

LET Training Privacy Policy

1. POLICY STATEMENT

LET Training is committed to protecting an individual's right to privacy. LET Training acknowledges and takes seriously its responsibilities and obligations under the *Privacy Act, 1988 (Cth)* [as amended] and its associated Privacy Principles.

LET Training is therefore committed to complying with these mandates and principles and ensuring the privacy of information of all learners and clients (including prospective learners and clients), staff and stakeholders at all times.

2. PURPOSE

The purpose of this policy is to ensure:

- 2.1. LET Training operates lawfully and in full compliance at all times within the Federal and State legislative and regulatory framework as is relevant to its functions, activities and scope of registration as an RTO;
- 2.2. LET Training collects personal and sensitive information lawfully and fairly, and stores, manages, uses and discloses it in full compliance with legislative provisions and principles;
- 2.3. The Privacy Principles established under the *Privacy Act 1988 (Cth)* underpin all aspects of dealings of or by LET Training with personal and/or sensitive information;
- 2.4. All RTO staff are aware of and fulfil their responsibilities and obligations to stakeholders and the organisation in respect of information privacy;
- 2.5. All RTO staff are responsible at all times for the safeguarding of any confidential information obtained through and in consequence of acquittal of RTO duties;
- 2.6. No RTO staff member releases or divulges any stakeholder-related personal or sensitive information to a third party whatsoever, unless expressly authorised to do so.

3. DEFINITIONS

- 3.1. **Client** – A learner, enterprise or organisation that uses or purchases the services provided by an RTO;
- 3.2. **Learner** – Means a person being trained and/or assessed by an RTO for the purpose of issuing AQF certification documentation;
- 3.3. **Personal Information** – Personal Information means "... information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion...";
- 3.4. **Privacy** – Privacy refers to the right of an individual to control how one's personal information is used. That right covers the collection, use, retention and disclosure of personal and sensitive information;
- 3.5. **Sensitive Information** – Sensitive Information means "...(a) information or an opinion about an individual's racial or ethnic origin; political opinions; membership of a political association; religious beliefs or affiliations; philosophical beliefs; membership of a professional or trade association; membership of a trade union; sexual preferences or practices; criminal record; that is also personal information; or (b) health information about an individual; or (c) genetic information about an individual that is not otherwise health information...";

- 3.6. Scope of Registration** – Means the training products for which an RTO is registered to issue AQF certification documentation. It allows LET Training to: both provide training delivery and assessment resulting in the issuance of certification documentation by LET Training; or provide assessment resulting in the issuance of AQF certification documentation by LET Training;
- 3.7. Stakeholders** – Individuals or organisations affected by, or who may influence, LET Training's services but who are not directly involved in purchasing or using LET Training's services;

4. ABBREVIATIONS & ACRONYMS

- 4.1. CEO** – Chief Executive Officer
- 4.2. NVR** – National VET Regulator
- 4.3. OAIC** – Office of the Australian Information Commissioner
- 4.4. RTO** – Registered Training Organisation
- 4.5. VET** – Vocational Education and Training

5. PROCEDURE

- 5.1.** LET Training, including all people employed by LET Training, collects and holds information lawfully and fairly for the primary purpose for which the information was collected.

5.2. Collection of Information

In collecting information, LET Training will:

- a) Only collect information for lawful purposes related to its function;
- b) Only collect information that is necessary and by lawful means;
- c) Where possible only collect information that is provided by the individual to whom the information relates, collecting it in a way that is not personally intrusive;
- d) Where information is provided by another party, ensure that collection has been authorised by the individual concerned or by someone who is legally authorised to provide it on their behalf; and
- e) Notify the individual that information is being collected, either at the time of collection or as soon as practicable afterwards.

LET Training will advise individuals from whom information is collected:

- a) The purposes for collecting the information;
- b) Whether or not the collection is voluntary and any consequences for not providing it;
- c) How the information is to be held and the intended recipients;
- d) The names and addresses of any other parties or bodies used to collect information for and on behalf of LET Training;
- e) Parties who will have access to the information;
- f) How individuals can obtain access to their information, check it for accuracy, currency and completeness and make application for correction of it, as applicable.

5.3. Use and Management of Information

LET Training will manage information responsibly by:

- a) Taking reasonable steps to ensure that information held is relevant for the purpose for which it was collected, accurate, up-to-date and not misleading;

- b) Retaining information for no longer than is necessary, then disposing of it securely in accordance with methods approved by LET Training's CEO;
- c) Securely protecting it from loss or unauthorised access, use, disclosure or misuse, and from unauthorised modification;
- d) Taking reasonable steps to prevent its disclosure without authorisation.

5.4. Safeguarding Confidential Information

All RTO staff will sign an undertaking at induction in acknowledgement of their responsibility for safeguarding confidential information attained through and in consequence of acquittal of RTO duties. The signed undertaking further verifies acknowledgement of the mandate not to release any information pertaining to any stakeholder to a third party whatsoever (unless expressly authorised to do so). Such undertakings and conditions of engagement are found in LET Training **Staff Induction Acknowledgement**.

Breaches will be referred immediately to LET Training's CEO for such disciplinary action as is deemed appropriate in the circumstances.

5.5. Disclosure of Information

LET Training will only disclose information where:

- a) Its disclosure has been consented to in writing by the individual to whom it relates; or
- b) Its disclosure is required by law and requested in an authorised written form.

LET Training's CEO is the sole RTO representative with responsibility for managing such requests to disclose information. In the absence of LET Training's CEO from the organisation at any point in time and for whatever reason, the responsibility transfers to LET Training's CEO nominated representative.

A learner or client will request such disclosure in writing via completion of the requisite **Disclosure of Information Consent Form**, which details, under signature, what information is to be disclosed to whom. The form, once actioned, will be subsequently placed on the learner's or client's file as a permanent record of the request and action. LET Training will not disclose information about an individual over the telephone.

5.6. Client Access to Records

All learners and clients have the right to obtain access to their information; to check it for accuracy, currency and completeness; and to make application for correction of it in writing, as applicable. To this end, LET Training will make all necessary arrangements for delivery of the requested information to the learner or client for review.