



COM024 Privacy and Personal Information Obligations

Version Control Procedure				
Date	Type of Change	Version	Details	By Who
22/10/2014	Major	V1	Document created	Business Manager
06/03/2019	Minor	V1.1	Amendment of correcting personal information	Business Manager
02/03/2022	Minor	V1.2	Inclusion of policy details related to Centrelink Confirmation eServices (CCeS)	Business Manager

**Purpose**

ACFB may require the collection of personal information from individuals to enable it to provide its products and services or for the purposes of employment. ACFB takes its obligations under the Privacy Act seriously, and as such, will take all reasonable steps in order to comply with the Act and protect the privacy or personal information that it holds.

This Policy supports CAG’s commitment to the protection and non-disclosure of personal and sensitive information of its students and provides staff with a better understanding of the type of personal information that ACFB holds on individuals.

The Privacy Act 1988 is an Act that regulates the transparent handling of personal information about individuals. This includes the collection, use, storage and disclosure of personal information to other individuals, Government entities or other organisations either by law or for other purposes. The Privacy Act includes 13 Privacy Principles that apply to the handling and use of personal and sensitive information.

**Scope**

All staff

**Responsibility**

Executive Director  
Administration Officer

**Process**

**Definition**

Under the Privacy Act, personal information is defined as “Information or an opinion about an identified individual, or an individual who is reasonably identifiable”.

- a) whether the information or opinion is true or not; and
- b) whether the information or opinion is recorded in a material form or not

Sensitive information is defined as:

- (a) information or an opinion about an individual’s:
  1. racial or ethnic origin; or
  2. (ii) political opinions; or
  3. membership of a political association; or
  4. religious beliefs or affiliations; or
  5. philosophical beliefs; or
  6. membership of a professional or trade association; or



7. membership of a trade union; or
8. sexual orientation or practices; or
9. criminal record; or

that is also personal information; or

- a) health information about an individual; or
- b) genetic information about an individual that is not otherwise health information; or
- c) biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or
- d) biometric templates.

### **1) Publication of this Privacy and Personal Information Policy**

- 1.1 This Privacy and Personal Information Policy will be made available to students, prospective students and other individuals by publication on ACFB's website.
- 1.2 In order to ensure that students have given their informed consent for their personal information to be disclosed to certain third parties as outlined in this procedure, ACFB will advise students on enrolment about this policy and where it is located.

### **2) Use of personal and sensitive information**

- 2.1 Personal information about students studying at ACFB may be shared with the Commonwealth and State Government agencies and designated authorities (The Australian Skills Quality Authority, The National Centre for Vocational Education Research and the Department of Education Training and Employment), the ESOS Assurance Fund Manager, the Australian Council for Private Education and Training as manager of the Tuition Assurance Schemes of which the Institute is a member.
- 2.2 The National VET Provider Collection Data Requirements Policy specifies the use of data collected by registered training organisations including enabling employers and individuals to make informed choices about training operations, accessing historical records on training undertaken, allowing industry to pinpoint skills being developed in the training sector and enabling governments to develop more targeted policies and better direct public funding to training priorities.

### **3) Collection of personal and sensitive information**

- 3.1 Personal and sensitive information is collected by ACFB in order for it to carry out its functions as a registered training organisation (RTO). This information is collected in accordance with the requirements of the Standards for Registered Training Organisations, the National VET Regulator Act 2011, Data Provision Requirements 2012 and the requirements for Total VET Reporting.
- 3.2 Personal information that is collected includes:
  - i. Name
  - ii. Address
  - iii. Contact details (telephone and email)



- iv. Postal address
- v. Date of birth
- vi. Gender
- vii. Emergency contact details
- viii. Employment status including employment details (where necessary)
- ix. Language used
- x. Reasons for study
- xi. Educational history
- xii. Tax file number
- xiii. Other legal requirements

3.3 Sensitive information that is collected includes:

- i. Ethnicity and origin including language and literacy needs
- ii. Health and disability

3.4 Where possible, this information will be collected directly from the individual. However, ACFB acknowledges that there is no obligation for an individual to provide personal information. However, if an individual chooses not to provide the ACFB with personal details, ACFB may not be able to provide the individual with the full range of services. All students have the ability to have incorrect personal information corrected by contacting ACFB's administration department via email at: [acfb.edu.au](mailto:acfb.edu.au).

3.5 Personal information may also be collected to assess an individual's entitlement to Victorian and Commonwealth assistance under the Victorian Training Guarantee and Higher Education Support Act 2003. ACFB will disclose this information to the Federal Departments of Education and Employment for these purposes.

3.6 For students who are eligible for a Skills First Funding Concession Fee discount, ACFB utilises the Centrelink Confirmation eServices (CCeS) to establish the validity of the concession card.

- I. So that ACFB can access the following information, the applicable students will be required to sign a consent form that will be kept on their Student Management System profile. The information collected and retained include:
  - a) the equivalent record of a concession card as extracted from Centrelink Confirmation eServices
  - b) date the extract was made;
  - c) concession holder's name; and
  - d) card number.
- II. After gaining the students consent for the Australian Government Department of Human Services to release the specific students information, ACFB may use CCeS to get the above information the student consented to accesses.
- III. The student may withdraw their consent for Australian Government Department of Human Services to provide ACFB with their information at any time. If this occurs ACFB must immediately stop using CCeS to get that students information and a copy of the email/or documented conversation must be kept on their Student Management System profile.
- IV. Only the following authorised ACFB Delegates may access the Centrelink Confirmation eServices (CCeS). Each must be listed and approved by Centrelink on the Business Online Services – User Details form.
  - a) Principal Director
  - b) Enrolments & Administration Officer
  - c) Reporting Officer



- V. It is ACFB's responsibility to protect the information provided by the Australian Government Department of Human Services from loss or misuse. This includes, but is not limited to:
- a) protecting students information from unauthorised use and disclosure
  - b) not disclosing student information to any third party without the students consent
  - c) not selling customer information
  - d) storing student information securely, including consent forms in ACFB's secure Student Management System for a period of 30 years as per policy COM011 Records Management,

#### 4) How the information is collected

- 4.1 Personal and sensitive information is generally collected through the completion of ACFB's enrolment process and/or through the completion of quality indicator surveys.
- 4.2 Data storage and data is conducted in line with ACFB's Retention, Archiving, Retrieval, Transfer of Records and Records management procedure.
- 4.3 All confidential information of students enrolled at ACFB will be safeguarded by ACFB, its related committees, individuals and/or organisations acting on its behalf. ACFB will ensure all confidential student information collected is only used for records management purposes relevant to training and education specific to ACFB. Except as required under the *Standard for Registered Training Organisations*, or by law, ACFB will not disclose or provide third party interests with information regarding individual students unless that student has provided written consent.
- 4.4 ACFB will maintain and provide access to records relating to each individual student's academic progress upon request of that individual student. All student records will remain at ACFB and will be put into the archives once the student has received their certificate / diploma. With regards to access to records, ACFB will:
- i. Allow students full access to their own personal records upon request (proof of identification may be required).
  - ii. NOTE: third party access to staff records will not be made available without written consent from the staff member.
  - iii. Provide the registering body with compliant record reports as necessary under external reporting requirements
  - iv. relating to Australian Vocational Education and Training Management Information Statistical Standard
  - v. [AVETMISS].
  - vi. Provide access to records for legal bodies as requested under the conditions of the Privacy Act, 1998.
  - vii. Provide access to records for registration body as requested under the conditions of the Privacy Act, 1998
  - viii. Provide access to records for training staff as may be required under their employment/contract duties at the Australian College of Fitness & Bodywork.
  - ix. Delivery details for each course/training package qualification and module/unit of competence in the Scope of Registration and student details including enrolments, participation and completions in accordance with Recognition Authority-AVETMISS requirements.
  - x. Maintain confidentiality of all staff and student's records in accordance with requirements under the Privacy Act, 1998.
  - xi. As a legal requirement, and in line with the Privacy Act, 1988, The Australian College of Fitness & Bodywork requires its committees, individuals and associated organisations to safeguard any confidential information obtained through day-to-day operations of the College.



### **Related Documents**

COM006 Compliance with Legislation

COM011 Records Management

COM014 Retention, Archiving, Retrieval, Transfer of Records

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