information in accordance with the Privacy Act 1988 (Cth), the VET Data Policy and all NCVER policies and protocols (including those published on NCVER's website at www.ncver.edu.au).

Institute of Management and Trade is required to provide the Department with student and training activity data. This includes personal information collected in the Institute of Management and Trade enrolment form and unique identifiers such as the Victorian Student Number (VSN) and the Commonwealth's Unique Student Identifier (USI).

Institute of Management and Trade provides data to the Department in accordance with the Victorian VET Student Statistical Collection Guidelines, available at http://www.education.vic.gov.au/training/providers/rto/Pages/datacollection.aspx

In general, personal information will be collected through course application and/or enrolment forms, training records, assessment records and online forms and submissions.

The types of personal information collected include:

- personal and contact details
- employment information, where relevant
- academic history
- background information collected for statistical purposes about prior education, schooling, place of birth, disabilities and so on
- training, participation and assessment information
- fees and payment information
- information required for the issuance of a USI
- for international students:
    - current course information including CRICOS code, agreed starting date, expected completion date if the student did not start on the agreed date
    - Information about any terminations for change to identity and duration of the course
    - English language proficiency including the name of the test and the score received
    - visa information, including the DIBP office where the visa application was made and current local DIBP office
    - passport information including whether the student was in Australia when they became an accepted student

3. Unique Student Identifiers (USI)

All students participating in nationally recognised training from 1 January 2015 are required to have a Unique Student Identifier (USI) and provide it to Institute of Management and Trade upon enrolment. Alternatively, Institute of Management and Trade can apply for a USI on behalf of an individual.

The Student Identifiers Act 2014 authorises the Australian Government's Student Identifiers Registrar to collect information about USI applicants. When Institute of Management and Trade applies for a USI on behalf of a student who has authorised us to do so, we need to collect personal information about the student which will be passed on to the Student Identifiers Registrar. This will include:

- name, including first or given name(s), middle name(s) and surname or family name
- date of birth
- city or town of birth
- country of birth
- gender
- contact details, so the Student Identifiers Registrar can provide individuals with their USI and explain how to activate their USI account.

In order to create a USI on behalf of a student, Institute of Management and Trade will be required to verify the identity of the individual by receiving a copy of an accepted identification document. This document will only be used for the purposes of generating the USI and confirming the identity of the individual with the Registrar. Once the USI has been generated and validated, the identity documents used or collected for this purpose will be securely destroyed.

The information provided by an individual in connection with their application for a USI:

- is collected by the Registrar as authorised by the Student Identifiers Act 2014.
- is collected by the Registrar for the purposes of:
    - applying for, verifying and giving a USI
    - resolving problems with a USI
    - creating authenticated vocational education and training (VET) transcripts
- may be disclosed to:
- Commonwealth and State/Territory government departments and agencies and
- statutory bodies performing functions relating to VET for:
    - the purposes of administering and auditing VET, VET providers and VET programs
    - education related policy and research purposes
    - to assist in determining eligibility for training subsidies
- VET Regulators to enable them to perform their VET regulatory functions
- VET Admission Bodies for the purposes of administering VET and VET programs
- current and former Registered Training Organisations to enable them to deliver VET courses to the individual, meet their reporting obligations under the VET standards and government contracts and assist in determining eligibility for training subsidies
- schools for the purposes of delivering VET courses to the individual and reporting on these courses
- the National Centre for Vocational Education Research for the purpose of creating authenticated VET transcripts, resolving problems with USIs and for the collection, preparation and auditing of national VET statistics
- researchers for education and training related research purposes
- any other person or agency that may be authorised or required by law to access the information
- any entity contractually engaged by the Student Identifiers Registrar to assist in the performance of his or her functions in the administration of the USI system
- will not otherwise be disclosed without the student's consent unless authorised or required by or under law

The consequences to the student of not providing the Registrar with some or all of their personal information are that the Registrar will not be able to issue the student with a USI, and therefore Institute of Management and Trade will be unable to issue a qualification or statement of attainment.

Storage and Use of Information

The Institute of Management and Trade will store all records containing personal information securely and take all reasonable security measures to protect the information collected from unauthorised access, misuse or disclosure. Personal information will be stored in paper-based files that are kept in locked filing cabinets in a secure location and electronically in a secure environment to which only authorised staff have access.

The personal information held about individuals will only be used by Institute of Management and Trade to enable efficient student administration, report data to provide information about training opportunities, issue statements of attainment and qualifications to eligible students, and to maintain accurate and detailed records of student course participation, progress and outcomes. Information about international students may also be shared to promote compliance with the conditions of student visas and the monitoring and control of visas.

Institute of Management and Trade may use the personal information provided by an individual to market other internal products and services to them. An individual may opt out of being contacted for marketing purposes at any time by contacting our office. Information will not be passed onto any third-party marketing companies without the prior written consent of the individual.

Disclosure of Information

Institute of Management and Trade will not disclose an individual's personal information to another person or organisation unless:

- They are aware that information of that kind is usually passed to that person or organisation.
- The individual has given written consent.
- The Institute of Management and Trade believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious threat to the life or health of the individual concerned or another person.
- The disclosure is required or authorised by, or under, law.
- The disclosure is reasonably necessary for the enforcement of criminal law or of a law imposing a pecuniary penalty, or for the protection of public revenue.

Any person or organisation to which information is disclosed is not permitted to use or disclose the information for a purpose other than for which the information was supplied to them.

Personal information may be used or disclosed by Institute of Management and Trade for statistical, regulatory and research purposes. Institute of Management and Trade may disclose personal information for these purposes to third parties, including:

- Commonwealth and State or Territory government departments and authorised agencies; such as the Australian Skills Quality Authority (ASQA), Department of Education and Training (DET), the Department of Home Affairs (DHA) and the Tuition Protection Service (TPS)
- NCVER
- Organisations conducting student surveys
- Researchers.

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

- Issuing a VET Statement of Attainment or VET Qualification, and populating 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.

Access to and Correction of Records

Individuals have the right to access or obtain a copy of the information that Institute of Management and Trade holds about them including personal details, contact details and information relating to course participation, progress and AQF certification and statements of attainment issued.

Requests to access or obtain a copy of the records held about an individual must be made by contacting our office using the *Request to Access Records Form*. The individual must prove their identity to be able to access their records.

There is no charge for an individual to access the records that Institute of Management and Trade holds about them; however, there may be a charge for any copies made. Arrangements will be made within 10 days for the individual to access their records.

Complaints about Privacy

Any individual wishing to make a complaint or appeal about the way information has been handled within Institute of Management and Trade can do so by following Institute of Management and Trade's *Complaints and Appeals Policy and Procedure*.

Version control and accountability table

Policy owner		Compliance Manager		
Responsible Officer		RTO Manager		
Approved by		CEO		
Version	**Authorised by**	**Brief description of change**	**Date approved**	**Effective date**
1.0	L Blefari	Policy development	4/1/2024	4/1/2024