

PRIVACY DISCLOSURE AND PHOTO CONSENT FORM	
SECTION 1 – PERSONAL DETAILS	
Full Name:	
Contact Tel:	Mobile:
Address:	
Email:	
Age Declaration:	<input type="checkbox"/> I am over 18 Years of age. <input type="checkbox"/> I am under 18 Years of age
SECTION 2 – CONSENT	
Description Consent	<input type="checkbox"/> Until further notice, I give consent to using images and audio on film, video, photographic or any other form of electronic recording taken of me by or on behalf of our RTO <input type="checkbox"/> I understand and authorise the use or reproduction of any of these images and recordings referred to above in all or any of the following media: Film, Video, Internet, printed matter, posters, magazines, newspapers and advertisements. <input type="checkbox"/> I understand that these images and recordings used for marketing, advertising, tender or business submissions, illustrations, graphic design, entering competitions, and exhibitions or in any publication in any manner in Australia or elsewhere in the world by us for advertising or public relations purposes related to the activities, programs and services provided by the RTO. <input type="checkbox"/> I acknowledge that I do not have the copyright of these images and recordings and that ownership of these images and recordings resides with our RTO. <input type="checkbox"/> I agree and understand the use or reproduction of any images and recordings are without acknowledgement and entitlement to remuneration or compensation. <input type="checkbox"/> I understand and agree that I will notify the RTO if I decide to withdraw this permission.
Description of photographs / images:	

SECTION 3 – AUTHORISATION			
Signature:		Date:	
Legal Guardian (if Under 18 years of age):			
Signed:		Relationship:	
Print Name:		Date:	

**Title:** Privacy

**Purpose:**

We are committed to providing quality training and assessment per the Registered Training Organisations (SRTOs 2015). It is required to comply with Federal law regarding employees, clients, and contractors' privacy and confidentiality.

The purpose of this policy is to outline how it complies with the Privacy Act 1988 and the Australian Privacy Principles (APPs).

**Standard reference:**

Standard 8 Clause 8.5

**Who is responsible:**

CEO ensures that all employees are made aware of this policy and its underpinning legislative requirements and comply with this policy at all times.

CEO ensures that all clients have access to and awareness of this policy

**Review date:**

Every 12 months

**Definitions:**

Legislation - Although not required, we choose to abide by the Privacy Act 1988 and associated 13 x Australian Privacy Principles (APPs).

The APPs came into force on 12 March 2014 and set out standards, rights, and obligations for handling, holding, accessing, and correcting personal information (including sensitive information).

**Underpinning Principles**

Personal information is defined in the Privacy Act 1988 to mean "information or an opinion about an identified individual, or a reasonably identifiable individual:

- whether the information or opinion is accurate or not. and
- whether the information or opinion recorded in a material form or not

Sensitive Personal Information is defined in the Privacy Act 1988 to mean "information or an opinion about an individual's" that is also personal information, such as:

- racial or ethnic origin. Or
- political opinions. or
- membership of a political association. or
- religious beliefs or affiliations. or
- philosophical beliefs. Or
- membership of a professional or trade association. or
- membership of a trade union. Or
- sexual orientation or practices. Or
- Criminal record.
- Policy:

We are committed to complying with an obligation under the Privacy Act 1988 and the associated Australian Privacy Principles (APPs), precisely how it collects, uses, secures and discloses personal information. We are committed to safeguarding any confidential information obtained by the RTO.

We will ensure:

- It maintains and provides a current Privacy Policy.
- Information gathered for the express purpose of training and assessment matters will not be disclosed to a third party unless prior written consent provided by the individual concerned, except that required by law.
- The secure storage of all records
- The confidentiality of all information maintained on records

### Procedure:

Considerations are given to Personal Information Privacy and open and Transparent Management of Personal Information

We will ensure:

- Personal information managed openly and transparently.
- Reasonable steps are taken to implement practices and procedures that will facilitate dealing with enquiries or complaints from individuals regarding compliance with the Australian Privacy Principles (APPs)
- Ensure that it maintains an up-to-date policy about the management of personal information.
- Ensure that the Privacy Policy contains the following information:
  - The kind of information that is collected and held
  - How the information is collected and held
  - The purposes for which information collected, held, used and disclosed.
  - How an individual may access their personal information that is held by and seek correction of such information as necessary
  - We explain how the individual makes a complaint about a breach of the apps
  - We present how the individual deals with a complaint
  - We do not disclose personal information to overseas recipients and the countries that are likely to be located.
- Provide the Privacy Policy free of charge and in such form as appropriate and as is reasonable.

Anonymity and pseudonymity

We will:

- Respect that individuals may not wish to identify themselves when making enquiries on products and services.
- However, require full personal details as required by law and for identification purposes from clients.

Collection of Personal Information. We will ensure:

- Personal information is not collected from you unless that information is necessary for one or more of its functions or activities or required by law.
- We advise that law is required to collect, hold, use, and supply personal information, per the National VET Provider Collection Data Provision Requirements.
- We will take reasonable steps at or before the time of collection to ensure that you are aware of:
  - Who we are and how to contact us?
  - How to gain access to your information
  - The purpose for which the information collected.
  - Any organisation to which we would usually disclose information of that kind.
  - Any law that requires the particular information to be collected.
  - The main consequences for the individual if all or part of the information not provided.
- We collect information from you in the following ways:
  - When you register your interest online, apply for enrolment, request certain services or products, or otherwise contact or do business with us.
- The information collected from enrolment forms, certified documents, telephone calls, faxes, emails, and letters is protected
- Information collected from third parties, such as other training providers, regarding confirmation of training and ongoing professional development that you have attended, as permitted by you.
- Information collected about you from a third party taken using reasonable steps to ensure that the individual is aware of the matters listed above except to the extent that making the individual aware of the issues would pose a severe threat to the life or health of any individual.

Dealing with Personal Information

We will not use or disclose personal or sensitive information for any purpose other than what it was collected for unless the relevant person has provided written consent to use or disclose that information in the circumstances different from those for which it was collected.

The circumstances where an exception may occur are:

- disclosure of this information is authorised by or under Australian law or a court/tribunal order.
- The individual would reasonably expect to use or disclose the information for the secondary purpose.
- A legal health situation exists concerning the use or disclosure of our information.

- A general legal problem exists concerning the use or disclosure of our information.
- We reasonably believe that the use or disclosure of the information is reasonably necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

Collects your personal information to:

- Process applications.
- Manage your enrolment.
- Record and maintain your details.
- Administering training programs
- Record and maintain details of your ongoing training and assessment.
- Provide you with details regarding client services, benefits, and training opportunities.
- Notify you about upcoming events and opportunities.
- Gain feedback from you.
- Communicate with you.
- Report to relevant authorities as required by law.

Direct Marketing

- We may use personal information (specifically names and relevant address details). Also, information about preferences for direct marketing (i.e. the communication channels you prefer for receiving direct marketing from us and the types of products and services you are interested in) let you know about our services and benefits, where we have your consent.
- Provides an opt-out and unsubscribe method that is easily accessible for individuals to request not to receive direct marketing communications.

Cross Border Disclosure

We do not disclose personal information to overseas recipients unless prior written approval received by the individual to whom the personal information relates.

Adoption, use or disclosure of Government Related identifiers:

- By law (Student Identifier Act), we will collect, maintain, and report to relevant Government agencies the individual's Unique Student Identifier (USI) number per the National VET Provider Collection Data Provision Requirements.
- Will not disclose the Unique Student Identifier (USI) number for any other purpose, including any Certification documents you receive.
- Must not adopt the Unique Student Identifier (USI) number as its identifier of the individual.

The integrity of Personal Information

Quality of personal information - we will take steps, as are reasonable, to ensure that the personal information it:

- Collects is accurate, up to date, and complete.
- Uses or discloses, is, regarding the purpose of the use or disclosure, accurate, up to date, complete and relevant.

Security of personal information

- we will take steps, as are reasonable in the circumstances, to:
- Protect the information from misuse, interference, and loss and unauthorised access, modification or disclosure.
- Destroy the information or ensure that the data is de-identified.

Access to, and correction of, Personal Information

We provide all clients with electronic access to their records to update and maintain their personal information.

In some circumstances, it may not permit access to individuals for their personal information. If this is ever the case, it will provide full details for this decision's legal reasons. These may include that believes:

- That giving access to the information would pose a severe threat to the life, health or safety of the individual, or public health or public safety. or
- Giving access would have an unreasonable impact on the privacy of other individuals. or
- The request for access is frivolous or vexatious. or
- The information relates to existing or anticipated legal proceedings between and the individual. It would not be accessible by the process of discovery in those proceedings. or
- Giving access would reveal the intentions of concerning negotiations with the individual in such a

- way as to prejudice those negotiations. or
- Giving access would be unlawful. or
- Denying access is required or authorised by or under Australian law or a court/tribunal order. or

Both of the following apply:

- If we have reason to suspect that unlawful activity, or misconduct of a serious nature, that relates to functions or activities has been, is being or may be engaged.
- Giving access would be likely to prejudice the taking of appropriate action concerning the matters. or
- Giving access would likely prejudice one or more enforcement related activities conducted by, or on behalf of, an enforcement body. or
- Giving access would reveal evaluative information generated within in connection with a commercially sensitive decision-making process.

When dealing with requests for access to personal information, will:

- Respond to request for access within 30 days of the offer, if from an individual,
- Respond to a request for access within a reasonable time if the request is from an organisation. and
- Provide access to the information in the manner requested if it is reasonable and practicable to do so.
- We do not charge a fee for access to personal information. The exception is re-prints of certification documentation previously supplied.

About the correction of personal information held, we are:

- satisfied that information is inaccurate, out of date, incomplete, irrelevant or misleading, will take such steps as reasonable to correct the data to ensure that, regarding the purpose for which it held, the information is accurate, up-to-date, complete, relevant and not misleading.

Should refuse to correct information, will give written notice to the individual that sets out:

- The reason for the refusal
- The mechanisms were available to complain about the refusal. and
- Any other matter prescribed by the regulations

Clients Obtaining Access to Own Records and Clients have access to their records through their login into the Student Management System (SMS).

Application to access own records – Paper-based/ documentation

The client must:

- advise in writing they wish to view their records “Paper-based” (i.e. Client file) kept by our RTO

The administrator must:

- Please communicate with the client confirming their needs.
- identify the client
- Arrange a date/time for the client to attend and view their records.

Accessing own records

The client arrives to view their own “Client file”.

The administrator must:

- Verify the identification of the client.
- Retrieve client file.
- Provide private access for the client to view their records under supervision.

The Client:

- views their own “Client file”.
- However, it is not permitted to remove any documentation from their file but may request a copy of the documentation.

The administrator must:

- Return client file to the filing system.

Third parties - Client Allowing Access of their Records to a third party and Clients have access to their records through their login into the Student Management System (SMS)

#### Application by a client for a third party to access client records/information

##### The Client

- Completes “Privacy Disclosure Form” and submits to admin, allowing a third party to access the client’s records/ information.
- The administrator must:
- Please communicate with the client confirming their needs.
- Identify the client.
- Identify the third party.
- Arrange a date/time for the third party to attend and view the records or discuss the client’s details.
- May need to communicate with a Third-party to arrange a date and time.
- Note that a third party has authority to view documents on the client records, both SMS and Client file.
- Place “Privacy Disclosure Form” on the client file.

#### Accessing Client records by a Third party

##### The Third-party:

- arrives to view the Client records “Client file” or calls to receive client-specific information.

##### The administrator:

- Verifies identification of Third-party.
- Retrieve client file.
- Provide private access for Third-party to view the records under supervision or provide personal information as permitted and written on the “Privacy Disclosure Form”.

##### The Third-party

- views the “Client file”.
- However, it is not permitted to remove any documentation from the client file; however, it may request a copy of the documentation if this has been the client’s instruction on the “Privacy Disclosure Form”.
- The administrator:
- Returns client file to the filing system

#### **Records management:**

All personal information and records maintained per Records Management Policy. (See Records Management Policy)

#### **Monitoring and Improvement**

The CEO monitors all practices for privacy and areas for improvement identified and actioned. (See Continuous Improvement Policy)

#### **Forms**

- Privacy disclosure form
- Privacy photo consent form