Privacy & Confidentiality

Purpose
The objective of the *Privacy & Confidentiality Policy* for Operator Training & Assessments (OTA) is to provide guidelines on the requirements to meet privacy and confidentiality of learner's details in the RTO as OTA is bound by the National Privacy Principles contained in the ***Commonwealth Privacy Act***.

This policy applies to all learners of OTA.

Scope
OTA is required to gather information from learners for the primary purpose of providing them with the courses of study for which they enrol. Related purposes of collection include correspondence with learners, day to day administrative matters, provision of information about courses and events, the provision of information about associated services made available to and used by learners (such as information technology) and compliance with legislative reporting requirements.

Information collected by OTA will not be disclosed to third parties. Learners are entitled to expect that their personal information will not be subject to unauthorised interference or use.

OTA will seek to ensure that the personal and academic information that the RTO collects maintains uses and discloses:

- is accurate, complete and up to date;
- is protected from misuse, loss, unauthorised access, modification or disclosure; and
- is destroyed or de-identified when and as required by the RTO governing body (TAC).

Learner Access
Learners are entitled to have access to their learner file that may contain forms, correspondence and any other items relating to the learner.

A request in writing will need to be submitted by the learner to the RTO Manager of OTA. The RTO Manager will then contact the applicant and make an appointment to view their file at a date and time suitable to both parties.

The learner will be under supervision while perusing the file. The **original** file and/or contents may not be removed from the premises of OTA but copies are allowed to be processed for the learner after the appointment has been completed.

No learner may have access to another learner's file, or to information from such a file or computer record.

Disclosing Personal Information
The RTO may disclose personal information, including sensitive information, held about an individual to:

- Government departments;
- Medical practitioners; and
- Anyone the learner authorises (in writing) the RTO to disclose information to.

OTA is required to have on record a variety of factual information about learners both for internal use in connection with its training programs and for the compilation of statistical reports to meet the requirements of external bodies.

Should another training institution formally request verification of the learner's qualifications, its transmission will be assumed to be authorised by the learner.

Management and Security of Personal Information and Assessment Records
OTA is required to respect the confidentiality of learner's personal information and submitted records. OTA has in place steps to protect the personal information the RTO holds from misuse, loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and access rights to computerised records.

Any records that leave the office of OTA must be scanned into our learner management database prior to leaving the building.

Files or assessment records that leave the OTA building **must not be left unattended or accessible by persons other than a member of the** OTA **team** while the records are out of the office. It is the responsibility of the individual holding these records to ensure that the records remain secure.

Management of Enrolment and Participation Records
Enrolment and attendance records of learners undertaking courses will be maintained in both electronic and hard forms during the duration of the particular course. Copies of certificates and Statements of Attainment issued are kept within the Power Pro learner management system.

Assessment Records
Records of qualifications and statements of attainment issued will be retained for 30 years in accordance with the standards. OTA also has a responsibility to report to the CQR. Records of all competencies achieved and qualifications issued are lodged in Vet Track.

Disclosure in an Emergency
Learner record information may be released in the event of an accident or an emergency or where OTA believes the use or disclosure of the information is necessary to respond to, lessen or prevent a serious and imminent threat to a learner's life, health, safety or welfare or a serious threat to the health, safety or welfare of the public.

Learner record information may also be released where the learner becomes incompetent to manage his/her affairs, on the authority of a power of attorney, or of a parent or guardian in the case of a minor, or of a legal guardian.
In such circumstances personal information may be released to the police, medical or hospital personnel, civil emergency services, the learner's legal representative or nominated emergency contact person or such other person where the University reasonably believes this would address the identified threat.
It is essential to establish the credentials of any person to whom information is to be released. Permission to release learner information to a third party in an emergency must be authorised by the Director or RTO Manager of OTA unless to do so would cause unreasonable delay in the circumstances.

Access to Records – RTO staff
In order to maintain the privacy and confidentiality of our learners, the only staff within the RTO that have access to learner information will be the RTO Manager and RTO Administrations Manager.